

## **Chapter 10: SAFETY AND HEALTH/RISK MANAGEMENT**

The City of St. Charles reserves the right to interpret and deviate from all City policies. Both the City and employee have the right to terminate the employment relationship at any time, with or without cause and/or notice.

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### **OUR COMMITMENT TO SAFETY**

*APP: ALL EMPLOYEES*

All employees of the City of St. Charles are committed to providing a safe work environment by practicing and promoting safe work procedures, thereby protecting human lives and preventing injuries.

#### **Supervisor Responsibilities**

1. Promote a safe environment by providing training for safe work procedures, setting a personal example and fostering employee participation and input.
2. Ensure employee compliance with all safety rules and standards.
3. Provide all necessary safety equipment and ensure their proper use by employees.
4. Conduct frequent and thorough safety inspections of his or her area of authority.
5. Correct all hazardous conditions as quickly as possible and communicate these conditions to all affected employees.
6. Seek immediate and proper treatment for all employees when injuries occur.
7. Ensure accidents are reported and investigated in a proper and timely manner.

#### **Employee Responsibilities**

1. Comply with all safety rules and standards.
2. Perform in a reasonable and safe manner to assure maximum safety to themselves, their coworkers and the public.
3. Notify the supervisor of all unsafe conditions and assist them with the correction of the condition.
4. Report all accidents immediately to the supervisor and seek medical treatment, if necessary.

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### **CITY IDENTIFICATION CARDS**

*APP: ALL EMPLOYEES*

All employees shall be provided with an identification card, which shall display a photograph, and other appropriate information that will clearly identify the person as an employee of the City. These cards may not be used as a means of securing credit, avoiding illegal acts, or other special considerations.

Employees, such as meter technicians, or any others, who must enter a person's home or other private property on official business, must display their City identification card when requesting entry. Identification cards must be returned to the Human Resources Department prior to termination.

#### **Wearing IDs**

To provide a safe and secure working environment, all City of St. Charles employees will wear their City ID cards at all times except when safety may be

an issue (i.e. confined space). Sworn police and fire employees will not be required to wear their City ID while dressed in uniform.

If a City employee does not have his/her City ID at work, the following actions will be taken:

- **First time** – employees will be required to wear a temporary ID for the day. Temporary IDs may only be worn for one day and are obtained from the Human Resources Department.
- **Second time** – two options:
  - Employee may come personally to the Human Resources Department to purchase a replacement ID for \$5 and then must return the next day to HR to turn in the ID that was left at home.
  - Employees have the option (with supervisor approval) to retrieve their ID on their own time that day (time not paid by the City).
- **More than 2 times** – Employee will be subject to the City’s progressive discipline policy.

Lost IDs may be purchased in the Human Resources Department for \$5. Damaged IDs must be returned to HR to issue a new one. If lost IDs are found, they must be returned to HR as well.

Anyone who needs to replace the lanyard or badge reel will need to contact Inventory Control for a replacement. The charge for replacement will be directly billed to the appropriate department.

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## PERSONAL PROTECTIVE EQUIPMENT

### *APP: NON-CLERICAL AND NON-ADMINISTRATIVE EMPLOYEES*

The City provides all non-clerical and non-administrative personnel with appropriate personal protective gear, such as: rain gear, hard hats, liners, safety glasses and gloves. The Inventory Control Division will be responsible for all such supplies.

Supervisors are responsible for ensuring proper personal protective equipment is worn by employees. Employees must wear all appropriate personal protective equipment when engaged in a work activity designated as hazardous. Employees in specified positions who wear glasses must wear approved safety glasses. Negligence in use of personal protective equipment could be cause for disciplinary action, and could also cause serious injury. The Purchasing Division maintains a list of positions requiring safety glasses.

### **Hard Hats**

It is the policy of the City to require employees to wear hard hats at all times when in the field around construction and maintenance projects. As a minimum, however, hard hats shall be worn as follows:

1. During the operation of all equipment, including backhoe, loader and mower, street sweeper and ladder truck. When a ladder is being used, the ground person must wear a hard hat.
2. When working below ground level, such as in lift stations, ditches, etc.
3. When conditions warrant and/or when ordered to do so by a supervisor.
4. When working in a traveled right-of-way.
5. When inspecting construction sites.

