

**RESOLUTION NUMBER R-694**

**A RESOLUTION ADOPTING PERSONNEL POLICIES FOR EMPLOYEES OF  
THE CITY OF MT. CARMEL, WABASH COUNTY, ILLINOIS**

WHEREAS, the City of Mt. Carmel, Illinois is an employer and finds it necessary to establish written policies for employees in order that employees will have proper notice of the policies which will govern their employment; and

WHEREAS, it is the purpose of these policies to establish formal procedures which will serve as a guide to administrative action concerning various personnel employment practices; and

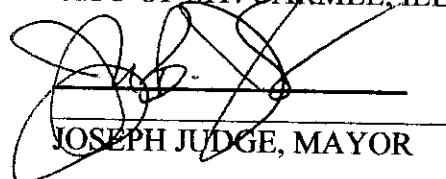
WHEREAS, these personnel policies shall govern all employees, unless a City policy is determined to be in conflict with an employee's existing collective bargaining agreement. If there is a conflict, the collective bargaining agreement policy takes precedent over the City policy.

WHEREAS, the City Council by general motion approved to revise the current Policy and Procedure Manual for the Employees of the City of Mt. Carmel on September 06, 2022

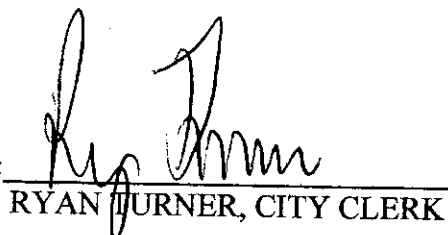
**NOW, THEREFORE, BE IT RESOLVED**, that the Personnel Policy and Procedure manual attached hereto as Exhibit 1 is approved and adopted by the City Council of the City of Mt. Carmel, Wabash County, Illinois as and for its Personnel Policy and Procedure Manual.

APPROVED this 17<sup>th</sup> day of October, 2022

CITY OF MT. CARMEL, ILLINOIS

  
\_\_\_\_\_  
JOSEPH JUDGE, MAYOR


ATTEST:

  
\_\_\_\_\_  
RYAN TURNER, CITY CLERK

## **Personnel Policy Manual for Employees of the City of Mt. Carmel**

It is the purpose of this personnel policy manual to establish formal procedures which will serve as a guide to administrative action concerning various personnel employment practices.

The personnel policies shall govern all employees, unless a City policy is determined to be in conflict with an employee's existing collective bargaining agreement. If there is a conflict, the collective bargaining agreement policy takes precedent over the City policy.



# CITY OF MT. CARMEL POLICY AND PROCEDURE MANUAL FOR THE EMPLOYEES OF THE CITY OF MT. CARMEL

Revised 2022

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**Purpose**

The purposed of this personnel policy manual is to establish formal procedures which will serve as a guide to administrative action concerning various personnel employment practices.

The personnel policies shall govern all employees, unless a City policy is determined to be in conflict with an employee's existing collective bargaining agreement policy takes precedent over the City policy.

**An Equal Opportunity Employer**

It is the policy of the City of Mt. Carmel to recruit, hire and promote individuals based on merit and without regard to race, religion, sex, color, national origin, age, disability, political affiliation, or any other non-merit factors. All hiring and personnel decisions are based on the merit and qualifications of the candidates. Candidates are evaluated in accordance to experience, the evaluations are thoroughly documented and the candidate selection is clearly substantiated.

**Mt. Carmel Non-Discrimination Policy**

The City of Mt. Carmel is dedicated to promoting freedom from unlawful discrimination as defined by the Illinois Human Rights Act, 775, 5/1-101, et., seq. (the "Act"). The Act forbids discrimination based on Age, ancestry, arrest record, citizenship status, color, conviction record, disability, familial status, gender identity, marital status, military status, national origin, orders of protection, pregnancy, race, religion, retaliation, sex, sexual harassment, sexual orientation, unfavorable military discharge. The Act forbids discrimination in employment and public accommodations within the City of Mt. Carmel.

## **SECTION ONE: DEFINITIONS**

**Section 1.1: Full-Time Employee:** A full-time employee shall mean and include any person employed by the City on a regular basis and works a minimum of thirty-two (32) hours, per week. This is not to intended to include or cover seasonal, temporary or part-time employees.

**Section 1.2: Seasonal, Part-Time, Temporary Employee, or Contractual Employee:** A seasonal or part-time employee shall mean and include any person employed by the City to work for a specified period of time, or perform a specific job or a temporary nature, regardless of the hours worked per week.

**Section 1.3: Work Day:** A work day shall consist of eight (8) hours of work or service performed during a twenty-four (24) hour day.

## **SECTION TWO: OVERTIME PAY**

**Section 2.1: Overtime Pay:** Time of one-half (1 ½) shall be paid for each, or any, of the following instances, and each instance shall not be dependent upon any other instance.

- (a) All work required to be performed in excess of eight (8) hours in any calendar day shall be paid at the overtime rate.
- (b) All work in excess of forty (40) hours for which overtime and not previously earned in any week.
- (c) Full-Time salaried employees shall not be eligible for overtime pay in any of the above instances but shall be allowed time off instead.

Note: An employee with an existing collective bargaining agreement policy takes precedent over the City policy.

**Section 2.2: Compensatory Time Off:** The City shall not compel employees to take compensatory time off in lieu of overtime pay. This shall not prohibit an employee from requesting compensatory time. Collective bargaining members will abide by their respective contract.

**Section 2.3: Longevity Pay:** Longevity pay shall be granted to all full-time employees upon completion of three (3) year increment of continuous employment with the City. Such longevity pay shall be in addition to any other compensation received and shall be paid along with the regular pay, computed at the rate of five hundred dollars (\$500) annually for each three (3) year increment. Measurement of each installment will commence on the employee's anniversary date of employment. It will be the responsibility of the City Treasurer to track an employee's longevity pay increases.



