

PERSONNEL POLICY

**APPROVED BY
THE BOARD OF TRUSTEES OF
THE COAL CITY PUBLIC LIBRARY DISTRICT
REVISED
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LEGAL UPDATES

1-8-19

***DENOTES LEGAL LANGUAGE**

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PERSONNEL POLICY *

This policy is designed to acquaint employees with the Coal City Public Library District (Library) and provide information about working conditions, each employee's responsibilities, employee benefits, and some of the policies affecting employment. It is each employee's responsibility to read, understand, and comply with provisions in this policy.

Employment with the Library is voluntarily entered into, **and the employee is free to resign at-will, with or without cause, with or without reason, and with or without notice at any time. Similarly, the Library may terminate the employment relationship at-will, with or without cause, with or without reason, and with or without notice at any time**, so long as there is no violation of applicable federal or state law.

Policies set forth are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the Library and any of its employees. The provisions of the policy have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or cancelled at any time, at the Library's sole and absolute discretion. No oral or written representation made to the contrary is either authorized or enforceable.

These provisions supersede all existing policies and practices of the Coal City Public Library District Board of Trustees (Board). The Board may revise, supplement, or rescind any policies or portion of the policy or benefits described therein as it deems appropriate, in its sole and absolute discretion. Employees will be notified of such changes as soon as practical after they occur.

Nothing in the Library's Personnel Policy prohibits activity permitted by applicable law, including, without limitation, reporting discriminatory, violent, or other illegal conduct, or for engaging in protected or concerted activity under wage, hour, or labor laws.

PERSONNEL POLICY ACKNOWLEDGEMENT FORM*

The Personnel Policy describes important information about employment with the Library. I have received the Personnel Policy, and I understand that it is my responsibility to read and comply with the policies contained in this policy and any revisions made to it. I understand that I should consult with my supervisor, HR, or the Library Director with any questions I might have.

I acknowledge that revisions to the policy may occur, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Board of Trustees of the Coal City Public Library District has the authority to adopt any revisions to the policies within this policy.

I have entered into my employment relationship with the Library voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the Library can terminate the relationship at-will, with or without cause, with or without reason and with or without notice at any time, so long as there is no violation of applicable federal or state law. No oral or written representations to the contrary are either authorized or enforceable.

Furthermore, I acknowledge that this policy does not create rights in the nature of an employment contract.

EMPLOYEE'S NAME (Printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

GENERAL POLICY INFORMATION

EQUAL EMPLOYMENT OPPORTUNITY*

The Library is an equal opportunity employer and complies with all applicable federal, state and local employment laws and regulations. The Library employs qualified individuals without regard to age, ancestry, color, disability, marital or parental status, military service, national origin, physical or mental disability, race, religion, sex, pregnancy, or sexual orientation.

POLICY PROHIBITING DISCRIMINATION, HARASSMENT, AND RETALIATION *

The Library is committed to maintaining a work environment free of discrimination, harassment and retaliation. In keeping with this commitment, the Library will not tolerate harassment of Library employees or trustees by anyone, including any supervisor, co-worker, elected or appointed official or any third-party. All employees and trustees are expected to avoid any behavior or conduct which could reasonably be interpreted as harassment. All employees and trustees are expected to make it known promptly, through the avenues identified below, when they experience or witness offensive or unwelcome conduct.

All employees and trustees must comply with this policy. Violations will not be tolerated. Even where conduct is not sufficiently severe or pervasive to constitute an actionable legal violation, the Library discourages such conduct in the workplace.

Discrimination

The Library prohibits discrimination, harassment and retaliation on the basis of race, color, religion, sex, sexual orientation, national origin, age, disability, or any other characteristic protected by law. A violation of this policy, however, does not necessarily rise to the level of a violation of the law.

This policy applies to all employment-related decisions, actions, conduct and terms and conditions of employment, such as, but not limited to, hiring, training, promotion, wages, hours, assignments, benefits and termination of employment. Employment decisions at the Library will be based on considerations such as, but not limited to, the following: skills, experience, qualifications and merit, to the extent that any of those considerations would apply to the specific circumstances and position involved.

Harassment

Harassment is a form of discrimination and is prohibited. The Library seeks to provide a work environment in which all individuals are treated with respect and dignity and which is free from sexual harassment as well as other types of harassment described in this policy.

All employees and trustees are responsible for conducting themselves in accordance with this policy. The Library will not condone harassment, whether engaged in by employees, supervisors, management, trustees or by those who do business with the Library, such as, but not limited to, vendors, contractors, patrons, visitors and other third parties. Violation of this policy shall be

considered grounds for disciplinary action, up to and including termination of employees and reporting officials to appropriate authorities.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, sexual orientation, color, race, religion, national origin, age, physical or mental disability or other protected group status. The Library will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or creates an intimidating, hostile, or offensive work environment. The conduct forbidden by this policy specifically includes, but is not limited to:

- A. Slurs, negative stereotyping, demeaning or degrading comments, nicknames or intimidating acts that are based on a person's protected status.
- B. Written or graphic material that is circulated, available on the Library's computer system or technology resources, or posted or distributed in the workplace that shows hostility toward a person or persons because of their protected status.

Sexual harassment is conduct based on sex, whether directed towards a person of the opposite or same-sex. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature become sexual harassment when:

- A. Submission to such conduct is made either explicitly or implicitly as a term or condition of a person's employment.
- B. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such person.
- C. Such conduct has the purpose or effect of interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

This policy forbids harassment based on sex, regardless of whether it rises to the level of a legal violation. The Library considers the following conduct to represent some of the types of acts that violate this policy:

- A. Either explicitly or implicitly conditioning or providing preferential treatment in any term of employment (such as continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors.
- B. Physical contact, such as patting, pinching or brushing against any part of another's body or physical assaults of a sexual nature;
- C. Sexual propositions, sexual innuendo, suggestive comments;
- D. Continuing to ask an employee to socialize on or off-duty when the employee has indicated that she or he is not interested;
- E. Displaying or transmitting demeaning, obscene or sexually suggestive pictures, objects, cartoons, or posters anywhere in the Library workplace;
- F. Sexually oriented kidding, teasing, practical jokes, or threats;
- G. Referring to or calling a person a sexualized name;
- H. Telling sexual jokes or using sexually vulgar or explicit language;
- I. Making derogatory or provoking remarks about or relating to an employee's sex or sexual orientation;
- J. Harassing acts or behavior directed against a person on the basis of an employee's sex or sexual orientation; or
- K. Off-duty conduct that falls within the above definition and affects the work environment.

Everyone is required to avoid behavior or conduct that could reasonably be interpreted as prohibited harassment under this policy. Employees and trustees are encouraged to inform others in the workplace when their behavior is unwelcome, offensive, inappropriate, or in poor taste. Employees and trustees are expected to come forward promptly and report any violations pursuant to this policy before the alleged offending behavior becomes severe or pervasive.

Retaliation

The Library will not retaliate or allow retaliation against an individual who has made a report of a violation of this policy or for cooperating in an investigation. This, of course, means that employees and trustees also must not retaliate against any individual who has made a report of a violation of this policy or who has cooperated in an investigation. Retaliation by anyone against anyone else for reporting violations of this policy or cooperating in an investigation is strictly prohibited. Anyone who is found by the Library to have engaged in retaliation may be subject to discipline, up to and including termination of employment, or reporting conduct of trustees to appropriate authorities.

Whistleblower protections and remedies are available under the Whistleblower Act, 740 ILCS 174/1 et seq., the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq., and the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq.