### **Safety Shoes**

Safety shoes shall be worn whenever there is an opportunity for something to fall on an employee's foot. This includes all Public Works and Inventory Control division managers and managers, Teamster employees, and IBEW employees. OSHA defines the criterion for safety footwear. Employees will be reimbursed as outlined in their collective bargaining agreements.

### **Safety Harness**

A safety harness shall be used when an employee enters a large clean-out, storm manhole, sewer manhole, wet well, catch basin, large pipe, or directed by a supervisor.

### **Safety Vest**

A safety vest shall be worn when an employee is in a flagging position and/or when working in a traveled right-of-way or directed by a supervisor.

### **Safety Glasses**

Safety glasses shall be worn when there is exposure to eye hazards caused by flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, electrical hazards, sharp or falling objects, or potentially injurious light radiation or when directed by a supervisor.

Prescription safety lenses (single vision and lined bifocal only with a max of \$50 for single vision and \$70 for bifocal) are offered to any City employee as long as their supervisor (manager or above) has authorized it. Employees may order lenses when a prescription changes or damage/loss has occurred and their supervisor authorizes that damage/loss. Employee must pay for exam and frames. Lenses may be purchased by the employee and reimbursed by the City with proof of safety lens, otherwise the frames/lenses must be purchased through the Purchasing Division with the authorized supplier.

For IBEW employees, the employer shall provide suitable safety glasses with the employee providing the examination and prescription. Glasses will be replaced at the discretion of the department director. Tinted glasses will be made available through the employer at the expense of the employee.

### **Non-Compliance with Safety Requirements**

Failure to comply with mandatory requirements for wearing safety apparel and/or using safety equipment **will result in disciplinary action up to and including termination.**

## **PULMONARY FUNCTION TESTING (PFT)**

*APP: ALL FIREFIGHTERS AND OFFICERS OF THE FIRE DEPARTMENT; PERSONNEL IN THE ENVIRONMENTAL SERVICES AND PUBLIC SERVICES DIVISIONS*

All current firefighters and officers in the fire department, as well as environmental (excluding wastewater treatment plant and lab) and public services (excluding fleet) division employees in public works, are required to take and pass an annual pulmonary function test (PFT) and to complete the OSHA Mandatory Respiratory Evaluation questionnaire. The City's occupational physician shall review all PFT and OSHA questionnaires to determine an employee's medical clearance for respiratory use or if further medical evaluation is needed.

An employee must pass the PFT as determined by the City's occupational physician and be medically cleared from all respiratory abnormalities in order to return to full duty work. The City of St. Charles will follow the procedures listed below to ensure that the employee is able to work safely in his or her position.

This policy will not be administered to infringe upon or interfere with any rights under the Family and Medical Leave Act (FMLA).

### **Failure to Pass PFT or Further Medical Evaluation**

Employees who do not pass the PFT will be notified and must schedule a medical assessment within seven (7) calendar days. An employee must pass the PFT as determined by the City's occupational physician and be medically cleared from all respiratory abnormalities in order to return to full duty work. The City will provide regular pay at the employee's current City wage for the medical evaluation at the occupational clinic or the employee's own physician and for the employee's travel for the medical appointment, per the City's travel policy.

The City human resources office will be responsible for the following:

1. Notify the employee of his/her failure to pass the annual PFT as determined by the City's occupational physician and remove him/her from full duty status.
2. Schedule a meeting with the employee as soon as HR is aware of the employee's failure to pass the PFT, review this procedure, and answer questions.
3. Provide the employee with a copy of his/her PFT results and obtain a signed acknowledgement form indicating that the employee received a copy of the results and understands that he/she must pass the PFT and any other required medical tests before returning to full duty.
4. Ensure that a follow-up medical assessment is scheduled within seven (7) calendar days either with the City's occupational clinic or with the employee's own physician to determine what work-related medical restrictions may result from the PFT results or other medical concerns.
5. Obtain a signed medical release from the employee so that HR and the City's occupational physician are able to communicate with the treating physician.
6. Provide regular pay (at the employee's current City wage), as appropriate, for the employee's time away from City employment for medical evaluation and follow-up care.