Section 2.4: Pay for Training: If an employee is required by the City, as a condition of employment, to attend a seminar or course, then the City shall pay any required tuition, mileage, and reasonable meal expenses supported by the receipts. Allowable meal expenses shall not exceed what is customary and reasonable in the community of course work. All receipts are to be turned in to the City Manager. It is the responsibility of the City Manager to review said receipts and submit those receipts to the City Treasurer. If there is a dispute as to the charges, the City Mayor will determine the amount of reimbursement that is appropriate to the claim. The employee has the right to request training associated with the performance of their job. Those requests will be considered by the employees' immediate supervisor and the City Manager. If approved, the City will pay tuition, mileage and reasonable meal expenses.

Section 2.5: Paid Lunch: Any employee working more than 10 consecutive hours in any twenty-four (24) hour period, shall receive a paid lunch period of one-half (1/2) hour and be furnished either a meal or reimburse the employee for reasonable expenses associated with their meal. Bargaining units will abide by their respective contract. Receipts will be required to obtain a reimbursement.

### **SECTION THREE: EMPLOYEE BENEFITS**

Section 3.1: Full-Time Employee Benefits: All full-time employees shall receive the following benefits in addition to regular compensation:

- (a) Annual vacation with pay
- (b) Sick leave with pay
- (c) Holiday with pay
- (d) Participation in the Illinois Municipal Retirement Fund
- (e) Group Health Insurance Program
- (f) Longevity compensation

Section 3.2: Seasonal, Part-Time or Temporary Employee Benefits: Seasonal, Part-time or temporary employee benefits shall consist only of:

- (a) Employees in this category who have six (6) months of consecutive service are eligible for holiday pay. The employee will be paid Holiday pay if the said holiday falls on their regular day of work.
- (b) Employees in this category that qualify for participation in the Illinois Municipal Retirement Fund, will be required to make contributions to the said fund.

#### **SECTION FOUR: VACATIONS**

**Section 4.1: Calculation of Vacation:** Full-time employees shall be granted vacations annually, as set forth herein. For the purpose of this section, years are measured from the employee's anniversary date. Collective bargaining units are exempt from the calculation of vacation found in this subsection. Bargaining units will follow the guidelines set forth in their respective contract. Calculations are as follows:

- |  |                                     |
|--|-------------------------------------|
| (a) After one (1) years of service     | -ten (10) paid working days         |
| (b) After five (5) years of service    | -fifteen (15) paid working days     |
| (c) After twelve (12) years of service | -twenty (20) paid working days      |
| (d) After twenty (20) years of service | -twenty-five (25) paid working days |

\*Management reserves to the right to modify the calculation of vacation when negotiating terms with new employees not in a bargaining committee. All modifications must be approved by the City Mayor.

**Section 4.2: Vacation Periods:** No more than one (1) vacation period will be earned in any twelve (12) months. Employees are encouraged to use their vacation time within the employee's anniversary date in which it was earned and the next following anniversary. Vacation time is not cumulative; however, under special circumstances five (5) days can be carried forward at the approval of the City Manager. The employee will use the carried over time within 90 days of the anniversary date or time carried forward will be lost.

**Section 4.3: Prorated Vacation Period:** Any full-time employee who has been in the active employment of the City for at least twelve (12) consecutive months, is eligible for to receive prorated vacation time on the basis of one-twelfth (12<sup>th</sup>) of earned vacation. For the employee to receive this benefit upon retirement or resignation, the employee must provide the City with a letter stating their intent to terminate their employment no later than two-weeks prior to their last day of employment.

#### **SECTION FIVE: SICK LEAVE:**

**Section 5.1: Sick Leave:** Full-time employees shall be entitled to paid sick leave; it shall be limited to personal illnesses, injuries, and mental health. Full-time employees are eligible to use paid sick leave when immediate family members have an illness, injury or mental health issue. Immediate family member is defined in section 8.2 of this manual.

Section 5.2: Notification: It is the responsibility of the absent employee to notify their immediate supervisor that they would be missing work due to illness, injury, or there is a mental health issue.

Section 5.3: Sick Leave Accrual: Sick leave shall accrue at the rate of one (1) day per month worked. In the case of new employees employed prior to the 15<sup>th</sup> of the month, sick leave accrual will begin to accrue on the 1<sup>st</sup> day of that month. Persons employed on the 15<sup>th</sup> or after, will accrue sick leave on the 1<sup>st</sup> day of the following month.

Section 5.4: Accumulation of Sick Leave: Earned sick leave days shall accumulate for a maximum not to exceed sixty (60) days (480) hours of paid sick leave. Excess of 480 hours will be paid at ½ pay rate on the employee's anniversary date. Bargaining units will be paid on their anniversary date at a rate agreed to in their contract.

Section 5.5: Medical Report: The City has the option to request an employee produce a medical "return to work" form from a licensed physician or other qualified practitioner.

Section 5.6: Mental Health Day: Full-time employees have the option to take mental health days. Mental health days are charged as sick days and taken from the employee's sick bank.

Section 5.7: FMLA: The City of Mt. Carmel will abide by all Federal and State Laws pertaining to the Family Medical Leave Act.

## **SECTION 6: HOLIDAYS:**

Section 6.1: Recognized Holidays: The following are recognized as holidays.

1. New Year's Day
2. Martin Luther King's Day
3. Good Friday
4. Memorial Day
5. Independence Day
6. Labor Day
7. Veteran's Day
8. Thanksgiving Day
9. Day after Thanksgiving
10. Christmas Eve
11. Christmas Day

Executive Department will receive one (1) extra personal day per calendar year.

Section 6.2: Floating Holidays: Two (2) of an employee's sick leave days, per year, may be used as a floating holiday. The days are to be taken as full days only (8 hours). Employee must give their supervisor a written notice requesting to use a personal day ten (10) days prior to the requested day off. No more than one (1) employee from any department may take a floating holiday on the same day, except with permission from the employee's supervisor.

Section 6.3: Holiday Pay: An hourly employee, as defined herein, required to work on a holiday recognized in this policy shall be entitled to their regular rate for all hours worked, in addition to straight time for that day. An employee not regularly required to work on that holiday shall be paid 1.5 times their regular rate for all hours worked, in addition to their straight time pay for that day.

Section 6.4: Sick on Holiday: An employee who is sick on a holiday when regularly scheduled to work shall be paid holiday pay, only and shall not be eligible for holiday pay in addition to sick pay. However, the employee shall not be charged with a sick day.

