

City of *Waukegan*



LAKE COUNTY

STATE OF ILLINOIS

ORDINANCE NUMBER 16 – O - 18

**ORDINANCE FIXING THE SALARIES AND
WAGES TO BE PAID TO MANAGEMENT AND
NON-UNION EMPLOYEES OF THE CITY OF WAUKEGAN, ILLINOIS**

ADOPTED BY THE

CITY COUNCIL

CITY OF WAUKEGAN

LAKE COUNTY

STATE OF ILLINOIS

The 21st day of March, 2016

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WAGES TO BE PAID TO MANAGEMENT AND
NON-UNION EMPLOYEES OF THE CITY OF WAUKEGAN, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAUKEGAN:

SECTION 1. DEFINITIONS: That for the purposes of this Ordinance whenever the following terms appear, they shall be defined as, or construed to mean:

- 1.1 **APPLICABILITY OF ORDINANCE:** This Ordinance applies to all full-time management, non-union employees and Elected Officials. Portions of this Ordinance may apply to Civil Service Management employees in the Police and Fire Departments as determined by the City. Specifically excluded are employees represented by the Police Benevolent Labor Committee, the International Association of Firefighters, the Service Employees International Union, the Metropolitan Alliance of Police, Teamsters, International Union of Operating Engineers and all other employees represented by a collective bargaining agreement.
- 1.2 **ONE FULL YEAR EMPLOYMENT:** One full year of employment shall mean twelve (12) consecutive work months from the employee's date of hire.
- 1.3 **EXEMPT:** As described by provisions of the Fair Labor Standards Act (FLSA), employees in an exempt status are not paid for overtime hours worked. They are exempt from overtime pay.
- 1.4 **NON-EXEMPT:** As described by provisions of the Fair Labor Standards Act (FLSA), employees in a non-exempt status are paid for all overtime hours worked. Overtime is typically defined as any time worked over forty (40) hours in a work week.
- 1.5 **FULL-TIME EMPLOYEES:** Employees regularly scheduled to work not less than forty (40) hours per week. Full-time employees are eligible for City benefits. Please note that full-time status for City purposes should not be construed as meeting the requirements of full-time status for any specific benefit plan.
- 1.6 **PART-TIME EMPLOYEES:** Employees hired into or transitioning into a part-time position are eligible for all legally mandated benefits (i.e. Social Security and Workers' Compensation insurance) and are eligible for other City benefit programs on a prorated basis (i.e. vacation, sick, personal, holidays). These employees are eligible to participate in the Illinois Municipal Retirement Fund (IMRF) and the wages and salary specified in this Ordinance. Please note that part-time employees are ineligible for the City's health, dental and life insurance plan as well as the Health Insurance Buyout Incentive and any benefit other than those aforementioned in this section.
- 1.7 **CONFIDENTIAL EMPLOYEES:** In accordance with the Illinois Public Labor Relations Act, a Confidential employee is an employee "who in the regular course of his or her duties, assists and acts in a confidential capacity to persons who formulate, determine and effectuate management policies with regard to labor relations or who in the regular course of his or her duties has authorized access to information relating to the effectuation or review of the employer's collective bargaining policies."

- 1.8 PROBATIONARY PERIOD-NEW EMPLOYEES:** The probationary period for all newly hired employees shall be one hundred eighty (180) consecutive days of uninterrupted municipal service or such greater or lesser time as the Department Head (or his designee), Mayor and Human Resources Director deem appropriate. Upon successful completion of the probationary period, as documented by the employee's immediate supervisor, and approval by the Department Head, Human Resources Director and Mayor or designee, said employee shall be entitled to all provisions of non-probationary employees. The Mayor or designee shall be authorized to waive the full one hundred eighty (180) day probationary period, or any portion thereof, based on the prior education and work experiences of the employee following notification and review of the Labor Relations Committee. This probationary schedule shall apply to newly hired employees to the city and to bargaining unit employees promoted to a position covered by this ordinance.
- 1.9 PROBATIONARY PERIOD-PROMOTED EMPLOYEES:** An employee receiving a promotion to a higher classification shall be subject to a probationary period of ninety (90) consecutive days of uninterrupted municipal service. Upon successful completion of the probationary period, as documented by a performance evaluation by the employee's immediate supervisor, and approval of both the Department Head and Human Resources Director, said employee shall be entitled to all provisions of non-probationary employees in the new position. Failure to satisfactorily meet the responsibilities of the new position shall cause said employee to return to his/her prior position and salary range, provided said position is available. No off-probation salary increase shall be granted after promotions.
- 1.10 ANNIVERSARY YEAR:** An employee's anniversary date shall be a twelve month increment of uninterrupted, continuous service from the employee's date of hire or promotion.
- 1.11 BASE PAY:** Base Pay shall be the amount set forth in the ordinance as the annual, monthly and per diem, or hourly salary for each position. Salaries shall be computed as follows:
- a. **ANNUAL SALARY-** The amount set forth in this ordinance for one full year of employment.
 - b. **BI-WEEKLY SALARY-** 1/26 of the annual salary set forth in this ordinance.
 - c. **HOURLY SALARY-** The amount obtained by dividing the annual salary by the number of hours worked in the year (40 hrs/week x 52 weeks = 2,080 hrs/year)
- 1.12 NORMAL WORK DAY AND WORKWEEK:** The normal workday for employees covered by this Ordinance is eight (8) working hours, ordinarily during the period 8:00 a.m. - 5:00 p.m., unless otherwise authorized by the Department Head. Lunch periods are not considered time worked. The normal workweek is forty (40) hours.
- 1.13 EMERGENCY WORK:** Emergency work shall be considered as consisting of riots, severe or abnormal fires, snow removal, ice control, flood control, emergency sewer repairs, emergency water distribution system repairs or such other work as may reasonably be classified as an emergency operation.