The employee will be responsible for the following:

1. Sign the PFT acknowledgement form.
2. Sign the medical release form so HR and the occupational physician are able to communicate with the treating physician about the medical evaluation(s).
3. Schedule a medical evaluation with the City's occupational clinic (HR will assist) or with his/her own physician (employee's responsibility) within seven (7) calendar days of the failed PFT and inform HR of the appointment date and time (if choosing his/her own physician) prior to the appointment.

After the medical assessment resulting from a failed PFT the City will:

1. Contact the employee to discuss the medical evaluation results from the City's occupational physician or the employee's own physician.

2. Schedule a PFT re-test once a medical certification indicates that the employee is fit to re-test. The City will pay for the re-test.
3. Determine if there is transitional duty work available and follow the physician's written work restriction recommendations if the employee is medically unfit to complete the PFT re-test (based on written documentation from the physician).
4. Contact the employee and physician for regular updates on the employee's progress.
5. Pay for the initial appointment with the employee's physician and provide regular pay (at the employee's current City wage) as appropriate, for the employee's time away from City employment for the medical evaluation.

After the medical assessment resulting from a failed PFT the employee will:

1. Provide, within 24 hours of an appointment with his/her own physician, medical evaluation results stating whether the employee is medically fit or unfit to undergo a second PFT. The certification must identify all work-related restrictions/accommodations.
2. If medically fit, the employee must re-take the second PFT within seven (7) calendar days of the medical certification.
3. If medically unfit, the City will follow the physician's written treatment recommendations.
4. Sign a medical release so that HR may communicate with the treating physician regarding the employee's progress.
5. Provide HR with a physician's report at least every 30 (thirty) days documenting the employee's progress and treatment plan.
6. Provide documentation from the treating physician that the employee is fit to re-test within 24 hours from the date of the medical certification.

An employee who is medically fit to take the second PFT but does not do so within seven (7) calendar days of the date of the medical certification shall be considered to have abandoned his/her job, and employment with the City will be terminated. An employee who has been deemed medically unfit to take a re-test PFT but does not provide the City with written documentation from a certified medical provider and does not follow through with scheduled appointments shall be considered to have abandoned his/her job, and employment with the City will be terminated. If the employee passes the re-test PFT as determined by the City's occupational physician, the employee will return to full duty work.

If an employee fails the PFT re-test, the employee should continue to follow through with medical treatment as directed by the City's occupational clinic physician or his/her own physician in order to receive medical clearance to re-test. Once the treating physician determines the employee is fit to re-test, HR must receive within twenty-four (24) hours written documentation from the medical provider that the employee is physically able to re-test. The PFT must be re-taken within seven (7) calendar days of that medical certification.

If the employee passes the re-test PFT, the employee will return to full duty work. An employee that is medically cleared to re-test but does not re-test within seven (7) calendar days of medical certification shall be considered to have abandoned their job at the City, and employment will be terminated.

The **Transitional Duty policy** (see page **Error! Bookmark not defined.**) within this chapter will be applied for employees who are following through with medical treatment in preparation for re-testing.

If the City does not have any transitional duty available while a full-time employee is on medical leave, the employee will be required to use sick time, then vacation time, and other benefit time. If all benefit time is used, the employee will be off work, without pay, until the employee passes the PFT.

If the City does not have transitional duty available while a part-time employee is on medical leave, the employee will be off work, without pay, until the employee passes the PFT.

If the employee fails to fulfill the employee responsibilities as specified by this policy, the employee will be subject to discipline, up to and including discharge. If an employee is not medically certified to re-test after 180 days from the date of the first failed PFT, the City will re-evaluate the employee's employment status. This policy will not be administered to infringe upon or interfere with any rights under the Family and Medical Leave Act (FMLA).

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## WORKERS' COMPENSATION

### *APP: ALL EMPLOYEES*

Workers' compensation is state mandated coverage in which all costs are solely funded by the City. Eligibility, coverage, and the benefits provided for certain workplace injuries or illnesses are governed by the laws governing workers' compensation, the City's policies on workers' compensation, and determinations made by the City, physicians, and commissioners.