Section 6.5: Holiday Observance: Holidays recognized by this policy shall be observed in compliance with Federal Law relating to such holidays, which may be observed on Monday. Any holiday falling on a Sunday, will be observed on the next following Monday. Any Holiday falling on a Saturday, will be observed on the preceding Friday.

## **SECTION SEVEN: JURY DUTY:**

Section 7.1 Jury Duty: In the event that an employee is absent from work to serve as juror, or to report to the court in response to a jury duty summons, subpoena, or other legal document issued by a court, whether Federal, State, or Municipal Court, the employee will be paid for the hours absent during their regular eight (8) hour shift. The employee is to report immediately back to work, once the employee is released from their civic responsibility.

Section 7.2 Rate of Pay: The employee will receive their regular rate of pay while performing their duties under Section 7.1.

Section 7.3 Qualification for Jury/Court Pay: An employee must have been continuously employed by the City for at least six (6) months prior to such legal appearance, as required by the court, to qualify for the pay. If the employee's six (6) months occurs during the legal appearance, the employee will be awarded Jury/Court pay for the time period they are absent from work.

Section 7.4: Notification and Compensation: In order to receive compensation for any purpose as stated in Section 7, the employee must notify their immediate supervisor as to the nature of the summons and the time for which they are to appear. The employee shall provide a copy of the legal summons to the City Manager for review. To receive compensation, the employee must forfeit all jury duty pay or any legal fees obtained for their service to the City Treasurer. Exceptions would include legitimate expenses occurred by the employee.

**SECTION EIGHT: PERSONAL LEAVE:**

Section 8.1: Personal Leave: In the event of a death in the immediate family of an employee who has worked for the City in the excess of thirty (30) days, the employee shall be entitled up to three (3) days (if scheduled to work) at full pay as is necessary to attend the funeral. A bereavement day shall be paid at the employee's regular rate of pay. The employee has the option to take an additional two (2) days off in case of bereavement. The two (2) additional days will be taken from the employee's accrued sick leave. If the employee does not have additional accrued sick leave, the employee has the right to request leave without pay, but not to exceed two days.

Section 8.2: Definition of Immediate Family: Immediate family is defined as the employee's legal spouse, child, step-child, mother, father, guardian, mother-in-law, father-in-law, grandparents, and grandchildren.

Section 8.3: Leave of Absence: Any employee may request, in writing, to the City Manager, a leave without pay or benefits. To be considered, such leave request must specify the beginning and ending times of the leave and specify the purpose of the leave. The City retains the sole discretion whether any such leave will be granted.

**SECTION NINE: INSURANCE:**

Section 9.1: Insurance: The City and eligible employee shall contribute to the monthly cost of employee (single or family) insurance premium for health, medical, dental, and term life insurance. The employee contribution for single or family coverage shall not be greater than the amount of contribution made by those employees governed by a collective bargaining agreement. The City will provide health insurance for laid off employees for the remainder of the monthly premium period which the employee is laid off.

Section 9.2: Additional Insurance Benefits: Employees who retire, resign, or terminated from employment, will be given information on how to maintain their insurance. It will be the employee's responsibility to pay the premiums and/or administrative fees.

**SECTION TEN: TRAVEL EXPENSES:**

Section 10.1: Travel Expenses: The City will abide by Mt. Carmel City Ordinance 1066 that is mandated by the Illinois General Assembly Public Act 99-0604, also known as the Local Government Travel Expense Control Act. Travel reimbursement forms are available at City Hall. It is up to the employee to complete reimbursement form and provide that form to their immediate supervisor. The City has the right to refuse payment for unauthorized expenses. A copy of this ordinance will be included with the policy and procedure manual.

**SECTION ELEVEN: SEXUAL HARRASSMENT:**

Section 11.1: Sexual Harassment: The City of Mt. Carmel has adopted a policy to prohibit sexual harassment in the workplace. The City policy is included in Mt. Carmel City Ordinance 1083 and will be included with the policy and procedure manual. The policy follows State guidelines set forth by the Illinois General Assembly under Public Act 100-0554.

**SECTION TWELVE: DRUG AND ALCOHOL USE, POSSESSION AND TESTING**

Section 12.1: Drug and Alcohol Use, Possession and Testing: The City of Mt. Carmel promotes a drug and alcohol-free work environment. The City will continue to update the City policy as State and Federal Laws change. As the ordinance changes, employees will receive a copy of the ordinance. Employees that are members of the bargaining committee are to follow the policy and procedures set forth in their policy and procedures manual. If there is no policy concerning drug, alcohol use, possession and testing, the bargaining committee will fall under the guidelines set forth in section twelve (12) of this policy. Mt. Carmel City Ordinance 676 addresses the drug and alcohol use policy, along with possession and testing for illegal substances. Mt. Carmel City Ordinance 676 and the policy will be attached to this Policy Manual.

**SECTION THIRTEEN: SOCIAL MEDIA POLICY:**

Section 13.1: Social Media Policy: SOCIAL MEDIA POLICIES

This policy provides guidelines to ensure that any use of social media on behalf of the City of Mt. Carmel is consistent with the policy and procedures set forth by the Mt. Carmel City Counsel. This policy is to promote transparency within the organization.

Section 13.2: Definitions: Social Media-Any of a wide array of internet-based tools and platforms that allow for the sharing or information, such as the city website or social networking services. Social media accounts may include but are not limited to Facebook, Instagram, LinkedIn, and Twitter.

City of Mt. Carmel media accounts-Accounts that represent a specific department. For example, the City of Mt. Carmel Police Facebook Page is department specific. Accounts that are the owned by elected officials that represent the City of Mt. Carmel. For example, a mayoral Facebook page used as a method of effectively informing the public about services, issues, or other relevant events.

Third party storage-An organization hired by the City of Mt. Carmel to store social media content.

Section 13.3: Policy: City social media sites are not monitored 24/7. In case of an emergency, please call 911. The intent of any official City of Mt. Carmel social media accounts is to serve as a communications tool between city departments, city officials and the public. This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression. This policy does not limit an employee from speaking as a private citizen. This policy focuses on use of official City of Mt. Carmel social media accounts and the information that is disseminated by employees. This social media policy includes Terms of Use, Prohibited Content, and Disclaimer.