Procedure for Reporting and Investigation of Harassment, Discrimination and Retaliation

All employees and trustees are responsible for helping to avoid all forms of harassment. Anyone who believes he or she has experienced conduct inconsistent with this policy or otherwise learns of conduct prohibited by this policy is responsible for reporting the conduct through the Complaint procedure.

This policy does not require reporting harassment or discrimination to any individual who is creating the harassment or discrimination. Employees or trustees may make an incident report for this purpose or may report conduct in any other manner, including making a confidential report to a supervisor, ethics officer, Inspector General, or the Department of Human Rights.

In addition, each supervisor must immediately report to, the Library Director, or an official any complaint or observation of conduct which may violate this policy. Supervisors or managers or trustees who have knowledge of any conduct inconsistent with or prohibited by this policy and do not report it to one or more of the above are subject to disciplinary action, up to and including termination or reporting trustees to appropriate authorities.

Verbal complaints, as stated, must be made immediately. The Library may follow up in writing in order to assure complete understanding of and resolution of the specific complaint. Please note that there are no exceptions to this reporting requirement.

Any conduct inconsistent with or prohibited by this policy will be investigated promptly. The Library is committed to investigating and taking prompt and appropriate action with respect to all such claims and strongly urges internal utilization of this policy. The Library may put reasonable

interim measures in place, such as a leave of absence (with or without pay) or a transfer, while the investigation takes place.

All reports of violations of this policy shall be made in good faith. Therefore, all reports will be taken seriously and they will be promptly investigated. Employees and trustees are required to cooperate with investigations conducted by the Library.

Employees or trustees who engage in conduct that is found by the Library to be inconsistent with or prohibited by this policy are subject to disciplinary action, up to and including termination or reporting to appropriate authorities. Persons knowingly making a false report are subject to disciplinary action, up to and including termination or reporting to appropriate authorities. Failure to cooperate in an investigation also will subject an employee to the same disciplinary action. The Library may discipline an employee for any inappropriate conduct discovered in investigating reports made under this policy.

To the fullest extent practical, the Library will keep complaints and the terms of their resolution confidential. However, in order to effectively investigate such complaints, the Library must inquire of employees or trustees involved. The Library also has sole discretion to determine the scope of the investigation and, within that scope, the individuals who should be informed of and asked about the allegations.

Employees and trustees are encouraged to use the above complaint procedure(s) to report and resolve their complaints of harassment or retaliation to promote prompt resolution of any problems. However, employees and trustees may also file a charge in writing with the Illinois Department of Human Rights within 180 days of the conduct and/or the Equal Employment Opportunity Commission at:

A. Illinois Department of Human Rights
100 W. Randolph St., Suite 10-100
Chicago, IL 60601
(312) 814-6200

B. Equal Employment Opportunity Commission
500 West Madison Street, Ste. 2800
Chicago, Illinois 60661-2511
(312) 353-2713

ETHICS

An employee may not seek or accept any personal gifts or benefit which might be reasonably interpreted as an attempt to influence their conduct of duties nor participate in any “prohibited political activity” as that term is defined by Illinois law. Please refer to Ordinance No. 03-6 An Ordinance Regulating Political Activities and the Solicitation and Acceptance of Gifts by Officers and Employees of the library, if there are any questions concerning ethics. (**APPENDIX A**).

IMMIGRATION COMPLIANCE*

Federal law requires all employees to present documentation confirming their identity and eligibility to work in the United States. New employees and re-hires must complete the I-9 Employment Eligibility Verification Form within three business days of their start date.

DRUG AND ALCOHOL*

The library has long recognized that the non-medical use of controlled substances is hazardous to the health of the employees of the library. The use of alcohol by employees is not allowed in the library. The illicit manufacture, use, possession, or distribution of controlled substances, look-alike drugs, drug paraphernalia, and the manufacture, use, possession, or distribution of alcoholic beverages, marijuana, and its derivatives as defined by Illinois and Federal statute, at any time, is not permitted at any public library location.

“Library location” means in any public library building, on any public library premises, in any library-owned vehicle, or at any library-sponsored activity where employees are working under the jurisdiction of the library. This shall include any period of time when an employee is supervising students on behalf of a school district or is otherwise engaged in library business.

Individuals present on library property or at a library location who are impaired are in violation of this policy. An individual is considered impaired when he or she manifests specific, articulable symptoms that decrease or lessen performance of duties or tasks including symptoms of speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, negligence or carelessness in operating equipment, disregard for the safety of others, or carelessness that results in any injury to others or to property.

Any employee who violates the terms of the library’s drug and alcohol policy may be suspended or terminated pursuant to the rules and regulations of the library and applicable state statutes. The library may at its discretion refer incidents to appropriate legal authorities for prosecution when this policy is violated. Sanctions against employees shall be in accordance with prescribed library regulations and procedures. The library’s employees, as a condition to their employment, agree to abide by the terms of this policy and to notify the library, no later than five (5) days after a conviction, of any criminal drug or alcohol statute conviction for a violation occurring at the library location. The library, if or when required by law, shall report such conviction to the appropriate authorities.

The library shall obtain and make available materials from local, system, state, and national anti-drug and alcohol abuse organizations with drug and alcohol information and rehabilitation programs to provide information to the library employees.

In order to make employees aware of the dangers of drug and alcohol abuse, the Notice of Library Drug and Alcohol Policy shall be distributed to all employees and prominently posted at the library for patrons and employees to see (**Appendix B**).

The library shall conduct a biennial review and evaluation of the measures taken by this policy to determine its effectiveness and to implement changes to the program where needed. Additionally, the biennial review and evaluation shall determine whether or not the sanctions required by this policy are consistently in force.

TOBACCO USE

Smoking, vaping, or use of tobacco products including chewing tobacco will not be permitted in the library. According to the Smoke Free Illinois Act, smoking is prohibited inside the library building or within 15 feet of any library entrance. .

EMPLOYMENT OF RELATIVES

It is the policy of the Library not to hire family members of employees and board members, subject to applicable federal or state law. The Board will review exceptions.

PERSONNEL RECORDS

A confidential personnel file shall be established for each employee. The file shall contain all current and subsequent references to materials such as application for employment, letters of reference, evaluations, disciplinary proceedings, letters of recommendation and commendation.

Access to personnel records shall be granted after an employee fills out and submits the Personnel Records Request Form (**Appendix C**). The Library Director shall grant at least two inspection requests by an employee in a calendar year when requests are made at a reasonable interval.

The Library Director will provide employees the opportunity for inspection within five working days after the request, or if the Library Director can reasonably show such deadline cannot be met, the Library Director shall have an additional five days. Then an employee will inspect their personnel records in the Library Director's office during normal working hours or at another time mutually convenient to the employee and the Library Director. Inspection of records will be done under the supervision of the Library Director. If an employee is unable to inspect their personnel records in person, the Library Director will mail a copy of the specified records upon request. An Employee may request copy material maintained in their personnel record possibly at their own expense.

An employee may not remove any part of their record from the file and may not remove any part of the record from the administrative office. Should an employee be involved in a current grievance proceeding against the Library, they may designate in writing a representative who has authority to inspect the records under the same rights as the employee.

If an employee disagrees with any information contained in the record, the employee and the Library Director may mutually agree upon removal or correction of that information. If an agreement cannot be reached, then the employee may submit a written statement explaining their position. The Library Director will attach their statement to the disputed portion of the record, and that statement will be included whenever that record is released to a third party. Inclusion of any written statement attached to the disputed record in a personnel file without any further comment or action by the Library Director will not imply or create any presumption that the Library Director agrees with the statement's contents.