All employees are covered by the Workers' Compensation and Occupational Disease Act, a program of industrial insurance to protect workers, their families, and dependents from loss due to an industrial accident or illness. The program provides for payment of medical bills, physical and vocational rehabilitation, and financial compensation while the worker is disabled – either temporarily or permanently – and unable to work.

### **Employee Injury/Accident Reporting Requirements**

Any employee suffering an injury or accident during the course of his/her employment is responsible for the following:

1. Report the accident and/or injury to his/her supervisor **immediately** or by the end of the shift/work day, even if you do not require medical treatment. Depending on the circumstances, employees may be subject to discipline if injuries are not reported by the end of the shift/workday. This is important because as soon as the supervisor becomes aware of the situation, the employee can receive treatment, if needed. The longer an injury goes untreated, the greater the chance the injury will get worse. If an accident is not reported and an injury develops at a later date, an extensive investigation may be required in order to determine compensability.
2. Medical treatment is **required** for all back and shoulder incidents and/or injuries.
3. Go to the occupational/health clinic to receive treatment, if necessary, or ask your supervisor to drive you if you are unable to drive yourself. Choose the location to seek treatment according to the time of day the injury occurs. Tyler Medical Services is the primary provider; seek treatment there if the injury occurs during their operating hours. Central DuPage Business Health (CDBH) is the secondary provider and has hours extended beyond those of Tyler. For injuries that occur outside the hours that these

occupational clinics are open, the employee must go to Delnor Community Hospital's Emergency Room. The employee may not use his/her own doctor at this time.

4. Adhere to drug and alcohol testing.
5. Tell Human Resources if he/she chooses to go to a doctor of his/her choice.
6. Complete the "Workers' Compensation Employee Accident Claim Form" (access forms on the City iNet) within twenty-four (24) hours of the accident and forward it to the supervisor.
7. Update Human Resources **personally** after each doctor's visit. The employee must personally report to Human Resources to update them and also to give them any paperwork from the doctor. Human Resources will, in turn, notify the supervisor.
8. Instruct doctors, hospitals, physical therapists, etc. to send the bills to Human Resources at the City, not the employee.
9. **Do not** give the supervisor any doctor notes or bills. These must be given directly to Human Resources. If the injury or appointment occurs after 4:30 p.m. and before 8:00 a.m., the employee must go to Human Resources the following day.
10. Schedule all medical appointments at the earliest or latest time possible in the day so as to minimize disruption of work. If unable to schedule the appointment at an early or late hour, the employee is required to return to work after the appointment unless directed otherwise by the doctor. If directed otherwise by the doctor, the employee must have a doctor's note and personally give the note to Human Resources.
11. Physical therapy appointments must be scheduled outside of normal working hours.
12. Keep all doctor and physical therapy appointments. If unable to do so, the employee is responsible for canceling and rescheduling the appointment and notifying Human Resources and his/her supervisor of the change.
13. If a medical test is required, bring the doctor's script to Human Resources. All medical tests are scheduled through our workers' compensation carrier.
14. Cooperate with the attending physician and with Human Resources and follow all requirements.
15. Time off for workers' compensation will run concurrent with Family Medical Leave.

### Supervisor Reporting Requirements

1. Convey the pertinent information to Human Resources immediately, especially if the employee needs medical treatment. A message may be left on voice mail if the accident occurs after hours.
2. Insist upon medical treatment, if warranted. All employees should be sent or driven (if employee is unable to drive) to the Occupational/Health Clinic according to the time of day the injury occurs. It may be Tyler Medical Services, Central DuPage Business Health, or Delnor. The supervisor may send the employee to the clinic even if he/she is not sure the employee is hurt. The longer an injury goes untreated, the greater the chance the injury will get worse. Refer to the laminated quick-reference guide.
3. Drive the employee to the clinic if the employee is unable to do so.