SECTION 2: HOLIDAYS AND PERSONAL LEAVE DAYS:

2.1 HOLIDAYS: Legal holidays observed by the City for employees covered by this ordinance are the following:

Memorial Day	Independence Day
Labor Day	Thanksgiving Day
Day after Thanksgiving	Christmas Day
New Year's Day	Martin Luther King's Birthday
President's Day	

Whenever any such legal holiday falls on Sunday, the following business day shall be considered as a legal holiday. Whenever any such holiday occurs on Saturday, the preceding Friday shall be considered a legal holiday.

In order to be eligible for holiday pay, the employee must work his/her last full scheduled working day immediately preceding and his/her first scheduled working day immediately following the day observed as a holiday, unless one of these days is the employee's scheduled day off or unless the employee is excused in writing by his/her supervisor because said employee is off work as a result of authorized paid leave.

Exception: Telecommunication Supervisors who work a rotational 8.5 hour shift shall receive twelve (12) paid days off at other times during the year in lieu of actual holidays. At the time of the employee's separation of service, unused Holiday time shall be paid at the employee's hourly rate.

2.2 HOLIDAY BENEFITS: Holiday benefits shall be available upon the employee's starting date.

2.3 PERSONAL LEAVE DAYS: Following completion of a new employee's one hundred eighty (180) day probationary period, he/she shall be eligible to receive four (4) personal leave days per fiscal year. Personal leave days may be taken at the option of the employee with the approval of his/her supervisor with a minimum of forty-eight (48) hours' notice. Personal leave days shall be taken during the fiscal year. In the event of death, retirement or separation from service of an employee, such employee shall not be compensated for personal leave days not already taken. Personal Leave Days accrue on a Fiscal Year basis. Personal Leave Days shall be prorated for employees with less than one year of service hired during the fiscal year.

SECTION 3: VACATIONS:

3.1 VACATION SCHEDULE: All full-time employees of the City covered by this ordinance shall be allowed vacations with pay in accordance with the following:

After 52 weeks	2 weeks (10 work days)
After seven years and one day	3 weeks (15 work days)
After eleven years and one day	3 weeks, 2 days (17 work days)
After fifteen years and one day	4 weeks (20 work days)

Part-time employees will be allowed vacation with pay on a prorated basis.

- 3.2 **HOLIDAY DURING VACATION PERIOD:** When a legal holiday occurs during any vacation period such vacation period may be extended by one day or compensated for, subject to the approval of the Agency Head.
- 3.3 **VACATION ACCUMULATION:** Vacations shall be taken during the year allowed, however an employee may carryover up to one week into the next fiscal year. In the event of death, retirement or separation from service of an employee, such employee shall be compensated for earned vacation not already taken in the current fiscal year and approved accumulated vacation days on record at the time of separation.
- 3.4 **VACATION CASHOUT:** Once a year in December, employees will have the option of cashing out up to 1/2 of their remaining unused vacation time, requested in full day increments. (Maximum of forty (40) hours). Fire twenty-four (24) hour shift personnel shall be allowed a maximum of forty-eight (48) hours.

SECTION 4: SICK LEAVE:

- (a) **GENERAL GUIDELINES:** Employees covered by this Ordinance shall be entitled to sick leave benefits at the rate of eight hours per each month of service up to 50 days. Sick leave accrual benefit shall begin at the employee's starting date of employment. Employees who have accrued a sick leave bank in excess of fifty days as of May 1, 1998 may maintain their current sick leave bank or reduce such bank to the permissible bank of fifty days at the employee's election.
- (b) **SICK LEAVE ACCRUAL COMMENCEMENT:** Sick leave accrual benefits shall begin at the employee's starting date of employment.
- (c) **SICK LEAVE PAYOUT AT TIME OF SEPARATION:** Payout of sick leave credits at the time of separation shall be processed in conformance with Sections 4.5 and 4.6.
- (d) **SICK LEAVE SUBJECT TO THE FOLLOWING:**
- Personal illness
 - Medical, dental or optical appointments
 - Enforced quarantine of employee in accordance with community health regulations
 - Sickness in the immediate family
 - Non-compensable injuries
 - Pregnancy
- (e) **SICK LEAVE BANK SELL BACK PROHIBITED:** Employees may not sell back to the City any portion of sick leave accrual not expressly authorized by this Ordinance. Sell back is permitted under three conditions:
- 1) at one-half rate for hours accumulated in excess of 400 hours each May 1;
 - 2) at one-half rate for all hours accumulated at time of separation of service in conformance with Sections 4.5 and 4.6; and
 - 3) in accordance with any separation agreement approved by the Mayor
- 4.1 **PRACTITIONER'S REPORT:** The Agency Head and Human Resources Department may require a duly authorized practitioner's report before granting any sick leaves with pay.

- 4.2 **UNJUSTIFIED SICK LEAVE:** Taking unjustified sick leave may be considered cause for dismissal from the municipal service.
- 4.3 **SICK LEAVE-ABSENT MORE THAN THREE (3) DAYS:** Before returning to work, any employee having been absent from his/her duties for more than three days because of illness or injury, is required to file a report by the employee's attending physician on his/her letterhead, with the Human Resources Department stating that such employee is physically able to resume his/her duties. Medical evaluations may be further required at the discretion of the supervisor, based on the nature of the reported injury and/or illness, even if resulting absence is less than three days.
- 4.4 **ACCUMULATION: EMPLOYEES HIRED ON OR BEFORE SEPTEMBER 1, 1986:** At the time an employees' service is terminated, the employee shall be paid one-half (1/2) day's pay for every unused sick day accumulated to his credit.
- 4.5 **ACCUMULATION: EMPLOYEES HIRED AFTER SEPTEMBER 1, 1986:** At the time an employee retires, the employee shall be paid one-half (1/2) day's pay for every unused sick day accumulated to his/her credit provided the employee has met all state mandated retirement obligations. Any employee, covered by this section, leaving the city's employ prior to retirement shall forfeit the one-half pay for accumulated sick leave.