The Library Director shall not gather or keep a record in an employee's personnel file of their associations, political activities, publications, communications, or non-employment activities, unless an employee submits the information or authorizes the Library Director in writing to keep such records. However, nothing herein shall be construed to prohibit the Library Director from gathering and keeping records concerning activities that occur on the library's premises or during working hours which interfere with the performance of the employee's duties or the duties or activities of other employees, regardless of when and where occurring, which constitute criminal conduct or may reasonably be expected to harm the library's property, operations, processes, or programs, or could, by their actions, cause the library financial liability. An employee's personnel records are sealed from third party viewing with the following exceptions: subpoena by court order, written request by the employee to release the information, or Freedom of Information Act request. Information released will be only what is legally requested, not necessarily the entire file.

ELECTRONIC MAIL, VOICE MAIL AND ON-LINE SERVICES

The Library's email/voicemail/Internet system is intended to be used for business purposes only. All email/voicemail/Internet records are subject to disclosure to law enforcement or government officials or to other third parties through subpoena or other process. Consequently, an employee should always ensure that the business information contained in email\voicemail\Internet messages is accurate, appropriate and lawful. Email\voicemail\Internet messages by employees may not necessarily reflect the views of the Library, its Board, or Library Director. Abuse of the email/voicemail/Internet systems, in violation of law or Library policies, will result in disciplinary action, up to and including termination of employment.

While the Library does not intend to regularly review an employee's email/voicemail/Internet records, they have no right or expectation of privacy in email/voicemail/Internet. The Library owns the computer and software making up the

email/voicemail/Internet system and permits the employee to use them in the performance of their duties for the Library. Email, voicemail messages and Internet records are to be treated like shared paper files, with the expectation that anything in them is available for review by authorized Library representatives.

An employee is also reminded that log-on and other passwords may not be shared with any third party, nor may they be shared with another employee, unless such password(s) is requested by the Library Director or Assistant Library Director. The use of personal passwords assigned to the employee is not grounds for an employee to claim privacy rights in the library electronic or communication systems. The library reserves the right to override personal passwords. An employee may be required to disclose passwords or codes to the Library Director to allow access.

The Library reserves the right to disclose employee email, voicemail messages, or Internet records to law enforcement or government officials or to other third parties, without notification to or permission from the employees sending or receiving the messages. As a condition of initial and continued employment, all employees must consent to the Library's review and disclosure of email and voicemail messages and Internet records. All employees are required to sign the Coal City Public Library District Communication Systems/Email Agreement (**Appendix D**).

EMPLOYEE CLASSIFICATION

FULL-TIME , PART-TIME AND TEMPORARY EMPLOYEES

A full-time employee is any employee who is regularly scheduled to work thirty-seven (37) hours per week. In addition, full time employees are classified as either non-exempt (hourly) or exempt (salary). This is required by law to identify those employees who qualify to be paid at an overtime rate for hours they work in excess of 40 hours in a week. Only non-exempt employees are entitled to receive overtime pay. Non-exempt employees will include pages, clerks, librarians and others as defined by the Fair Labor Standards Act regulations. Exempt employees will receive salary pay for the work week cycle. Their salary will be the same each payday unless they receive a bonus. Exempt employees will be the Library Director and others who qualify under Fair Labor Standards Act regulations. A part-time employee is any employee who is scheduled to work fewer than thirty-seven hours per week. A temporary employee is any employee who is engaged in full-time or part-time work, with the understanding that his/her employment will be terminated as of a specified date or upon completion of a specific assignment. Volunteer help will be gladly accepted, if needed, by the library. Volunteers will operate within the stated policies and procedures of the library.

COMPENSATION INFORMATION

MEAL TIMES

Employees who work five or more consecutive hours a day shall take a paid thirty minute meal break. Employees who work eleven or more consecutive hours a day shall take two paid thirty minute meal breaks.

OVERTIME HOURS

Hourly employees are considered non-exempt employees and will be paid for overtime. Overtime consists of hours worked in excess of forty hours per week. Hourly employees shall be paid at a rate of one and one-half times their regular hourly rate. Any overtime must be approved by the Library Director. Salaried employees are considered professional and are exempt employees and will not receive any overtime pay or compensation days for hours in excess of thirty-seven per week.

WEATHER CLOSINGS

The library typically follows the Coal City School District's weather closings or closes when dangerous conditions exist. The Library Director or Assistant Director will inform all employees of the library's closing. In the event of weather related library closings staff scheduled to work may make up lost work hours within 30 days. Make-up work time is to be scheduled with Library Director's approval.

Employees reporting to work who have not received closure notification will be sent home with 1 hour compensation for travel time.

SALARY

Each position description shall be assigned a job level in the Occupational Dictionary. The Occupational Dictionary will be reviewed bi-annually along with the Personnel Policy by the Policy Committee. The Board may change the Library Director job description at any time as necessary. Employee salaries shall be determined from the appropriate level on the salary scale in (**Appendix E**). The board shall consider the salary scale as part of its yearly budget deliberations. Annual adjustments to the salary scale may be approved by the board.

Salaries shall be paid by either voluntary direct deposit or check to all employees by the fourth day and nineteenth day of each month.* Signatories on payroll checks must be Library Director or Assistant Library Director and must include one trustee. Advances in pay and payments other than on authorized paydays may be permitted with the Library Director's approval. Garnishment of an employee's wages resulting from an unsatisfied debt or other reason may

confer an unnecessary burden upon library's bookkeeping and payroll preparation. As a result, an employee is strongly urged to resolve deteriorating financial circumstances without involving the library in legal proceedings. The library shall be reimbursed for administrative cost in accordance with Illinois Revised Statutes. If the library becomes involved in such third party financial litigation a charge of \$10.00 per check may be deducted at the Library Director's discretion until the debt is paid.

PAY DEDUCTIONS

The Library is required by law to make certain deductions from an employee's paycheck each pay period. Such deductions typically include federal and state taxes and Social Security Tax (FICA). All deductions and the amount of the deductions are listed on the pay stub. These deductions are totaled each year on the Form W-2, Wage and Tax Statement.

SALARY REVIEW

Salary schedules for all employees shall be revised at least once a year for merit and/or cost of living increases. This review normally will be held during May of each year with any authorized increase becoming effective the first pay period following July 1.

EMPLOYMENT POLICIES AND PROCEDURES

HIRING

It shall be the responsibility of the board to interview applicants and hire for the position of Library Director. Professional and para-professional positions at the library shall be advertised in local area newspapers and/or national library publications depending on the position to be filled. Selection of staff members is based solely on merit, with due attention given to educational qualifications, personality, temperament and aptitude for the particular position. All employees are appointed by the Library Director. The employee or the Library Director may end the employment relationship at any time.

HIRING OF MINORS*

State and federal laws regulate hiring of minors (persons under eighteen years of age). A minor between the ages of fourteen and sixteen may work at the library outside of school hours and during school vacations. No minor under sixteen years of age may work six consecutive days in one week or more than forty-eight hours in one week or more than eight hours in one day, or between 7:00 p.m. and 7:00 a.m. from Labor Day until June 1, or between 9:00 p.m. and 7:00 a.m. from June 1 to Labor Day. Minors under sixteen employed outside of school hours may not work

more than three hours a day when school is in session. Minors under the age of sixteen may not work more than five continuous hours without a break of at least thirty minutes. Minors under sixteen cannot do the following jobs at the library: oiling or cleaning of machinery, operating power-driven woodworking machines, spray painting or other hazardous jobs. Every employee under sixteen must have an employment certificate on file.