Section 13.4: Terms of Use: As a communication tool, the City of Mt. Carmel shall utilize its various social media accounts to raise awareness among Mt. Carmel residents and visitors. The goal is to promote community pride, inform the public of issues that may have affect their health and welfare, and to promote community events. Social media is a tool growing in popularity and is commonly used by public officials to connect with their community.

Under the Illinois Freedom of Information Act (5 ILCS 140/1, et seq.), records in the possession of public agencies may be accessed by the public upon written request. Pursuant to 5 ILCS 140/2(c), "public records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, cards, tapes, recordings, electronic data processing records, recorded information and all other documentary materials, regardless of physical form or characteristics, having been prepared, or having been or being used, received, possessed or under the control of any public body.

Therefore, official accounts owned and managed by elected officials, or managers in charge of a social media page, are subject to FOIA. All rules and regulations shall be followed under the Illinois Freedom of Information Act.

The City of Mt. Carmel has entered into a third-party agreement to store data collected on the pages of "official" social media sites belonging to Mt. Carmel departmental sites, and the official sites of elected officials. Campaign accounts and personal accounts are not subject to this policy, unless the user decides to post content directly related to City

of Mt. Carmel Operations. Data will be collected by the third-party and stored on their server. The saved material will only be accessed when a specific FOIA is requested.

If a FOIA of an "official" City of Mt. Carmel account, the account manager will be notified by the City Clerk of the request. The City Clerk and the account manager will review the request and determine if the FOIA request is viable and lawful under the Illinois Freedom of Information Act. If the request is determined to be relevant, the third-party will be contacted and the information concerning the FOIA will be recovered. Once the information has been obtained, it will further be reviewed to determine if the information is still relevant to the FOIA request. Personal accounts managed by City of Mt. Carmel employees are except as long as they are following the rules set forth by the Illinois Freedom of Information Act (5 ILCS 140/1, et seq.)

Section 13.5: Prohibited Content: The intent of Mt. Carmel's social media sites is to serve as one of multiple vehicles of communication between members of the community and the City of Mt. Carmel. Information, posts, tagged content, messages, photos, videos, graphics, and comments containing any of the following forms of content shall not be allowed and may be removed from the site:

1. Content that promotes, fosters, or perpetuates discrimination on the basis of race, religion, gender, marital status, national origin, age, mental, or physical disability, sexual orientation, gender identity, source of income, or other protected status under applicable law.
2. Off-topic content not pertinent to the post or topic at hand
3. Profane language
4. Pornographic, sexually graphic, or sexually derogatory content, or links to this content.
5. Violent content or links to the same.
6. Solicitations of commerce.
7. Private and confidential information.
8. Information that may compromise the safety and security of the public or public systems.
9. Spamming, or otherwise flooding a discussion with excessive posts (5 or more).

The City of Mt. Carmel disclaims any and all responsibility and liability for any materials or content posted that violates this policy. The City of Mt. Carmel shall make reasonable effort to remove said materials during business hours, but disclaims liability if circumstances exist that prevent or hinder efforts to remove said materials.



The City of Mt. Carmel reserves the right to “block” users who violate this policy. If a user violates terms of this policy three (3) times, the user will be “blocked” from the social media site for a period of thirty (30) days. If the user violates the policy one (1) time after a thirty (30) day suspension, the user will be permanently banned.

#### **Disclaimer**

The City of Mt. Carmel does not endorse nor otherwise support or sponsor any advertising that may be posted by a social media platform on our pages. Social media platforms are privately operated, and the terms and conditions of individual platforms apply. The City of Mt. Carmel does not guarantee the reliability or accuracy of any third-party links. The City of Mt. Carmel reserves the right to remove, at their discretion, any comment or conversation that is prohibited by this social media Policy.

Passed by the Mt. Carmel City Council on 08/08/2022

### **SECTION FOURTEEN: FISCAL POLICY AND PROCEDURES FOR THE CITY OF MT. CARMEL**

Section 14.1: Purpose: The City of Mt. Carmel is dedicated to protect the assets, maintain accurate records of the organization’s financial activities; establish an operating standards and behavioral expectations; and ensure compliance with the federal, state, and local legal and reporting requirements.

Section 14.2: Fiduciary Policy: The City of Mt. Carmel uses the accrual basis of accounting. The accrual basis is the method of accounting whereby revenue and expenses are identified with specific periods of time, such as a month or year, and are recorded as incurred. This method of recording revenue and expenses is without regard to date of receipt or payment of cash.

The Mt. Carmel City Comptroller is responsible throughout the fiscal year to document all expenses accrued into the month in which they are incurred. All bills are to be paid in a timely manner.

At the close of the fiscal year, this rule is not enforced. All expenses that should be accrued into the prior fiscal year, are so accrued, in order to ensure that year-end financial statements reflect all expenses incurred during the fiscal year. Year-end books are closed no later than 90 days after the end of the fiscal year.

Revenue is always recorded in the month in which it was earned or pledged.

All bank statements will be opened and reviewed in a timely manner. Bank reconciliation and approval will occur within 30 days of the close of the month. This duty is to be conducted by the treasurer and verified by the comptroller.

All banking records are to be held a minimum of 7 years. All records are to be maintained in a secure environment not accessible by the public.

Section 14.3: Budgeting Process: The City of Mt. Carmel's annual budget is prepared and approved annually for all departments. The budget is prepared by departmental authorities in conjunction with the Mayor and the City Clerk. The budget is to be approved by the City Council prior to the start of each fiscal year. The budget is revised during the year only if approved by the City Council.

A bi-weekly report will be provided to Council members concerning the financial welfare of the City and the percentage of each budget line item used in the fiscal year. This report will be presented before the council meeting that is held every other Monday.

Section 14.4: Tax Compliance: It is the duty of the City Comptroller to all State and Federal forms in regards to taxes. All tax forms are to be filed by the respective due date.

The City Comptroller is responsible for preparing employee W2's by January 31 each year, and who oversees the responsibility to ensure accuracy and timeliness.