SECTION 5: LEAVES OF ABSENCE:

- 5.1 **MILITARY SERVICE:** Any employee, male or female, who during a national emergency, enlists or is called to serve in the armed forces of the U.S. Government, and who, subsequently returns to the municipal service of the City of Waukegan, to a position previously held by him/her, shall be reinstated at the same rate of pay as is set forth in the ordinance, plus longevity where applicable. The time served in the armed forces shall not disrupt the continuity of the longevity plan applicable to such employees. A leave of absence will be granted for military and/or camp service with no compensation for same.
- 5.2 **LEAVE FOR ILLNESS OR INJURY:** In the event an employee is unable to work by reason of illness or injury, (including those compensable under Workmans' Compensation), the City may grant a leave of absence without pay during which time seniority shall not accrue for so long as the employee is unable to work, except that for a work related injury compensable under Workmans' Compensation an employee shall accrue seniority for the first six (6) months of leave. In the event an employee is injured on the job, the employer agrees to comply fully with applicable Illinois laws regarding Workers' Compensation rights and benefits for employees. The City shall have no obligation to exceed the rights and benefits granted to employees by Illinois Workers' Compensation laws. Please note that any implementation of a Worker's Compensation and/or Light Duty policy will supersede the information in section 5.2.

THE LEAVE IS SUBJECT TO THE FOLLOWING CONDITIONS:

- a. **NOTIFICATION WITHIN 48 HOURS:** If the employee is unable to work as a result of the injury, the employee must make a request for leave within forty-eight (48) hours. The employee will immediately be placed on sick leave if there is a question by the City if the injury is work related. If the injury is then found to be duty related, sick leave will be credited back to the employee.

- b. **PHYSICIAN'S STATEMENT REQUIRED EVERY 45 DAYS:** During such leave a physician's statement sent to the City is required every forty-five (45) days.
- c. **CITY SCHEDULED MEDICAL APPOINTMENTS:** At any time the City may schedule a medical appointment for the employee with a physician designated by the City.
- d. **PHYSICAL EXAMINATION REQUIRED:** Before returning from such leave the employee may be required to have a physical examination by a physician designated by the City.
- g. **NOTIFICATION OF INABILITY TO RETURN TO WORK FOLLOWING LEAVE:** The employee shall notify his/her supervisor and the Human Resources Department before the expiration of the leave if (s)he is physically unable to return to work at the conclusion of the leave.
- h. **SALARY COMPUTATION:** Salary under this leave is computed at the straight time rate the employee would have been paid had the employee been working for that period of time.
- i. **NOTIFICATION OF REQUEST FOR EXTENSION:** If the employee fails to notify his/her supervisor before the end of this leave that (s)he wants an extension, (s)he will be terminated at the conclusion of his/her leave.
- j. **APPROVAL OF EXTENSION OF LEAVE:** Any special consideration for an extension of such paid leave of absence in excess of one hundred eight (180) consecutive calendar days must be approved by the Mayor and by the Finance Committee with their recommendation to the City Council.
- k. **SICK LEAVE ACCUMULATION CEASES:** Any employee who is granted this leave of absence shall cease to accumulate sick leave after the completion of one hundred eighty (180) consecutive calendar day leave of absence period, until (s)he returns to work. This employee shall not begin to re-accumulate sick leave until (s)he returns to work.
- l. **ASSIGNMENT OF LIGHT DUTY:** The employee may be assigned to any light duty at the discretion of the City.

5.3 JURY LEAVE: Employees covered by this ordinance who are required to serve on a jury shall sign their jury checks over to the City. The City shall compensate such employees at their regular rate of pay for each hour actually spent on jury duty up to eight (8) hours per day.

5.4 DISCRETIONARY LEAVE: A discretionary leave of absence without pay must be requested in advance and approved by the Agency Head and Human Resources Director. Discretionary leave requests are limited to a maximum period of six (6) months.

5.5 FAMILY MEDICAL LEAVE: Employees requesting leave benefits under provisions of the Family Medical Leave Act shall submit requests for such leave on applicable application materials and adhere to City policy, as published under separate document.

5.6 BENEFITS WHILE ON LEAVE: During an approved leave of absence or layoff under this Agreement, the employee shall be entitled to coverage under applicable group and life insurance plans to the extent provided in such plan(s), provided the employee makes arrangements for the

change and arranges to pay the entire insurance premiums involved, including the amount of premium previously paid by the City.

SECTION 6: COMPASSIONATE LEAVE: In the event of the death of the mother, father, spouse, children, guardian, brother or sister of an employee or employee's spouse, such employee will be granted three (3) days off with pay within five (5) days after the date of death.

In the event of the death of the employee's and/or spouse's grandparents or grandchildren, said employee shall be given one (1) day off from work without loss of pay for the purpose of attending the funeral. Such time off shall be granted to employees actively at work or scheduled for same when the unfortunate incident occurs and his/her absence due thereto would result in a loss of pay if this clause were not in effect. Employees who are laid off, on their day off, off sick, or on vacation shall not be eligible for the benefits thereof. Upon request and proper notification employees shall be provided up to three (3) days leave to attend the funeral of a brother-in-law and/or sister-in-law, and one day leave to attend the funeral of a niece or nephew, with leave so provided charged against the employee's available compensatory or vacation time.

SECTION 7: THE POSITION CLASSIFICATION PLAN:

7.1 ELEMENTS OF CLASSIFICATION:

- a. **POSITION:** A position is a group of assigned duties and responsibilities requiring the full or part-time employment of one person. A position may be occupied or vacant.
- b. **TIER:** A tier is a group of positions that (a) has similar duties and responsibilities, (b) requires like qualifications, and (c) can be equitably compensated by the same salary range.
- c. **OFFICIAL DESIGNATION:** The class title is the official designation or name of the class as stated in the class specification or tier. It shall be used on all personnel records and actions. Working or office titles may be used for purposes of internal administration.