JOB DESCRIPTIONS

There will be a job description for every position which will be revised periodically. An employee should be thoroughly familiar with their own job description and with those of co-workers. For any job that is vacant the Library Director will have an up-to-date job description available for interested applicants. Job descriptions will include the title of position, level, qualifications of the job, and duties and responsibilities of the job listed in detail. From time to time an employee may be asked to provide assistance in connection with duties and responsibilities not listed in the job description. Job descriptions will be kept in the Library Director's office and copies will be available upon request.

CONFIDENTIALITY*

The Library abides by Illinois Law, which states that the records of patron transactions and the identity of registered library patrons are confidential material. The Library does not make available the records of patron transactions or lists of registered library patrons to any party except in compliance with the law by subpoena.

LEAVE OF ABSENCE AND TIME OFF

SICK LEAVE

Each full-time employee shall be entitled to thirty-seven hours of sick leave per year. New employees shall not be allowed to take sick leave with pay for the first six months of employment. Part-time employees are not entitled to sick leave. In the case of illness or in the event of an emergency, an employee needs to notify their supervisor as soon as possible. Sick leave may be used for absences due to the illness, injury or medical appointment of the employee's child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparents, or stepparent. An employee will be docked for full-day personal absences and for full-day absences due to illness where not eligible for sick day benefits or have exhausted them. Sick leave may be accumulated from year to year not to exceed 444 hours (12 weeks) of paid time off. An additional unpaid 1,480 hours may be accrued for IMRF retirement. An employee will not be compensated for accrued or unused sick leave upon separation from the library.

VACATIONS

All vacations are based upon an employees’ regularly scheduled work week. All full-time employees must complete one year of continuous service with the library before vacations are allowed. Vacation time commences with the new fiscal year. All part-time employees who complete one year of continuous service and work an average of twenty hours per week are entitled to an annual vacation with pay. Vacation for part-time employees shall be computed based upon the average number of hours worked per week during the fifty-two weeks immediately preceding the vacation period.

The Library Director shall have the following vacation schedule:

<u>Year(s) of Service</u>	<u>Vacation with Pay</u>
1 through 4	2 weeks
5 through 9	3 weeks
10 through 14	4 weeks
15 and over	5 weeks

Other full-time employees have the following vacation schedule:

<u>Year(s) of Service</u>	<u>Vacation with Pay</u>
1 through 5	2 weeks
6 through 10	3 weeks
11 through 14	4 weeks
15 and over	5 weeks

Part-time employees eligible for vacation shall have the following vacation schedule:

<u>Year(s) of Service</u>	<u>Vacation with Pay</u>
1 through 5	1 week
6 through 10	2 weeks

11 through 14	3 weeks
15 and over	4 weeks

The vacation schedule “year” will be July 1 through June 30. An employee may carry over one week of earned vacation to the next year with the approval of the Library Director. Holidays falling within a vacation period shall not be counted as part of the vacation allowance. Vacations are subject to prior approval by the employee’s supervisor. In case of two or more requests being received for the same period, priority will be given to the first request received.

PERSONAL DAYS

Upon completion of six months employment, each full-time employee shall be allowed one paid personal day every six months. This six month period for determining personal days shall be January 1 – June 30 and July 1 – December 31. A personal day may be used at an employee’s discretion with the approval of the Library Director, Assistant Library Director or department head. Two personal days may be accumulated per year. Only one personal day may be carried over to the next six month period.

HOLIDAYS

The library will be closed on the following holidays:

New Year’s Day	Thanksgiving Eve
Good Friday	Thanksgiving Day
Easter Saturday	Observed Memorial Day
Christmas Eve Day	Independence Day
Christmas Day	Observed Labor Day
New Year’s Eve Day	

The Board may approve any other holiday closings. Full-time employees with six months of service will be paid for holiday closings. When a holiday falls on a Sunday, the library board will designate either the Saturday preceding or the Monday following as the observed holiday.

Part-time staff is offered the opportunity to make up hours missed due to the holiday closures.

BEREAVEMENT LEAVE

In the case of death in the immediate family of a full-time employee, leave with pay for three working days shall be granted. The immediate family is defined as: father, mother, husband, wife, significant other, children, brother, sister, grandparent, grandchildren, father/mother/brother/sister-in-law, or step-father/mother/brother/sister/children. In special circumstances where the employee was primarily raised by another person not listed, that person will be considered a member of the immediate family. In case of death of another family member or friend, an employee shall be allowed time off without pay, with the approval of the Library Director. All requests for bereavement leave should be directed to their department head.

LEAVES OF ABSENCE

The Library is committed to assisting an employee in response to individual family situations, with the opportunity for leaves of absence. All employees are eligible for paid or unpaid leave after completing six months of continuous service. Employees taking a leave of absence must first use all earned sick leave and accrued vacation time while on leave. A written request should be submitted in a timely manner to the Library Director who will inform the board of the request. A leave for the Library Director must be approved by the board and submitted in a timely manner. If an employee fails to report to work promptly at the end of the approved leave period, the Library Director will assume they have resigned and all benefits will cease. When an employee is on unpaid leave they are responsible for all insurance costs and other benefit premiums/deductions that may apply.

FMLA – FAMILY MEDICAL LEAVE ACT*

While the Library is a government body and governed by The Family and Medical Leave Act (FMLA), an employee is not eligible for FMLA, because the library does not have fifty or more employees. The Library will grant employees family and medical leave consistent with state and federal law. To obtain more information about FMLA, please see the Department of Labor's website at www.dol.gov.

JURY DUTY AND WITNESS LEAVE

Full-time employees who are called for jury duty will be granted time off with pay to perform their civic duty based on normally scheduled work days and hours. An employee is permitted to keep any payment received for jury service. Part-time employees working twenty or more hours per week will be given the time off with compensation. Part-time employees working nineteen or fewer hours per week will be given the time off without compensation. An employee

needs to provide their department head with a copy of the jury summons promptly after receiving notification to appear. If they are chosen to sit on a jury, immediately inform the department head how long the trial is expected to last. Thereafter an employee is required to regularly check in with the department head with updates as to the expected date of return to work. During periods of such service, on days when not actually engaged in court proceedings, an employee is expected to report for work. If an employee is released from jury duty before lunch on a regularly scheduled day they are required to report for work for the rest of the day.

Under the FLSA (Fair Labor Standards Act) the library is required to pay exempt employees for absences less than a week for jury duty or court appearances.

MILITARY LEAVE*

The Library will grant employees called into military service an unpaid leave of absence and reemployment rights as required by state and federal law. Employees on military leave may, at their option, use any or all accrued paid vacation or personal leave during their absence but there is no requirement to do so.

Under the FLSA (Fair Labor Standards Act) the library is required to pay exempt employees for absences less than a week for temporary military leave.

INSURANCE AND BENEFIT INFORMATION

HEALTH INSURANCE

The Library provides group health care benefits to its employees following federal laws. The library provides full-time employees and other employees as required by law with group health insurance coverage. The Library pays a percentage of the premium cost for the employee, reviewed annually. The plan also provides optional coverage for dependents. The premium cost for dependent coverage is the sole responsibility of the employee, to be paid through payroll deduction. As with all policies, health care coverage may change at any time. For details on employee health care coverage plan, contact the Library Director. For new employees health care benefits will begin the thirty-first day of employment. Any employee who has previously waived insurance coverage may change their status during open enrollment, unless they have a qualifying event. Open enrollment is from December 1 – December 31 with coverage beginning January 1. Qualifying events include death of a spouse, divorce or legal separation, termination of spouse's employment, or reduction of spouse's hours of employment or spouse becomes eligible for Medicare.