Section 14.5: Banking Procedures: It the responsibility of the City Treasurer to make sure bank deposits are made daily. The City Treasurer is responsible for preparing and reviewing bank deposit slips, physically take check to the bank, and review bank receipts and how they are filed. Should there be a discrepancy in the banking records, the City Treasurer should report their finding to the City Clerk and City Comptroller.

Section 14.6: Payroll: Payroll is the responsibility of the City Treasurer. The City Treasurer is required to review all time sheets submitted for payment. The City Treasurer has check signing authority in order to pay employees. Those checks must be signed by two more authorized personal. The approved personal are the City Mayor and the City Clerk.

The City Mayor and City Clerk have overall authority to approve payroll changes. Those changes must be in writing and placed in the employee's working file.

The mayor has the authority to approve salary increases to non-union employees. Union employees raises will be determined by a contract agreed upon by the collective bargaining's and the City Council.

Section 14.7: Final Pay: Terminated employees will receive accrued vacation time on their final pay check.

Employees who voluntarily resign their position with a two-week notice will receive accrued vacation pay. Employees who fail to give notice and fail to work their final two weeks will forfeit accrued paid time off.

The City Comptroller calculates final paychecks and ensures accuracy of any accrued time to be paid.

Passed by the Mt. Carmel City Council on 08/8/2022

#### **Section 15: PURCHASE AND PROCUREMENT:**

Section 15.1: Spending Authority of City Clerk: The City Clerk has a spending authority of \$10,000.00 for any single item. If possible, the City Clerk is to receive bids from (3) three suppliers.

The spending authority can be increased for special projects if approved by City Council prior to the purchase. The dollar amount is to be set forth by the City Council when the spending authority has been changed.

The Director of Public Works has a spending authority of \$10,000.00 for any single item. The Director of Public Works shall receive bids from (3) three suppliers if time allows.

Any State or Federal acquisition of property or services shall be documented and reported to the City Clerk and Mayor. The agency shall maintain records of all procurements and follow the guidelines set-forth by the awarding agency. All procurements are to be used solely in the department to which the item(s) were awarded.

Passed by the Mt. Carmel City Council on 08/8/2022.

**SECTION 16: CONFIDENTIALITY, FRAUD, WASTE AND ABUSE WITH WHISTLEBLOWER PROTECTION:**

Section 16.1: Whistle Blower Act:The City of Mt. Carmel will abide by The Illinois Whistleblower Act, 740 Ill. Comp. Stat. §175 et seq.

The Act makes it unlawful for an employer to retaliate against an employee who discloses information to a government or law enforcement agency, if the employee has reasonable cause to believe that the information discloses a violation of state or federal laws, rules, or regulations.

In addition, under the Act employers cannot retaliate against an employee who participates in an investigation of unlawful activity or refuses to participate in an activity that would result in a violation of state or federal laws, rules, or regulations.

An employee is only protected under the Whistleblower Act if he or she had reasonable cause to believe that the information disclosed was, in fact, a violation of state or federal laws, rules, or regulations. Prior to reporting activity to law enforcement or the governments, employees should evaluate whether the reported conduct could be reasonably interpreted as a violation.

Passed by the Mt. Carmel City Council on 08/8/2022.

**SECTION 17: EMPLOYMENT EVALUATIONS/SECONDARY EMPLOYMENT:**

Section 17:1 Employee Evaluations: The City of Mt. Carmel will implement a yearly employee evaluation by department. The evaluation is to be conducted within 30 days of an employee's anniversary date. The employee evaluation form will be made available by the City Clerk. The forms are to be filled out by the employees respective direct-line supervisor and returned to the employee's file. Records will be kept at the employee's respective department. The information will be kept on file in accordance to their union rules and State Law. Those not covered by a union, will have records stored for one year.

Section 17:2 Outside Employment: Any employee wishing to hold outside employment must submit a written request to his or her immediate supervisor, who will forward it to the City Clerk and Mayor for final approval. Normally, approval will be limited to one request for outside employment. If an employee's attendance and/or work performance deteriorates, approval for outside employment may be rescinded.

An employee is not precluded from holding outside employment, so long as it does not interfere with the normal job activities and responsibilities and is not judged to be a conflict of interest. Outside employment is defined as the performance of any service which results in payment of money, goods, or services and/or the exercise of control of an enterprise, either public or private, which results in profits.

Limitations to holding outside employment include:

1. An employee shall not compete with State services through outside employment.
2. An employee may not hold outside employment if such employment involves the use of information secured as a result of working for the City of Mt. Carmel.
3. An employee may not use equipment issued or made available to him/her by the City of Mt. Carmel.
4. An employee should not hold outside employment that could cause embarrassment to himself/herself or the City of Mt. Carmel.

All violations of said policy will be investigated by the immediate supervisor, Mayor, and City Clerk. If there is reasonable suspicion that a violation has occurred, the City Ethics Board MAY hold a meeting pertaining to the accusation. All investigations will be held in accordance to the respective employee's rights.

Section 17.3 Conflicts of Interest: All employees and appointees of the City should avoid conflicts of interest or the appearance of conflicts of interest. Potential areas for conflicts of interest include, but are not limited to, outside employment, discounts, gifts or honoraria, and purchase of surplus State property.

Passed by the Mt. Carmel City Council on 08/8/2022.

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RECORDING INFORMATION

Prepared By:

City of Mount Carmel  
219 N. Market St.  
Mount Carmel, IL 62863  
618-262-4822

**FILED**

**DEC 20 2016**

JANET L. WILL  
COUNTY CLERK  
WABASH COUNTY, ILLINOIS

ORDINANCE NO. 1066

AN ACT COVERING CITY TRAVEL EXPENSES

WHEREAS, the Illinois General Assembly has enacted Public Act 99-0604, known as the "Local Government Travel Expense Control Act", which Act becomes effective on January 1, 2017; and

WHEREAS, the City of Mt. Carmel, Illinois is required to establish regulations with respect to allowable travel, meal, and lodging expenses; and

WHEREAS, in order to comply with said Act, effective January 1, 2017, the City Council of the City of Mt. Carmel, Illinois hereby adopts the following:

NOW THEREFORE, be it ordained by the City Council of the City of Mt. Carmel, Wabash County, Illinois as follows:

The recitals set forth hereinabove shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

## CHAPTER 2. ADMINISTRATION. ARTICLE VIII. TRAVEL, MEALS AND LODGING EXPENSES

### Sec. 2-275. Definitions.

"Entertainment" includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.