7.2 RESPONSIBILITY FOR ADMINISTRATION: Under specific direction of the Mayor and Labor Relations Committee of the City Council of the City of Waukegan, Illinois, the Director of Human Resources shall be responsible for administering the classification and pay plan. The Human Resources Director or designee may assign other employees to assist him/her in this activity.

- a. **MAINTENANCE OF EMPLOYEE RECORDS:** The Human Resources Department is responsible for maintaining up-to-date employment records through each employee's personnel file. Any disciplinary records over three (3) years old shall be removed unless it relates to a civil or criminal investigation. Those records will be kept in a secure locked cabinet and destroyed at a later date pursuant to state statute governing destruction of files.

7.3 ALLOCATION OF NEW POSITIONS: A Department Head shall complete a position description on a uniform prescribed form covering the duties and responsibilities of each proposed position which shall be allocated to one of the tiers in the salary plan.

7.4 **MAINTENANCE OF PLAN:**

- a. **REORGANIZATIONS:** Each time a department of Agency is reorganized, position descriptions for all affected employees should be submitted for review.
- b. **NEW TIERS:** Each time a new tier is established; a tier specification shall be written and incorporated into the existing plan. The tier title shall be added to the schematic list of titles. Likewise an abolished tier title shall be deleted from the classification plan by removing the tier specification and eliminating the tier title from the schematic list of titles.
- c. **ANNUAL REVIEW:** A general review of the classification plan shall be made annually and adjustments to the established wage rates may be recommended to the City Council.

SECTION 8: PAY TIER CLASSIFICATIONS:

- a. **APPOINTMENTS AND APPLICABLE SALARY:** Appointments and reappointments to positions in this Ordinance shall be made at the salary fixed as the “starting” rate of pay for the applicable class. Employees shall move through the individual steps at the completion of twelve months of continuous service in their tier on their anniversary date of hire or promotion.
- b. **STARTING RATE:** The minimum rate for each class is based upon the assumption that a new employee meets the minimum qualifications stated in the class specification.
- c. **EXCEPTION TO STARTING RATE:** The Mayor may make an exception based upon an appointee’s service with the City, character, experience and ability where the appointee more than meets the minimum qualifications. In such instance, the Mayor may place the appointee at a level no greater than the Step 3 (2 years of service) of the applicable tier pay plan, and in exceptional or unusual cases at some other higher step of the applicable tier pay plan with the advice and consent of the Labor Relations Committee.
- d. **MAXIMUM RATE OF PAY:** No salary shall exceed the maximum amount for the applicable classification set forth in the Salary Ordinance. Employees who have obtained the maximum of their pay grade shall have their salary frozen until the range is expanded by the City Council. No annual or special increase shall cause an employee’s salary to exceed the maximum amount set forth in the Ordinance. The Mayor, with the consent of the City Council, may authorize a one-time, off-base salary increase at the time of the annual May 1 salary increase for those employees whose salary exceeds the salary specified by the Step Plan for their Time-In-Tier.

- 8.1 **PROMOTIONS:** When an employee is promoted to a position in a higher class, the salary shall be increased to Step 1 for the higher class; however, in the case of overlapping ranges, the promoted employee shall be increased to that Step of the range equal to the applicable step of the present salary, but shall not exceed 105% of the employee’s current salary, without the express written consent of the Mayor.

Employees assigned to perform duties of greater responsibility not covered by an existing classification shall be eligible for a salary increase equal to 5% of their current base pay, upon the express written authorization of the Mayor.

- 8.2 DEMOTIONS:** When an employee is demoted to a lower class position, the employee shall be paid at the same step (as measured by his or her placement in the salary rate) for the lower class position.
- 8.3 REALLOCATIONS DOWNWARD:** When a position is reallocated to a lower tier, the employee may be placed in the step closest in pay to former tiered pay, however not at a lower dollar amount step. If current pay is higher than the top step at the reallocated tier, employee may be permitted to continue at his or her present rate of pay during period of incumbency except in the event of general City-wide reductions. That same employee may not be entitled to a salary increase until such time as the salary fits into the reallocated tier on the salary schedule.
- 8.4 RE-HIRES:** If a former employee is re-hired by the City to any position, they will be treated as a new hire in every way including but not limited to probationary period, wages, benefits and seniority. This applies to employees who “retire” from one position and are hired to another position, whether there is a break in service or not. This does not apply to promotions, demotions or lateral transfers.

SECTION 9: MANAGEMENT AND ADMINISTRATIVE PAY PLAN:

- a. **INCREASES TO BASE SALARY.** Employees should not have a base salary beyond the maximum of the pay tier, as detailed in this Ordinance, except during the transition stage of this tier plan when the City will determine that employees above the maximum will receive their present pay until the salary range increases to their current level.
- b. **PAY PLAN EFFECTIVE MAY 1, 2016** The pay plan shall prevail for the various job categories listed in Appendix A (non-sworn), Appendix B (sworn) and Appendix C (Elected Officials):
- 9.1 LONGEVITY PAY:** Eligibility based on continuous full time employment (prorated for part-time employees) with the City using employee’s current date of hire:
- After 15 years: \$500 annually, added to base rate
 - After 20 years: \$1000 total annually, added to base rate
 - After 25 years: \$1250 total annually, added to base rate

SECTION 10: OTHER CLASSIFICATIONS:

The following section applies only to the following classifications.

10.1 CIVIL SERVICE COMMISSION:

Secretary	\$5,000/year
Commissioners	\$1,500/year

10.2 PART – TIME EMPLOYEES: Part-time employees shall be hired on an as needed basis, with rates of pay established by the City.