COBRA (CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT) *

Continued coverage under the Library's group medical plan following termination of employment may be available to an employee or qualified beneficiaries under applicable law. The cost of coverage is paid solely by the former employee and may be subject to an administrative fee.

LIFE INSURANCE

Life insurance will be provided for all full-time employees. Coverage will begin the first month after the new employee's six months evaluation is completed. The premium for the life insurance will be paid fully by the library. Supplemental insurance may be purchased by part-time employees through payroll deduction provided the minimum participation requirement is met. The board reserves the right to modify the insurance program, including termination, as may be in the best interests of the library.

SOCIAL SECURITY, IMRF AND WORKER'S COMPENSATION*

All library employees are covered by Social Security and contribute as mandated by law. All employees working more than one thousand (1000) hours per year are members of the Illinois Municipal Retirement Fund (IMRF) and contribute at the rate prescribed by law. Coverage under IMRF is in addition to Social Security coverage. All employees are covered by Worker's Compensation Insurance and State Unemployment Insurance without cost to the individual.

SERVICE AWARDS

An employee may receive a service award for five years of service and every five years thereafter. Service awards may consist of any appropriate item which is determined and approved by the board.

OTHER BENEFITS

Photocopies, laser copies and faxing will be charged at half price. All employees shall be entitled to local library privileges.

STAFF DEVELOPMENT/CONTINUOUS LEARNING

Job related courses must be approved by the Library Director prior to registration. Educational assistance for employees who have completed one year of continuous service with the library shall be in the form of paid tuition and books upon approval of the Library Director. Employees must work 20 hours a week or more to qualify. An employee must receive a grade of C or better and courses taken should be related to library service and should increase their value to the library. If they do not receive a grade of C or better they must reimburse the library for the class. If an employee leaves the library, within six months after completion of a job-related

course, they are required to reimburse the library for half the costs of the tuition and books for that course (**Appendix F**).

An employee is encouraged to participate in professional meetings, workshops, associations and conferences. They shall be excused from regularly scheduled hours to attend any meetings, workshops and conferences with the Library Director's approval. An employee will be reimbursed for expenses incurred in order to attend such events. These expenses may include workshop fees, meals, necessary overnight stays and appropriate travel expenses. The Library reimburses permitted expenses as set forth in the Permitted Travel Expenses (**Appendix G**). If any reimbursable expense exceeds the maximum amount the employee may complete the reimbursement request form (**Appendix H**). The expense may be approved only by a roll call vote at an open meeting of the Board. Hourly employees will be paid their normal per diem rate. Salaried employees will be paid their normal scheduled hours and will not be compensated for any additional time.

PROFESSIONAL MEMBERSHIP

Membership for full-time staff members in the associations of the profession is allowed. The library will pay basic dues as the budget allows and upon the Library Director's approval.

RETIREMENT

The library does not have a mandatory retirement age. Unused vacation shall be paid upon retirement. All full-time employees will give at least a one month written notice of their retirement. All part-time employees will give at least a two week written notice of their retirement.

SAFETY AND HEALTH

SAFETY AND SECURITY

Safety and security are a priority to the library. The Library will make every effort to provide a safe environment in which to work in accordance with the Occupational Safety and Health Act of 1970. An employee is expected to:

- observe all safety rules.,
- keep the work place neat and clean.
- report all injuries immediately.
- report anything that needs repair.
- report any safety hazard.
- suspicious behavior.

WORKPLACE VIOLENCE

. The library is committed to working with its employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.

Carrying a weapon on library premises is prohibited in accordance with the Firearm Concealed Carry Act. Furthermore employees are prohibited from carrying a weapon at any location in which the employee represents the Library for Library purposes, including, but not limited to other libraries, conferences, system meetings, etc. If an employee is found to have violated this policy, the employee will be disciplined up to and including termination of employment.

Employees are responsible for reporting all incidents of violence, threats, harassment, intimidation and other disruptive behavior on Library property. Such behavior can include oral or written statements, gestures or expressions that communicate a direct or indirect threat of physical harm. Employees must report any of these observed behaviors immediately using the appropriate chain of command. Individuals who commit such acts may be removed from the premises and may be subject to legal or disciplinary action.

BLOODBORNE PATHOGENS *

While normal library operations are not likely to involve circumstances exposing employees or patrons to blood borne pathogens, the Library complies with Illinois Department of Labor regulations and therefore the Federal Occupational Safety and Health Administration (OSHA) regulations relating to occupational exposures to blood borne pathogens, which have been incorporated by administrative actions.

Exposure Determination: No particular job classification of the library has occupational exposure (meaning “reasonably anticipated... contact with blood or other potentially infectious materials that may result from the performance of an employee’s duties”); however, emergencies may occur with staff or patrons, particularly youth or elderly patrons, to which library employees in all classifications may be called upon to respond with assistance. Or emergencies with “out of control” individuals (e.g. biting, spitting, etc.) could present an individual threat.

Universal Precautions: All potential circumstances of exposure must be taken into account by the library and its employees to protect against exposures. Hepatitis B (HBV), human immunodeficiency virus (HIV), and other blood borne pathogens found in human blood and other body fluids cause life-threatening diseases. In emergency or other such circumstances, when contact with blood or other potentially infectious materials may result, the library’s approach to infection control requires all human blood and body fluids to be treated as if known to be infectious for HIV, HBV, and other blood borne pathogens. Work practice controls shall be used

to eliminate or minimize employee exposures, and if a possibility of exposure remains, personal protective equipment shall also be used.

Exposure Control Plan: Any time within the library environment that human blood, human body fluids, or other potentially infectious materials are presented, the area contaminated shall be immediately cordoned off and quarantined, even if the entire library must be closed to accomplish this completely. Personal protection clothing, such as gloves, gowns, masks, etc. shall be provided and used in the cleanup and safe disposal of contaminated waste such as diapers, blood-tinged materials (e.g. Band-Aids, gauze, cotton, clothing, etc.). If advisable, a professional hazardous/contaminated cleanup firm shall be contacted and retained for complete cleanup and decontamination. The quarantine shall be effective until complete cleanup and disposal is accomplished. Hand-washing facilities are provided by the library and must be used by the employees as soon as feasible, including following the removal of personal protective equipment. A complete record of all incidents, exposures, cleanup, and disposals shall be kept as required by the OSHA regulations.

Training and Immunizations: The library shall provide directly or through system, state, or associational programs, annual in-service training/educational programs for affected employees. Any employee who has an occupational exposure shall be offered, at no charge, the hepatitis B vaccine series, in accordance with the regulations. Following the report of an exposure incident, the library will make immediately available to the exposed employee or employees a confidential medical evaluation and follow-up as provided in the regulations.

AMERICANS WITH DISABILITY ACT (ADA)*

The ADA provides a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities in areas of employment, public services, public accommodations and services operated by private firms. It also requires employers to make a “reasonable accommodation” where appropriate. Employers with fifteen or more employees must make a reasonable accommodation for disabled employees. Regulations are constantly being updated.

The ADA prohibits discrimination in all employment practices, including hiring, compensation, training, advancement and termination. The Act also applies to recruiting, advertising, leaves of absence and fringe benefits.

The ADA protects any “individual with a disability”. This is defined to mean a person who has a physical or mental impairment that substantially limits one or more major life activities. Major life activities include such functions as caring for oneself, walking, seeing, hearing, speaking, working and reproduction. The ADA also includes all persons discriminated against because they have a known association or relationship with a disabled individual.