"Public Business" means expenses incurred in the performance of a public purpose which is required or useful for the benefit of the City to carry out the responsibilities of City business.

"Travel" means any expenditure directly incident to official travel by employees and officers of the City or by wards or charges of the City involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.

Includes definitions as set out in Chapter 2, Article VII, Sec. 2-261.

Sec. 2-276. Reimbursement. The City shall only reimburse the following types of travel, meal, and lodging expenses by its employees and officers up to the following maximum allowable amounts:

#### **ALLOWABLE REIMBURSEMENT:**

Mileage: Reimbursed at the most current IRS rate.

Meals: No more than; Breakfast \$8.00; Lunch \$10.00; Dinner \$15.00.

Lodging: No more than \$100.00 per night.

Alcohol is specifically excluded from reimbursement.

(a) No reimbursement of travel, meal or lodging expenses incurred by a City employee or officer shall be authorized unless the "Travel, Meal, and Lodging Expense Reimbursement Request Form", attached hereto and made a part hereof, has been submitted



AYES: 5

NAYS: 0

ABSENT: 0

First Reading: December 19, 2016

Second Reading: Waived

Passed and Approved: December 19, 2016

and approved. All documents and information submitted with the form shall be subject to disclosure under the Freedom of Information Act (5 ILCS 140/1 et seq.).

(b) Expenses for travel, meals, and lodging of: (1) any officer or employee that exceeds the maximum reimbursement allowed under the regulations adopted under Section 2-276 of this Ordinance or (2) any member of the corporate authorities of the City may only be approved by roll call vote at an open meeting of the corporate authorities of the City. However, in the event of an emergency or other extraordinary circumstances, the corporate authorities may approve more than the maximum allowable expenses set forth above.

(c) The City shall not reimburse any elected official, employee, or officer for any activities which would be considered entertainment. Activities which would otherwise be considered entertainment, but which are excluded from the prohibition on reimbursement due to being ancillary to the purpose of the program or event, may be reimbursed in accordance with the provisions of this Ordinance.

Sec. 2-277. Penalties.

(a) Penalties as set out in Chapter I. General Provisions. Sec. 1-10 and 1-11.

Any policy, resolution, or ordinance that conflicts with the provision of this ordinance shall be and is hereby repealed to the extent of such conflict.

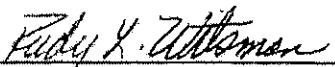
This ordinance shall be in full force and effect on January 1, 2017.

PASSED AND APPROVED THIS 19<sup>th</sup> DAY OF December, 2016.

CITY OF MT. CARMEL, ILLINOIS



WILLIAM C. HUDSON, MAYOR

ATTEST: 

RUDY WITSMAN, CITY CLERK

## TRAVEL, MEAL AND LODGING EXPENSE REIMBURSEMENT REQUEST FORM

Before an expense for travel, meals, or lodging may be approved under City Ordinance No. 1066, the following minimum documentation must first be submitted, in writing, to the corporate authorities of the City.

- (1) The name of the individual who received or is requesting travel, meal, or lodging expenses and the individual's Job title or office.

\_\_\_\_\_  
Name of Employee or Officer

\_\_\_\_\_  
Job Title/Office

- (2) The date or dates and nature of the official business in which the travel, meal, or lodging expense was or will be expended. Please attach supporting documentation describing the nature of the official business event or program.

\_\_\_\_\_  
Name of Event or Program

\_\_\_\_\_  
Date(s) of Event or Program

\_\_\_\_\_  
Location of Event or Program

\_\_\_\_\_  
Purpose of Event or Program

- (3) An estimate of the cost of travel, meals, or lodging if expenses have not been incurred or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred. Please attach either (1) a document explaining the basis for your estimate if expenses have not yet been incurred or (b) receipts if the expenses have already been incurred.

You may also provide such other documentation as would assist the corporate authorities in considering your request for reimbursement. In the discretion of the corporate authorities, additional documentation relevant to the request for reimbursement may be required prior to action by the corporate authorities with respect to the reimbursement request.

\_\_\_\_\_  
Employee/Officer Signature

\_\_\_\_\_  
Date

RECORDING INFORMATION

Prepared By:

Thomas E. Price  
City Attorney  
801 W. 9th St., Suite 101  
P.O. Box 443  
Mt. Carmel, IL 62863  
(618) 263-6591

ORDINANCE NO. 676

***ORDINANCE ESTABLISHING A DRUG AND  
ALCOHOL USE, POSSESSION AND TESTING POLICY  
FOR EMPLOYEES OF THE CITY OF MT. CARMEL, ILLINOIS***

WHEREAS, the City Council of the City of Mt. Carmel, Illinois, believes that it is necessary to establish a Drug and Alcohol Use, Possession and Testing Policy for employees of the City of Mt. Carmel, Illinois, in order to protect the public and to insure a safe and healthy work environment.

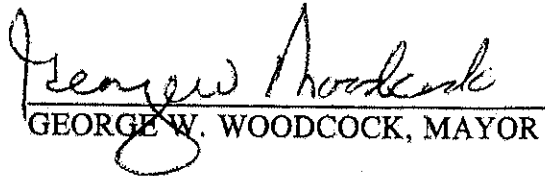
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MT. CARMEL, ILLINOIS, that the City of Mt. Carmel, Illinois, hereby adopts the Drug and Alcohol Use, Possession and Testing Policy and Procedure attached hereto as Exhibit A and made a part hereof by this reference, and said Drug and Alcohol Use, Possession and Testing Policy and Procedure shall apply to all full-time and part-time employees, volunteers and applicants for employment of the City of Mt. Carmel, Illinois. All employees of the City of Mt. Carmel, Illinois, shall be notified of such drug and alcohol policy and shall be given a copy of said policy.