10.3 OTHER COMPENSATION: Compensation shall be provided for performance of the following duties as specified:

Liquor Commissioner	\$10,000
Parking Administrator	\$ 4,000

SECTION 11: OVERTIME COMPENSATION: Employees may, from time to time, be required or volunteer to work: 1) in excess of a normal work day; 2) emergency overtime requiring work on Sundays or holidays; or 3) an employee’s regular schedule may require work on a legal Holiday. Employees are entitled to overtime payment only by authorization of the Agency Head. Employees occupying positions deemed to be exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) shall not be eligible for overtime compensation or compensatory time accrual.

SECTION 12: COMPENSATORY TIME: Employees covered by this Ordinance shall be allowed to accumulate no more than forty (40) hours of compensatory time upon approval of their Supervisor. Compensatory time shall be accrued at one and one-half times the hours of overtime actually worked. Compensatory time must be used or forfeited within sixty (60) days of accrual.

SECTION 13: TEMPORARY ASSIGNMENT PAY: Each employee who is required to perform the duties of a higher paying position for at least ten (10) working days shall receive the difference between the employee’s current base salary and the minimum base salary of the position being replaced. In order to receive this additional compensation there must be submitted the written authorization of the Mayor.

SECTION 14: MONTHLY EXPENSE ALLOWANCES:

Mayor	\$1,500
City Clerk	400
City Treasurer	250
Aldermen	250
Committee Chairman	75
Labor Relations Committee	75

SECTION 15: EDUCATIONAL BENEFITS:

The City is committed to the continuing training and improvement of its management personnel. To assist employees in such training the City shall reimburse employees tuition, course fees and required textbooks upon satisfactory completion of the course with a passing grade of “C” or better, provided the employee first receives the express written consent of his/her Agency Head, Human Resources Director and Mayor, or his designee. Employees attaining a passing grade in a Pass or Fail course shall be eligible for reimbursement at 50%. To further qualify for such reimbursement the course must be administered by an accredited school of continuing education, must be specifically job-related, and part of an undergraduate program approved in advance by the City. The maximum amount of educational reimbursement is \$3,600 per year and there is a \$10,000 lifetime maximum.

Furthermore, if the employee leaves the City’s employ prior to completing thirty-six (36) months of continuous service with the City beyond completion of reimbursed coursework, any monies reimbursed to the employee must be refunded to the City. The City may deduct from the employee’s final paycheck any monies not properly reimbursed as provided by this section of the Salary Ordinance. This provision does not apply to an employee who leaves due to layoff.

SECTION 16: CONFERENCE AND TRAVEL: Authorized local and non-local travel for purposes of attending professional conferences, business meetings, training seminars, and professional association activities must adhere to the requirements of the city’s accountable reimbursement plan. Under an

accountable plan, employees shall be eligible for reimbursement of business expenses provided (a) expenses can be connected with an approved business activity; (b) proper documentation is provided within ten (10) days of travel accounting for incurred employee expenses; and (c) excess reimbursements and/or allowances are returned within ten (10) days of travel. Prevailing city policy shall govern the reimbursement and/or payment of expenses related to approved conferences and travel.

SECTION 17: HEALTH and HOSPITALIZATION INSURANCE.

SECTION 17.1 PREMIUM ALLOCATION

The City shall pay ninety percent (90%) of required health insurance premiums for employees not covered by a collective bargaining agreement in lieu of other potentially negotiable benefits, until such time the City Council specifies an allocation arrangement with employee contribution, which may become effective the pay period following Council action and employee notification.

SECTION 17.2 HEALTH INSURANCE BUYOUT

Any employee who is eligible for single, single/spouse, single/child(ren) or family coverage and does not want to be covered by a City health insurance plan may decline the coverage and receive an annual lump sum payment paid in 24 equal semi-monthly installments. The decision will be made during the City annual open enrollment period and will apply the entire plan year.

ELIGIBLE FOR FAMILY COVERAGE If a City employee is eligible for family coverage finds an alternative coverage for themselves and spouse/child(ren) dependent coverage, the reimbursement is \$1,500. If a City employee eligible for family coverage finds alternative coverage for the spouse and child(ren) dependent coverage but wishes to stay on the plan with single coverage only, the reimbursement is \$1,000. If a City employee eligible for family coverage finds alternative coverage for the spouse or child(ren) dependent coverage but wishes to stay on the plan with spouse or child(ren) coverage, the reimbursement is \$500.

ELIGIBLE FOR EMPLOYEE/SPOUSE OR EMPLOYEE/CHILD(REN) If a City employee finds alternative coverage for themselves and spouse/child(ren), the reimbursement is \$1,000. If a City employee eligible for employee/spouse or child(ren) dependent coverage and finds alternative coverage for the spouse or child(ren) but wishes to stay on the plan with single coverage only, the reimbursement is \$500.

ELIGIBLE FOR SINGLE COVERAGE If a City employee eligible for single coverage finds alternative coverage for themselves, the reimbursement is \$500.

All payments are subject to taxes and withholdings, is not added to base salary, and the employee must demonstrate proof of other coverage to qualify. Outside of the open enrollment period, if the employee has a qualifying event, they may opt for a coverage change within 30 days after the event. This includes obtaining previously declined coverage or increasing or decreasing coverage levels depending on the nature of the qualifying event.

SECTION 18: FLEXIBLE WORK SCHEDULES Employees who would like to pursue a flexible work schedule must discuss the possibility with the immediate supervisor and receive approval from their Department Head. Flexible schedules are subject to the needs of the department and the ability to maintain proper staffing levels.

SECTION 19: LIFE INSURANCE. The City shall provide term life insurance coverage for each employee covered by this Agreement no less than one times the employee's annual salary as of the ratification date of this Agreement.

SECTION 20: SAVINGS CLAUSE: The City reserves the right to amend this ordinance in the event any portion of the 5% Utility Tax is reduced or eliminated by litigation or Council action.

SECTION 21: ORDINANCE PRIORITY: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 22: TERMINATION: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

POLICE MANAGEMENT SPECIFIC

APPLICABILITY OF APPENDIX: This appendix applies to Commanders, Deputy Chiefs, and Chief.