Impairment includes any physiological disorder or condition, cosmetic disfigurement, anatomical loss affecting one or more of the major body systems or any mental or psychological disorders such as mental illness or retardation.

Mitigating measures are used by persons to eliminate or reduce the effects of impairment. Mitigating measures may include medication and assistive devices such as hearing aids, glasses, walkers or canes.

The ADA prohibits discrimination against any qualified individual with a disability. “Qualified” means a person with a disability who meets legitimate skill, experience, education or other requirements of an employment position that she holds or seeks and who can perform the essential functions of the position with or without reasonable accommodation.

“Reasonable accommodation” is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to perform the essential job function. Reasonable accommodations include such things as:

- A. Making existing facilities readily accessible.
- B. Acquiring or modifying interpreters.
- C. Providing readers or interpreters.
- D. Restructuring the job.
- E. Modification of work schedules.
- F. Reassignment to vacant positions.
- G. Acquisition or modification of equipment or devices.
- H. Adjustment or modification of examinations, training materials or policies.

A reasonable accommodation cannot cause “undue hardship” for the employer.

“Undue hardship” is defined as an action requiring significant difficulty or expense when considered in light of such factors as the nature and cost of the accommodation in relation to the size, resources, nature and structure of the employer’s operation. The library must provide a reasonable accommodation to a job applicant to facilitate the application process.

If an employee requests an accommodation and a reasonable accommodation is not obvious, the Library Director may ask the employee for a written evaluation/report from a physician/qualified clinician. The evaluation/report must be current, comprehensive and include a specific diagnosis. The evaluation/report must conform to well-established practices in specific areas/fields. An accommodation must relate to the employee’s specific job related functional limitations within the work place setting.

The Library Director will determine if an accommodation can be made without undue hardship on the library. Evaluating a proposed accommodation requires balancing an employee's reasonable needs (vs. an employee's wish or personal preference) with the library's business needs or performance of essential job functions at the library.

PREGNANCY FAIRNESS ACT*

The Illinois Human Rights Act was amended by adding pregnancy as a protected class. The amendment requires employers to provide reasonable accommodations to women affected by pregnancy, childbirth or related conditions.

VICTIMS' ECONOMIC SECURITY AND SAFETY ACT (VESSA)*

The Illinois Victims' Economic Security and Safety Act (VESSA) provides twelve weeks of unpaid leave within a twelve month period to an employee who is a victim of domestic or sexual violence or whose family or household member is a victim. Employees can take their full allotment of unpaid leave under VESSA and then also take any earned paid time off, such as vacation or paid time off. Employees must be restored to the same or equivalent position upon return from VESSA leave. Employee benefits, pay and terms of employment must also be restored. VESSA prohibits employers from discharging, discriminating or retaliating against employees who are victims of domestic violence and must take time off from work. Leave may be taken intermittently or on a reduced work schedule basis. VESSA requirements are posted in the staff lounge.

VESSA grants leave to employees who work for the library and who are:

A. Victims of domestic or sexual violence

OR

B. Employees who have a family or household member who is a victim of domestic or sexual violence. Family or household members include any person who is related by blood or by present or prior marriage, and any other person who shares a relationship through a son or daughter

AND

The leave must be for one or more of the following reasons:

A. To seek medical attention for physical or psychological injuries caused by domestic violence directed toward the employee or the employee's family member.

- B. To obtain services from a victim services organization.
- C. To participate in safety planning, including relocation or other actions to address safety issues.
- D. To obtain psychological or other counseling.
- E. To seek legal guidance or remedies to ensure the victim's family safety such as time off or relevant civil and criminal court matters.

A victim of domestic violence must give the Library Director forty-eight hours advance notice of the need for leave, unless reasonable notice is not practicable. If advance notice is not feasible, the employee has a reasonable period of time to provide certification of the qualifying VESSA event. The library may require additional documentation such as medical or police reports.

The library is required to maintain group health coverage, including family coverage, for an employee on VESSA leave on the same terms as if the employee continued to work.

VESSA requires the library to make reasonable accommodations to the "known limitation" of an employee or applicant who is a victim of domestic or sexual violence or whose family or household member is a victim. Reasonable accommodations include a modified work schedule, reassignments, a changed telephone number, installation of a lock or safety program in the workplace in response to actual or threatened domestic or sexual violence.

DISCIPLINE AND TERMINATION OF EMPLOYMENT

INVOLUNTARY TERMINATION

The Library Director may take disciplinary action as warranted and may terminate an employee at any time. The Library Director will inform the board by telephone and/or email when an employee has been terminated. A terminated employee may request a review of the termination by the board, and a written reply of the board's final decision in the matter will be furnished to the employee. Accumulated sick leave and personal days will not be paid upon termination.

If a reduction in force becomes necessary, when possible, salaried employees shall receive one month notice; all other employees shall receive two weeks' notice.

VOLUNTARY TERMINATION

A salaried employee wishing to leave the library in good standing should submit his/her resignation in writing one month in advance. Two weeks written notice is requested of all other employees. All resignation notices must include a separation date. Unused vacation will be paid upon resignation. Accumulated sick leave will not be paid upon resignation. Any employee who resigns and later returns to the employ of the library may be reinstated at previous seniority based on the discretion of the Library Director. An employee will be asked to participate in an exit interview.

Upon termination for any reason, an employee will leave library property in working order. This includes but is not limited to all documentation and information stored on library computers and discs. Accumulated sick leave and personal days will not be paid upon voluntary termination.

FINAL PAY

Involuntarily and Voluntarily terminated employees will receive all compensation to which they are entitled, including accrued but unused vacation pay.

REFERENCES

It is the library's general policy not to give references, whether favorable or unfavorable in nature, for former employees. The library will only verify the dates of employment, job title and the salary/wages as of separation of employment.

The library reserves the right to provide reference information in addition to the foregoing upon receipt of written authorization from a former employee authorizing the library to provide additional reference information (**Appendix I**).

EMPLOYEE PROBLEMS AND COMPLAINTS

Employee problems or complaints that may affect work performance should be directed to the appropriate chain of command as soon as possible for quick attention and remediation. Employees will report freely without fear of reprisal or discrimination.. Staff members who take complaints, requests, criticism or other library business directly to the Board or individual trustees without working through the process will be considered insubordinate and subject to disciplinary measures by the Library Director.

In the case of the Library Director having an issue, this should be discussed with the board president. If the Board President is part of the Library Director's problem, the issue/grievance should be submitted in writing for the Board and be delivered to the vice president, who will notify the Board President of the issue/grievance. The vice president will present the issue during closed session to the Board at the next scheduled or special board meeting.

Each problem should be initiated, heard and resolved within as short a period of time as possible according to the nature or severity of the problem and the availability of the essential personnel. Most complaints for problems should be settled within thirty working days after initiation. The board's decision shall be the final adjudication of the problem.

If the matter involved discipline by either suspension or termination and the employee is reinstated by the Board's decision, all benefits, pay and status lost due to suspension or termination will also be reinstated to their credit.

ORDINANCE 03-6

An Ordinance Regulating Political Activities
and the Solicitation and Acceptance of Gifts by Officers and Employees of the
Coal City Public Library District

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State Statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units “in an manner no less restrictive” than the provisions, of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE COAL CITY PUBLIC LIBRARY DISTRICT, ILLINOIS:

SECTION 1. The following resolutions are hereby adopted in compliance with the requirements of Article 70 to the State Officials and Employees Ethics Act, (5 ILCS-430)

ARTICLE 1

DEFINITIONS

Section 1-1. For the purposes of this ordinance, the following terms shall be given these definitions:

“Campaign for elective office” means any activity in furtherance of an effort to influence the selection, nomination, election or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.