Any Ordinance or Resolution or parts thereof in conflict with this Ordinance are hereby amended to the extend of such conflict.

In order to expedite the passage and approval, the second reading of this Ordinance is hereby waived by unanimous vote of the City Council.

This Ordinance shall become effective from and after its passage and approval as provided by law.

PASSED and APPROVED this 30<sup>th</sup> day of June, 1997.

  
GEORGE W. WOODCOCK, MAYOR

ATTEST:   
MERLE WEEMS, CITY CLERK

First Reading: 6/16, 1997.  
Second Reading: 6/30, 1997.  
Passed and Approved: 6/30, 1997.  
Recorded: \_\_\_\_\_, 19\_\_\_\_.

## **CITY OF MT. CARMEL POLICY & PROCEDURE**

### **DRUG AND ALCOHOL USE, POSSESSION AND TESTING**

#### **I.**

##### **PURPOSE**

A. The purpose of this policy is to set down a set of guidelines for providing a safe, healthy substance-free work environment and to protect the public safety. It is designed to do the following.

- 1) Protection of Public - Eliminate the risk to the public represented by employees performing their job responsibilities while impaired to any degree by unlawful substances or alcohol.
- 2) Safe Work Environment - Establish and maintain a safe, healthy work environment for all employees and provide another method of preventing accidental injury to persons or damage to the city or personal property.
- 3) Deterrence - Deter alcohol and drug abuse on the job and time away from the job, and educate employees on the dangers of drug/alcohol abuse and reduce absenteeism, tardiness, and indifferent job performance.
- 4) Compliance with Laws - Ensure compliance with all City safety rules, and applicable state and federal rules.

#### **II.**

##### **POLICY**

A. Each employee has a responsibility to the City in particular, and the public in general, to deliver services in a safe and healthy manner. To ensure a safe environment, employees must work free from the effects of alcohol and other performance-impairing substances. Therefore, the following policies are adopted:

- 1) The manufacture, distribution, possession or use of alcoholic beverages, unlawful substances, or any controlled substance except in accordance with a lawful prescription is strictly prohibited during an employee's working time and any breaks during the workday.

2) The use of any substance which has the potential for impairing job performance in a manner other than medically indicated, or without disclosing the use to an employee's direct supervisor is strictly prohibited during an employee's working time and any breaks during the workday.

3) Being intoxicated from alcoholic beverages, or otherwise being impaired due to the ingestion or other use of any substance, is strictly prohibited during an employee's working time and any breaks during the workday. Also, reporting to work with a noticeable smell of alcoholic beverages is strictly prohibited.

4) The use, manufacture, distribution, possession or sale of unlawful drugs or other substances, or controlled substances in a manner other than in accordance with the law, is strictly prohibited both on and off the job.

5) The employee must notify the City in writing of a conviction for a violation of a criminal drug statute no later than five (5) calendar days after such conviction.

B. Investigations concerning potential violations of this policy may include breath, blood and urine test, and employee searches as set forth below. Violation of the above shall be grounds for disciplinary action up to and including termination of employment for a first offense.

### ***III.***

#### **PROCEDURE**

##### **A. Prohibited Conduct**

1) Any employee reporting to work in an intoxicated condition or becomes intoxicated while acting in the course and scope of City employment as a result of the illegal use of drugs or due to alcoholic consumption shall be subject to appropriate discipline, up to and including discharge.

2) The use, distribution, selling or possession of illegal, prohibited or controlled drugs or paraphernalia during work time or while conducting City business may be grounds for discharge.

3) The illegal sale or use of narcotics, drugs or controlled substances while off the job may be grounds for discharge. Such conduct is not acceptable because it

can affect on-the-job performance, as well as the confidence of the public in the City's ability to meet its responsibilities.

B. Individual Testing

1) Whenever the City has reasonable cause to believe that an employee is using or under the influence of alcohol in violation of this policy, using illegal drugs, or using legal drugs illegally, it reserves the right to require the employee to submit to an immediate breath, blood or urine test. Refusal to submit to such a test when requested may be grounds for discharge.

2) Conditions considered reasonable cause for an employee to be tested include, but are not limited to:

a) Performance deterioration: increased carelessness, mistakes and errors of judgment, diminished ability to concentrate, unusual signs of fatigue, impaired memory or interactive skills, or unusual inconsistency in quality of work.

b) Absenteeism patterns: acceleration of absenteeism and tardiness (particularly before or after weekends), unexplained disappearances from the job, unusually high incidence of colds, flu, upset stomach, headache or other vaguely defined illness.

c) Increase in health and safety hazards: higher than average accident rate or disregard for safety of others.

d) Changes in attitudes and physical appearance: unusually rapid or slow speech, bloodshot eyes, smell of alcohol, lack of coordination, decline in personal appearance, blank staring, unusual sleepiness or exhaustion, unsteady walk, abrupt changes in personality after lunch breaks, abrupt mood changes (i.e. withdrawn, argumentative, violent or unusually talkative, etc.)

3) The City may require all individuals seeking employment with the City to submit to a breath, blood or urine test. Refusal to submit to such test when requested shall result in such individual not being eligible for employment. If such individual submits to said test and the results of such test are positive, then such individual shall not be eligible for employment.



C. Random Testing

The City will establish a random drug testing procedure and the following shall apply:

1) The City may randomly pick for each department no more than twelve (12) days per year for random drug testing. No more than two (2) employees on duty on the dates selected shall be randomly subject to drug testing. Testing shall be performed by urinalysis or blood test, or other medically accepted means. Samples shall be screened for the presence of illegal drugs or drugs commonly abused.

2) The records of the City shall be kept in a locked secure place, and may be viewed only by the Department Head, City Administrative Assistant, the Mayor, or as required by order of Court, or an arbitrator. The purpose of such record keeping shall be to demonstrate that the testing procedure is random, and the procedures required by this agreement and the law are being complied with.

3) The City may engage the services of a third party to conduct the random testing.

4) Random testing shall be subject to the same procedures as individual testing as herein stated.