PROBATIONARY PERIOD-PROMOTED EMPLOYEES: An employee receiving a promotion to a higher classification shall be subject to a probationary period of one year of uninterrupted municipal service within the "promoted classification." Upon successful completion of the probationary period as documented by a performance evaluation by the employee's immediate supervisor and approval of the Chief of Police, the employee shall be entitled to full-time, permanent status in the new position. Failure to satisfactorily meet the responsibilities of the new position shall cause said employee to return to his/her prior position and salary range.

NORMAL WORKWEEK AND WORKDAY: The normal workweek (Sunday through Saturday) shall consist of forty (40) hours per Departmental calendar week but is subject to change based on departmental needs. The normal workweek shall consist of five (5) eight (8) hour workdays in a Departmental calendar 7 day week with no specific provisions for breaks unless determined otherwise by the Chief based on departmental needs. Each officer will be assigned to take a paid thirty (30) minute lunch break each day where such break will not interrupt the officer's normal or emergency work duties. If such lunch period is actually interrupted, and the period cannot be reassigned, the Officer will be compensated for such interrupted lunch period with compensatory time. Employees shall report fifteen (15) minutes before the hour as the beginning time of a normal tour of duty. Officers will be allowed to end their tour of duty fifteen (15) minutes prior to the end of the shift except where there are calls for service of a serious or emergency nature that are in progress and squads are unavailable to be dispatched.

PATROL DIVISION WORK SCHEDULE: The City previously implemented a (2-2-3) work schedule, consisting of twelve hour work days for all officers assigned to the Patrol Division of the Waukegan Police department. Pursuant to the schedule, officers shall work 2 days on – 2 days off, 3 days on – 2 days off, 2 days on – 3 days off, with the officer's days rotating through the schedule. Should the Chief of Police demonstrate that it is in the interest of efficient operations of the Police Department to return the Patrol Division schedule to that in effect prior to the execution of this Ordinance, the Chief shall have the authority to do so. Should the Chief of Police cause the Patrol Division schedule to revert to that in effect prior to the execution of this Ordinance, all sections of the Ordinance modified to account for the 2-2-3 schedule shall revert to the language set forth in the Salary Ordinance in effect prior to implementation of a modified work schedule.

CHANGES IN NORMAL WORKWEEK AND WORKDAY: The shifts, workdays and hours to which employees are assigned shall be stated on the monthly Departmental work schedule. Should it be necessary in the interest of efficient operations to establish schedules departing from the normal workday or workweek, the City will give at least forty-eight (48) hours' notice where practicable of such change to the individuals affected by such change.

VACATION ASSIGNMENT: Employees covered by this Ordinance shall be entitled to select vacation and holiday time off in any increment on the basis of seniority within a reasonable period of time after the vacation/holiday list is initially posted at the beginning of the fiscal year. Employees covered by this Ordinance may reselect or change desired vacation/holiday time during the year with forty-eight (48) hours prior notice provided such reselection does not adversely impact the operations of the Department.

VACATION ACCUMULATION PROHIBITED: Vacations shall be taken during the year allowed and shall not accumulate, except upon approval of the Mayor. In the event of death, retirement or separation from service of an employee, such employee shall be compensated for earned vacation not already taken in the current fiscal year.

SICK LEAVE GENERAL GUIDELINES: Members of the Police Department shall be entitled to sick leave with pay at the rate of one (1) working day for each month of service up to ninety (90) days. Patrol Division employees working a 2/2/3-2/2/3 schedule shall accrue eight (8) hours of sick leave credit per month of continuous service and shall be charged 8.5 hours of sick leave per each full shift used.

Sick time not taken by employees in accordance with Section 4.2 shall accumulate to a sick leave bank not to exceed 720 hours. Once employees have accumulated a sick leave bank of 720 hours, they shall receive an annual buy back of the excess hours at one-half their regular rate of pay, thereby reducing individual sick leave banks to no more than 720 hours at the beginning of each fiscal year.

Commanders with less than (20) years of service shall be paid at the rate of 75% for each unused sick day over 720 hours. Commanders with (20) or more years of service shall be paid at the rate of 100% for each unused sick day over 720 hours. In the event an officer covered by this Ordinance terminates service; he/she shall be entitled to full pay for one-half of the unused sick days accumulated.

INJURY ON THE JOB OR OCCUPATIONAL DISEASE LEAVE: In the event an employee is injured in the performance of his duties or sickness attributed to his occupation, such employee shall be entitled to sick-leave and other related benefits in accordance with the Public Employee Disability Act (PEDA). Any time off granted by this section shall be computed on an hourly basis. The employee shall notify his/her supervisor and the Human Resources Department before the expiration of PEDA benefits if he/she is physically unable to return to work at the conclusion of the leave. Please note that any implementation of a Worker's Compensation and/or Light Duty policy will supersede the information aforementioned.

UNIFORM STANDARD OF CLOTHING AND EQUIPMENT ALLOWANCE: Police management covered by this Ordinance who are required to wear regularly, and maintain continuously, prescribed items of uniform standard of clothing and personal equipment, shall be issued same as necessary, but shall be required to clean and maintain such items properly. Equipment shall be issued by a reputable clothier to be selected by a committee composed of the Chief of Police and the Purchasing Agent. Such clothier shall be capable of supplying the needs of uniformed personnel on the best and most economical basis. The allowance to be paid shall be \$1,000.00 per annum, payable in two equal

installments of \$500 on or before June 20th and December 20th. Such allowance shall be paid, and appropriate taxes withheld, at such times and in such manner separate from the employee's normally scheduled payroll check.

VEHICLE ALLOWANCE: Each employee who is required to use the employee's own private transportation to conduct routine City business from time to time shall be compensated at the applicable IRS mileage allowance. To be eligible for this mileage allowance the employee must submit a record of the purpose of the travel, mileage incurred, and the authorization of his/her Department Head. Vehicle allowances shall be governed by prevailing city policy. Employees provided city vehicles shall be governed by prevailing city policy.