“Candidate” means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

“Collective bargaining” has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

“Compensated time” means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, “compensated time” includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

“Compensatory time off” means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

“Contribution” has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

“Employee” means a person employed by the Coal City Public District, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include and independent contractor.

“Employer” means the Coal City Public Library District.

“Gift” means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

“Leave of absence” means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for the employer.

“Officer” means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

“Political activity” means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.

“Political organization” means a party, committee, association, fund or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

“Prohibited political activity” means:

1. Preparing for, organizing or participating in any political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing for reviewing responses to candidate questionnaires.

11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

“Prohibited source” means any person or entity who:

1. is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
2. does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
3. conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee;
4. has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

ARTICLE 2

PROHIBITED POLITICAL ACTIVITIES

Section 2-1. Prohibited political activities.

- A. No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use

any property or resources of the Coal City Public Library District in connection with any prohibited political activity.

- B. At no time shall any officer or employee intentionally require any other officer or employee to perform an prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation, or personal time off).
- C. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
- D. Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.
- E. No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 3

GIFT BAN

Section 3.1. Gift Ban. Except as permitted by this Article, no officer or employee, and no spouse or immediate family member living with any officer or employee (collectively referred to herein as “recipients”), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 3.2. Exceptions. Section 3.1 is not applicable to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual’s spouse and the individual’s fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or

immediate family member and not because of personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals: (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family member.

8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section “catered” means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. For the purpose of this Act, “intra-governmental gift” means any gift given to an officer or employee from another officer or employee, and “inter-governmental gift” means any gift given

to an officer or employee by an officer or employee of another governmental entity.

11. Bequests, inheritances, and other transfers at death.
12. Any item or items from one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Section 3-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now hereafter amended, renumbered, or succeeded.

ARTICLE 4

ETHICS ADVISOR

Section 4-1. The President of the Board of Trustees with the advice and consent of the Board of Library Trustees shall designate an Ethics Advisor for the Coal City Public Library District. The duties of the Ethics Advisor may be delegated to an officer or employee of the Coal City Public Library District unless the position has been created as an office by the Coal City Public Library District.

Section 4-2. The Ethics Advisor shall provide guidance to the officers and employees of the Coal City Public Library District concerning the interpretation of and compliance with the provisions of this Ordinance and State ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the Board of Library Trustees.

ARTICLE 5

ETHICS COMMISSION

Section 5-1. There is hereby created a commission to be known as the Ethics Commission of the Coal City Public Library District. The Commission shall be comprised of three members appointed by the Board President with the advice and

consent of the Coal City Public Library District. No person shall be appointed as a member of the Commission who is related, either by blood or marriage up to the degree of first cousin, to any elected officer of the Coal City Public Library District.

Section 5-2. At the first meeting of the Commission, the initial appointees shall draw lots to determine their initial terms. Two commissioners shall serve 2-year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to 2-year terms. Commissioners may be reappointed to serve subsequent terms.

At the first meeting of the Commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any 2 commissioners. A quorum shall consist of two commissioners, and official action by the commission shall require the affirmative vote of two members.

Section 5-3. The Board President, with the advice and consent of the Trustees, may remove a commissioner in case of incompetency, neglect of duty or malfeasance in office after service on the commissioner by certified mail, return receipt requested, of a copy of the written pages against the commissioner and after providing an opportunity to be heard in person or by counsel upon not less than 10 day's notice. Vacancies shall be filled in the same manner as the original appointments.

Section 5-4. The Commission shall have the following powers and duties:

1. To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.
2. Upon receipt of a signed, notarized, written complaint, to investigate, conduct hearings, and deliberations, issue recommendations for disciplinary actions, impose fines, in accordance with Section 6-1(c) of this Ordinance and refer violations of Article 3 or Article 3 of this Ordinance to the appropriate attorney for prosecution. The Commission shall, however act only upon the receipt of a written complaint alleging a violation of this Ordinance and not upon its own prerogative.

3. To receive information from public pertaining to its investigations and to require additional information and documents from person who may have violated the provisions of this Ordinance.
4. To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the Coal City Public Library District to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.
5. The powers and duties of the Commission are limited to matters clearly within the purview of the Ordinance.

Section 5-5. (a) Complaints alleging a violation of this Ordinance shall be filed with the Ethics Commission,

(b) Within 3 business days after the receipt of a complaint, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within 3 business days after receipt by the commission. The notices to the respondent and the complainant shall also advise them of the date, time and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.

(c) Upon not less than 48 hours' public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this Ordinance, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within 7 business days after receiving the complaint.

If the complaint is deemed sufficient to allege a violation of Article 3 of this Ordinance and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within 4 weeks after the complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the corporate authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return mail, receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

If the complaint is deemed sufficient to allege a violation of Article 2 of this Ordinance then the Commission shall notify in writing the attorney designated by the corporate authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

(d) On the scheduled date and upon at least 48 hours' public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.

(e) Within 30 days after the date the hearing or an recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a recommendation for the discipline to the alleged violator and to the Board President or Library Director, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.

(f) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within 7 business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing, and

allow both parties the opportunity to present testimony and evidence. Within 7 days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the Board President or impose a fine upon the violator, or both.

(g) If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection (e) within 7 days after the complaint is filed, and during the 7 days preceding that election, the Commission shall render such decision before the date of that election, if possible.

(h) The Commission may fine any person who intentionally violates any provision of Article 3 of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may fine any person who knowingly files a frivolous complaint alleging a violation of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may recommend any appropriate discipline up to and including discharge.

(i) A complaint alleging the violation of this Act must be filed within one year after the alleged violation.

ARTICLE 6

PENALTIES

Section 6-1. Penalties. (a) A person who intentionally violates any provision of Article 2 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(b) A person who intentionally violates any provision of Article 3 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(d) A violation of Article 2 of this Ordinance shall be prosecuted as a criminal offense by an attorney for the Coal City Public Library District by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

A violation of Article 2 of this Ordinance may be prosecuted as a quasi-criminal offense by an attorney for the Coal City Public Library District, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 2 or Article 3 of this Ordinance is subject to discipline or discharge

SECTION 2: This Ordinance shall be in effect upon its passage, approval as provided by law. Adopted this 13th day of April, 2004 pursuant to a roll call vote as follows:

AYES: 6

NAYS: 0

ABSENT: 1

ABSTAIN:0

APPROVED:

Kenneth P. Miller
President, Board of Library Trustees
Coal City Public Library District

ATTEST:

By: Jill Ames
Secretary-Pro Tem, Board of Library Trustees
Coal City Public Library District

NOTICE OF LIBRARY DRUG AND ALCOHOL POLICY

The Library has long recognized that the non-medical use of controlled substances is hazardous to the health of the patrons and employees of the library. Additionally, the use of alcohol by patrons is recognized as both hazardous and illegal. The use of alcohol by employees is not allowed in the library. The illicit manufacture, use, possession, or distribution of controlled substances, look-alike drugs, drug paraphernalia, and the manufacture, use, possession, or distribution of alcoholic beverages, marijuana, and its derivatives as defined by Illinois and Federal statute, at any time, is not permitted at any public library location.

“Library location” means in any public library building, on any public library premises, in any library-owned vehicle, or at any library-sponsored activity where patrons or employees are engaged in activities under the jurisdiction of the library. This shall include any period of time when an employee is supervising students on behalf of a school district or is otherwise engaged in library business.