D. Consent and Test Results

1) When the Commissioner or Department Head who is responsible for such department or the Mayor or the City Administrative Assistant believes that a search is warranted, the employee will be asked to sign a "Consent to Perform" statement that allows medical professionals to perform a medical examination and to collect blood and/or urine samples for testing. If the employee refuses to sign the "Consent to Perform" statement, the employee may be terminated or suspended from employment from the City on the grounds of insubordination for failure to cooperate in an investigation of the incident.

2) If the examining physician's medical judgment is that the employee's physical or mental capacity is possibly impaired by substance abuse and if the judgment of the Department Head, City Administrative Assistant or the Commissioner in charge of such department is that a search is warranted and the employee signs the "Consent to Perform" statement, samples will be taken by medical professionals and specimens will be sent to an independent laboratory for analysis. The employee will be suspended from duty until the results of the laboratory examination are known (usually 7-10 days).

Each person is entitled to results of the testing procedure and the results are given to the Department Head, City Administrative Assistant or the Commissioner in charge of the department who will give a copy to the person. The original results copy will be retained in the employee's personnel file. Results will determine what action, if any, should be taken toward the employee. Any employee in violation of the Drug Policy will be eligible for possible discharge.

3) If the presence of a drug is found, the employee shall be entitled to a confidential interview with the Department Head to explain the presence of a drug by legal means, including the presence of drugs which are available over-the-counter, or by prescription. The Department Head shall have the right to confirm a prescription with the employee's physician, and the employee shall sign any appropriate release therefor.

4) If the explanation is satisfactory, no record of the positive sample shall be kept in the employee's personnel file, subject, however, to the provisions of Paragraph II(E) hereof. If there is no satisfactory explanation, the sample shall be tested a second time by mass spectrophotometry, or other scientifically valid means used by medical professionals. If the second test is positive, the employee may be disciplined, to include discharge, in the discretion of the City. If the sample is negative according to the second test, the first test shall be deemed invalid. The requirement to perform a second test on the sample shall only apply to random testing and shall not be applicable to Individual Testing.

E. Prescription and Over-the-Counter Drugs

Employees using medically prescribed drugs or over-the-counter medication for a legitimate illness or injury and using them in accordance with physician instructions or medication directions have the responsibility of ensuring that job safety and performance will not be affected, especially those workers who may be in emergency situations. The employee must provide proper written medical authorization to work from a physician. It is the employee's responsibility to determine from the physician whether a prescribed drug may impair their job performance. Prior to beginning the employee's work shift, it is mandatory that he/she report to their supervisor that they are taking medication and that medication could affect safety and performance.

F. Searches

1) If an employee is witnessed in violation of this policy or there is otherwise a reasonable suspicion of a violation of this policy, an employee can be the subject of a search by the appropriate City personnel. At the discretion of the City,

lockers, desks, work areas, vehicles and any other property of the City may be searched without prior notice to ensure a work environment free of illegal drugs and alcohol, and the City hereby notifies its employees that they have no reasonable expectation of privacy in any City property including that provided for the convenience of employees, as all such property is subject to search.

2) Employees may be required to submit to a search of their vehicles, handbags and personal effects on City property if the City determines reasonable suspicion exists that the employee may be in possession of substances in violation of this Policy and procedure. Refusal to provide consent to a search may cause for discipline up to and including discharge.

3) Searches for drugs on City property will be conducted on the basis of need and necessity. Necessity for the search will be predicated on information indicating the presence of drugs on City property. The employee in question will be told what reasonable cause has warranted the search. But said reasonable cause does not automatically include the origin of information causing such search.

4) Searches will be conducted, whenever reasonably possible, away from the employees for reasons of confidentiality.

5) Searches will be requested by the Department Head, City Administrative Assistant or the City Commissioner responsible for such department and/or the local law enforcement officials if appropriate. If the search turns up any substances in violation of this policy, disciplinary action will be taken which could include termination.

#### G. Fellow Employees

It shall be the responsibility of each employee who observes or has knowledge of another employee in a condition which impairs his or her ability to perform his or her job duties, or poses a hazard to the safety and welfare of others, to promptly report the incident to their immediate supervisor/department head.

#### H. Violation

Violation of any provision of this drug policy can result in disciplinary action up to and including termination, even for a first offense. Each case will be reviewed individually to determine what disciplinary action is deemed necessary and an employee may, in the discretion of the City, be given an opportunity for rehabilitation. However, some circumstances may be serious enough to result in immediate termination.

I. General Provisions

1. It shall be the responsibility of the Department Head to make all employees aware of such policy and all inclusions in it by distributing this policy to all Administrative Policies and Procedures Manuals and/or employees and including a copy of this policy to all new employees during the orientation process.

2. Drug and alcohol dependency is not only a serious problem to an employee, but he/she also runs the risk of injury to others and damage to City property. Employees who readily admit that they have a drug/alcohol problem have at that point taken the first major step to turning their life around. They are then encouraged to seek treatment at any one of the dependency centers in the Tri-State. The City would be willing to consider assisting the employee in arranging treatment and assist in cost of treatment for that which is not covered in the City's health benefits program, said determination to be made on a case by case basis. This is all providing that the person admits to having an abuse problem before being found in violation of this policy.

3. Department Heads must be extremely cautious in the enforcement of this policy. The Fourth Amendment prohibits the government, including public employers, from engaging in unreasonable searches and seizures. Not all searches are in violation of the Fourth Amendment. Whether a search is constitutionally permissible depends upon the "reasonableness" of the search, which in turn requires balancing the intrusiveness of the search against its promotion of legitimate governmental interest. Therefore, if any Department Head believes in the "reasonableness" of a search, their findings should be based on documented specific observed behavior changes and/or a witness who can concur with the subject's behavioral changes or a witness to the acts described under this policy.

4. The fear of infringing on an individual employee's rights is a legitimate concern. The City's first responsibility, however, must be with safety and the concern for its employees and the public. This overriding consideration must be the cornerstone of the policy and practice of the City in dealing with substance abuse. The City requests the understanding and cooperation of all employees in the implementation of these policies.

5. This agreement shall not be deemed to limit the right of the City, or their representatives, to require testing of employees for the presence of drugs based upon reasonable cause.

6. Questions regarding this policy and its application should be directed to the City Clerk or Department Head.