FIRE MANAGEMENT SPECIFIC

APPLICABILITY OF ORDINANCE: This Ordinance applies to all Civil Service, Uniformed Management Personnel of the Fire Department of the City of Waukegan, Illinois, and to the positions of Fire Marshall, Battalion Chief, Assistant Chief, Deputy Chief and Fire Chief.

PROBATIONARY PERIOD-PROMOTED EMPLOYEES: An employee receiving a promotion to a higher classification shall be subject to a probationary period of one year (365 days) of uninterrupted municipal service. Upon successful completion of the probationary period as documented by a performance evaluation by the employee's immediate supervisor and approval of the Fire Chief, the employee shall be entitled to full-time, permanent status in the new position. Failure to satisfactorily meet the responsibilities of the new position shall cause said employee to return to his/her prior position and salary range.

FIRE SUPPRESSION EMPLOYEES' NORMAL WORK SCHEDULE: Fire Department Civil Service Management personnel in the Fire Suppression force shall normally work a schedule consisting of twenty-four (24) hour shifts. The normal twenty-four (24) hour schedule will be implemented, absent unusual circumstances such as but not limited to conflagration, riot, natural or economic disasters, by the use of a three-platoon system with each fire suppression employee working one (1) twenty-four (24) hour shift followed by forty-eight (48) hours off. Shifts shall commence at 0800 hours.

KELLY DAY: A year shall be divided into twenty-seven (27) day work periods. A Kelly Day (one twenty-four hour shift off) will be assigned in each work period. A Kelly Day shall not be counted as a working shift day for any purpose. Requests for Kelly Days should be made no sooner than sixty (60) calendar days nor later than seven (7) calendar days prior to the beginning of the next twenty-seven day work cycle.

HOURLY RATE OF PAY: 24-HOUR SHIFT PERSONNEL: The hourly rate of pay for overtime purposes, among others, equals the employee's annual salary divided by 2,592 hours, which computes to an average work week of 49.8 hours.

PERSONAL LEAVE: 24-HOUR SHIFT PERSONNEL: Twenty-four (24) hour suppression shift employees shall be granted one (1) Floating Holiday in the increment of twenty-four (24) hours. Selection of said day shall occur subsequent to the annual vacation selection process. Request for Floating Holiday shall be made to the Deputy Chief or Fire Chief no later than two (2) shift days prior to the requested date. The request shall be considered on a first-come first-serve basis if operational requirements permit. The Fire Chief or his designee shall not unreasonably deny such request.

Twenty-four (24) hour suppression shift employees who choose not to utilize their allocated Floating Holiday shall be paid out at one half (1/2) of the unused Floating Holiday credit (i.e. 12 hours of pay). Payouts shall occur in April.

NON-FIRE SUPPRESSION PERSONNEL NORMAL WORK SCHEDULE: The work week shall consist of five (5) scheduled eight (8) hour work periods not including the lunch period. Any hours in excess of forty (40) hours per week will be paid at the rate of one and one-half (1 1/2) times the hourly rate of pay. The hourly rate of pay for non-fire suppression personnel equals the annual salary divided by two thousand eight (2,080) hours. Personnel assigned to eight (8) hour shift operations will be compensated at the rate of time and one-half (1 1/2) the employee's hourly rate of pay for all hours worked on a designated holiday, in addition to receipt of holiday pay.

VACATION AND HOLIDAY SCHEDULE: TWENTY-FOUR HOUR SHIFT PERSONNEL: Twenty-four hour shift personnel covered by this Ordinance shall be entitled to the following vacation and holiday schedule:

AFTER 52 WEEKS:	8 Workdays (24 hours)
AFTER 7 YEARS:	10 Workdays (24 hours)
AFTER 14 YEARS:	12 Workdays (24 hours)
AFTER 20 YEARS:	14 workdays (24 hours)

HOLIDAY PAY: Twenty-four hour shift personnel who work the duty shift starting on Christmas, New Year's Day, and Thanksgiving shall be compensated at the rate of time and one-half their regular straight time rate of pay for all such hours worked.

VACATION ASSIGNMENT: Employees covered by this Ordinance shall select the initial period(s) of their annual vacation on the basis of seniority (defined as length of continuous service with the City) and such selection shall be made within three (3) weeks after the vacation is initially posted. Once vacation periods are established, seniority shall not be used to bump into another employee's vacation period. Vacations shall not be taken in increments of less than three (3) days for the first selection only. The City reserves the right to deny scheduled vacations where the need to provide protection to the public so requires. Any employee(s) so affected shall have the right to pick his initial vacation for the next year first regardless of his seniority status.

SICK LEAVE:

ACCUMULATION: Employees assigned to a 24-hour shift shall accumulate paid sick leave at the rate of 12 hours for each month of service to a maximum of 900 hours. Employees assigned to an 8-hour shift shall accumulate paid sick leave at the rate of 8 hours for each month of service to a maximum of 900 hours.

ABUSE OF SICK LEAVE: Abuse of sick leave is considered a serious offense. Any employee abusing sick leave may be disciplined, up to and including discharge. Abuse shall include, but not be limited to:

1. Repeatedly coupling sick days with Kelly or vacation Days;
2. Using more than the annual allotted sick leave without prior justification;
3. Chronic absences for similar reasons without justification;

The City may require a doctor's report for any employee suspected of abusing sick leave and take the necessary steps to end the abuse.

SICK LEAVE-ABSENT MORE THAN THREE (3) DAYS FOR EIGHT (8) HOUR PERSONNEL OR FOR MORE THAN TWO (2) TWENTY-FOUR (24) SHIFTS: Before returning to work, any employee having been absent from his duties for more than three eight hour shifts or two twenty-four hour shifts because of illness or injury, may be required to file a report by the City Physician, or other qualified practitioner designated by the City, with the Personnel Department stating that such employee is physically able to resume his duties. Medical evaluations may be further required at the discretion of the supervisor and Fire Chief, based on the nature of the reported injury and/or illness even if resulting absence is less than three (eight hour) shifts or two (twenty-four hour) shifts.