Individuals present on library property or at a library location who are impaired are in violation of this policy. An individual is considered impaired when he or she manifests specific, articulable symptoms that decrease or lessen performance of duties or tasks including symptoms of speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, negligence or carelessness in operating equipment, disregard for the safety of others, or carelessness that results in any injury to others or to property.

Any employee who violates the terms of the library’s drug and alcohol policy may be suspended or terminated pursuant to the rules and regulations of the library and applicable state statutes. The library may, at its discretion, refer incidents to appropriate legal authorities for prosecution when this policy is violated. Sanctions against employees shall be in accordance with prescribed library regulations and procedures. The library’s employees, as a condition to their employment, agree to abide by the terms of this policy and to notify the library, not later than five (5) days after a conviction, of any criminal drug or alcohol statute conviction for a violation

occurring at the library location. The library, if or when required by law, shall report such conviction to the appropriate authorities.

A patron who violates the terms of this policy may be expelled from the public library location involved or any library location at the discretion of the library, and privileges may be suspended. The library may, at its discretion, refer incidents to appropriate legal authority for prosecution when this policy is violated. Sanctions against patrons shall be in accordance with prescribed library regulations and procedures.

The library shall obtain and make available materials from local, system, state, and national anti-drug and alcohol abuse organizations with drug and alcohol information and rehabilitation programs to provide information to the library patrons and employees.

In order to make patrons and employees aware of the dangers of drug and alcohol abuse, the Notice of Library Drug and Alcohol Policy shall be distributed to all employees and prominently posted at the library for patrons and employees to see.

The library shall conduct a biennial review and evaluation of the measures taken by this policy to determine its effectiveness and to implement changes to the program where needed. Additionally, the biennial review and evaluation shall determine whether or not the sanctions required by this policy are consistently in force.

**COAL CITY PUBLIC LIBRARY DISTRICT PERSONNEL
RECORDS REQUEST FORM**

Requestor's Name _____ Date of Request _____

Phone Number _____

Address _____

Description of Records Requested: _____

Library Response (Requestor does not fill in below this line)

Approved:

_____ You may inspect the records at 85 N. Garfield Street, Coal City on the date of _____.(Under section 2 of the Personnel Record Review Act the employer has seven business days to comply.)

_____ The documents will be made available to you upon payment of copying costs in the amount of _____ (pursuant to section 3 of the Act).

_____ The documents you requested are enclosed (upon demonstration by the employee that he/she is unable to come to review the records in person, pursuant to section 2 of the Act.)

Denied:

_____ Request delayed for the following reasons: _____ (pursuant to section 2 of the Act, the employer has an additional seven days to comply if reason for the delay is reasonable).

_____ The requested materials are exempt under section 10 of the Personnel Records Review Act for the following reasons: _____ Request denied by: _____

Personnel Officer: _____ Date of Reply _____

**COAL CITY PUBLIC LIBRARY DISTRICT
COMMUNICATION SYSTEMS/EMAIL AGREEMENT**

I understand that all communications systems, including, but without being limited to electronic and telephone communications systems, and all information transmitted, received, or stored in these systems are library property. I also understand that employees are to use such systems solely for job-related purposes and not personal use. Accordingly, I have no expectation of privacy in connection with the use of this equipment or the transmission, receipt, or storage of information in such equipment.

I further understand and agree not to use a code, access a file, or retrieve any stored information or communication unless authorized. I also acknowledge and consent to the library's monitoring my use of this equipment at any time. Such monitoring may include printing and reading all email entering, leaving, or stored in these systems.

Print Employee Name _____

Employee Signature _____

Date _____

SALARY SCALE

<u>LEVEL</u>	<u>POSITION</u>	<u>MINIMUM SALARY</u>	<u>MAXIMUM SALARY</u>
I	PAGES	HOURLY - \$9.00	\$13.00
II	CLERK	HOURLY - \$10.00	\$17.00
III	LIBRARY TECHNICAL ASSISTANT	HOURLY - \$13.00	\$23.00
IV	LIBRARIANS	HOURLY - \$15.00	\$25.00
V	DEPARTMENT HEADS	HOURLY - \$17.00	\$27.00
VI	ASSISTANT LIBRARY DIRECTOR	SALARIED - \$37,000	\$65,000
VII	LIBRARY DIRECTOR	SALARIED - \$55,000.00	SALARIED - \$75,000.00
VIII	SUPPORT STAFF		
	BOOKKEEPER	HOURLY - \$13.00	\$23.00
	MAINTENANCE	HOURLY - \$13.00	\$33.00
	CUSTODIAN	HOURLY - \$9.00	\$13.00

AGREEMENT FOR REIMBURSEMENT FOR EDUCATION

I, _____, the undersigned agree as follows:

1. To take _____ which is related to or will enhance my position at the library.

2. To reimburse the library for 50% of the cost of this class and the materials if I should terminate employment with the library before _____.

3. To reimburse the library for 100% of the cost of this class and the materials if I do not receive a grade of C or better.

Signed _____

Printed Name: _____

Date _____

Supervisor _____

Date _____

PERMITTED TRAVEL EXPENSES

The Library shall reimburse expenses, including transportation, meals and lodging which are reasonably necessary for Library business. Examples of expenses which may be reimbursed include expenses for conferences, meetings, or any other events or programs consistent with the Library’s mission.

The maximum reimbursable amounts are as follows:

Maximum Reimbursable Rates for Transportation	
Air Travel	Lowest reasonable rate (coach)
Auto	IRS standard mileage rate at time of reimbursement
Rental Car	Lowest reasonable rate (midsize vehicle)
Rail or Bus	Lowest reasonable rate (cost shall not exceed airfare)
Taxi, Shuttle, Rideshare, or Public Transportation	Actual reasonable rate

Maximum Reimbursable Rates for Meals	
Breakfast	\$15.00
Lunch	\$20.00
Dinner	\$30.00

Maximum Reimbursable Rates for Lodging	
Chicago and Suburban Cook County	\$132.00 / night
DuPage, Kane, Lake, McHenry and Will Counties	\$80.00 / night
All other Illinois Counties	\$70.00 / night
Outside of Illinois	As approved by the Board

REIMBURSEMENT REQUEST FORM

- (1) Name and title of the person who received or is requesting reimbursement of travel, meal, or lodging expense:

Name

Job Title/Office

- (2) Date or dates and nature of the Library business in which the travel, meal, or lodging expense was or will be expended.

Name of Event or Program Date(s) of Event or Program

Location of Event or Program Purpose of Event or Program

- (3) Documentation describing the Library business event or program is attached, if appropriate.
- (4) Attachments:
- (a) An explanation of the basis for your estimated travel expenses if expenses have not yet been incurred; or
 - (b) Receipts if the expenses have been incurred.
- (5) You may provide the Library Board with such other documentation as would assist the Library Board consider your request for reimbursement.
- (6) In the discretion of the Library Board, additional documentation relevant to the request for reimbursement may be required.

Name

RELEASE OF EMPLOYMENT INFORMATION

As an employee/former employee of the Coal City Public Library District, I authorize the Library and it's trustees, officers, employees or agents to release to academic/scholastic institutions or prospective employers, information relevant to my employment at the Library. I understand there may be questions about my experience, character, personality, "people skills", and performance. I authorize the Library to answer such questions. I waive any and all rights I have or may have to receive notice from the Library regarding the release of information to academic/scholastic institutions or prospective employer relevant to my employment with the Library.

Signature

Printed Name

Date signed