ACCUMULATION: EMPLOYEES HIRED ON OR BEFORE JANUARY 1, 1986: An employee who has accumulated the maximum work days of sick leave credit and who has not used the current year's sick leave credit, shall, at the end of the fiscal year, be paid an amount equal to one-half (1/2) of the unused sick leave credit for that year. (24 hour shift employees shall be paid at their hourly rate of pay and 8-hour shift employees shall be paid at their hourly rate of pay). At the time an employee's service is terminated, the employee shall be paid at the hourly rate for one-half (1/2) of every unused sick leave hour accumulated to his credit. Employees working a 24-hour shift duty shall receive sick leave compensation at the 24 hr shift wage rate; employees working an eight hour shift, shall receive sick leave pay at the eight hour shift wage rate, provided all accumulated hours have been recorded and/or converted to the proper level based on shift assignment.

ACCUMULATION: EMPLOYEES HIRED AFTER JANUARY 1, 1986: An employee who has accumulated the maximum work hours of sick leave credit and who has not used the current year's sick leave credit, shall, at the end of the fiscal year, be paid at the hourly rate for one-half (1/2) of the unused sick leave credit for that year. (24-hour shift employees shall be paid at their hourly rate of pay and 8-hour shift employees shall be paid at their hourly rate of pay). At the time an employee retires, the employee shall be paid at the hourly rate for one-half (1/2) of every unused sick leave hour accumulated to his credit provided the employee has attained twenty (20) year requirement shall not apply to an employee who has retired on a pension disability. Employees working a 24-hour shift duty shall receive sick leave compensation at the 24 hr shift wage rate; employees working an eight hour shift, shall receive sick leave pay at the eight hour shift wage rate, provided all accumulated hours have been recorded and/or converted to the proper level based on shift assignment.

INJURY ON THE JOB OR OCCUPATIONAL DISEASE LEAVE: In the event an employee is injured in the performance of his duties or sickness attributed to his occupation, such employee shall be entitled to sick-leave pay and other related benefits in accordance with the Public Employee Disability Act (PEDA) not to exceed 365 consecutive calendar days; such compensation to be reduced by the amount of compensation insurance received by said employee, if any. Any time off granted by this section shall be computed on an hourly basis. The employee shall notify his/her supervisor and the Personnel Department before the expiration of the 365 consecutive day leave of absence if he/she is physically unable to return to work at the conclusion of the leave. Please note that any implementation of a Worker's Compensation and/or Light Duty policy will supersede the information aforementioned.

VACATION FOLLOWING INJURY ON THE JOB OR OCCUPATIONAL DISEASE LEAVE: The employee may not take his/her vacation immediately following this leave unless the period of time consumed by the vacation and this leave equals 365 consecutive calendar days or less.

APPROVAL OF EXTENSION OF LEAVE: Any special consideration for an extension of such paid leave of absence in excess of 365 consecutive calendar days must be approved by Mayor and the Labor Relations Committee with their recommendation to the City Council.

COMPASSIONATE LEAVE: The City shall provide employees one twenty-four (24) hour shift off within five (5) calendar days after the date of death without loss of pay or seniority as a result of the death of the father, mother, spouse, children (including step or adopted), guardian, sister or brother (including half or step) of the employee or employee's spouse. If the death occurs while the employee is on duty and the employee requests to be relieved from the remainder of his scheduled shift, he shall be granted the remainder of his scheduled shift off (in addition to the twenty-four (24) hour shift off stated above) as compassionate leave without loss of pay or benefits under any provision of this Ordinance. The City may, at its option, grant a second twenty-four (24) hour shift off without loss of pay in special circumstances where the city determines that the absence is necessary and appropriate and where the employee did not take a partial leave from his job at the time of death.

Employees who work eight (8) hour shifts will be granted three (3) working days off with pay within five (5) calendar days after the date of death of those members of his/her family described herein. Employees who are laid off, on their day off, off sick, or on vacation shall not be eligible for the benefits herein. Upon request and proper notification employees shall be provided up to three (3) days leave to attend the funeral of a brother-in-law and/or sister-in-law, and one day leave to attend the funeral of a niece or nephew, with leave so provided charged against the employee's available compensatory or vacation time.

DEMOTIONS: When an employee is demoted to a lower class position, the employee shall be returned to the top step of the lower classification, provided his years of continuous service within the demoted civil service rank qualifies for the top step, or into the step equal to his length of service within his civil service rank. Placement in a step greater than the demoted employee's length of service rank may be granted by the Mayor.

UNIFORM STANDARD OF CLOTHING AND EQUIPMENT ALLOWANCE: Fire Marshall, Battalion Chief, Assistant Chief, Deputy Fire Chief and Fire Chief shall receive a uniform standard of clothing allowance of \$1000, per annum. Monetary uniform allowances shall be reported as a taxable fringe benefit in accordance with applicable Internal Revenue Service rules and regulations.

Approved by the Mayor on this 21st day of March, 2016.


Wayne Motley, Mayor

ATTEST:



Maria M. LaCour, City Clerk

Presented and read at a regular meeting of the Waukegan City Council this 21st day of March, 2016.

Passed and approved at a regular meeting of the Waukegan City Council this 21st day of March, 2016.

Published in pamphlet form: 23rd day of March, 2016

ROLL CALL: Alderman Moisio, Villalobos, Newsome, TenPas, May, Valko, Taylor, Cunningham and Seger

AYES: Alderman Moisio, Villalobos, Newsome, TenPas, May, Valko, Taylor, Cunningham and Seger

NAYS: None

ABSENT: None

ABSTAIN: None