4. If emergency services are required, Delnor will contact their on-call collector to conduct the required drug test.
5. Complete the “Supervisor’s Employee Accident Investigation Report Form” (access forms on the City iNet) within twenty-four (24) hours of the accident, review it with the next level of supervision, and forward it to Human Resources along with the Workers’ Compensation Claim Report. Notify Human Resources if this process will take longer than 24 hours.
6. Investigate the accident regardless of treatment being given. If there is a witness, have this person complete the “Witness Form” (access forms on the City iNet).
7. Ensure the employee complies with this policy. If the employee attempts to give you the doctor’s note, do not accept it, but instead send him/her to Human Resources.

### **Human Resources Reporting Requirements**

1. Complete and coordinate all appropriate paperwork to be submitted to our administrator.
2. Notify the employee if the accident is compensable under workers’ compensation.
3. Keep the supervisor informed of the status of the employee.
4. Discuss with the supervisor whether transitional duty is available for employees with restrictions, and what work the employee can or cannot perform.
5. Monitor the progress of the injured employee.
6. Be proactive so the employee can return to work with no restrictions as soon as possible.

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## **WORK RELATED INJURY COMPLIANCE**

*APP: ALL EMPLOYEES*

In the event of a work-related injury, employees should adhere to the rules listed below. Non-compliance with this procedure may affect workers’ compensation benefit.

### **Appointments and Follow Up**

Employees must let Human Resources know when they have scheduled a doctor’s or physical therapy appointment scheduled. Immediately following each doctor’s visit, employees must report to Human Resources in person and bring in the paperwork.

### **Transitional Duty**

If an employee has been released to work with restrictions, he/she must be available for transitional duty as ordered by a supervisor or the Human Resources Department when work becomes available, even for periodic limited duty projects. Human Resources will attempt to provide employees with one (1) business day advance notice. If an employee is called in to work and is unavailable to work for any reason other than a doctor’s appointment, he/she will be charged vacation time for those hours. In addition, when taking a vacation, employees must let Human Resources know. Employees will then be charged vacation time.

### **Case Management**

Human Resources may assign a case manager. A case manager is a registered nurse who acts as a liaison between the employee and the Human Resources Department. The case manager may accompany the employee to all your doctor's appointments. This will allow for a more expedient and safe return to work. Full cooperation with the case manager is expected.

### **Paycheck and Benefits**

For employees other than police officers or firefighters, the Human Resources Department will call the employee upon its receipt of the workers' compensation check. Unless the injury has caused an employee to be incapacitated, the employee must pick up the check. The employee will be responsible for paying, by check or cash, health insurance premiums and any other deductions, such as supplemental life insurance at the time of check pick-up. Failure to make payment by the due date may result in cancellation. Teamsters must also pay union dues, unless a withdrawal card has been submitted to Human Resources.

### **Accrual of Time**

Employees will accrue vacation or sick time while they are not working. After an employee returns to his/her regular position on a full-time basis, Human Resources will reinstate up to eight (8) pay periods of vacation time.

### **Medical Bills**

Employee should instruct the doctor(s) to mail all bills to Human Resources. If any employee receives any medical bills at home, he/she should bring them to Human Resources right away so that they will be paid.

### **Released to Work**

Once an employee has been released to return to his/her regular position, Human Resources may request an additional doctor's appointment or functional capacity evaluation.

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## **RETURNING TO WORK AFTER AN INJURY OR MEDICAL LEAVE AND FCE'S**

### *APP: ALL EMPLOYEES*

In order to return to full duty after a work-related or non-work related injury and/or medical leave, employees of the City of St. Charles must provide the Human Resources Department with a work clearance (doctor's note or work status sheet) from their treating physician stating that the employee is able to return to full duty.

After the Human Resources Department receives the work clearance, some employees will also need to pass a "Functional Capacity Evaluation." The "Functional Capacity Evaluation" (FCE) provides concrete data that the employee is physically able to perform the essential functions of his/her job. For example, some position descriptions state that an employee must be able to lift a certain amount of weight or must be able to do physical activity involving stooping, kneeling, crouching, and crawling. Some positions have a cardio segment on the FCE to ensure that the employee is physically fit enough to complete the essential job functions.

It is important to note that **all current employees** will be required to pass their FCE if they are injured or on medical leave and meet the criteria listed below.

### **Functional Capacity Evaluation (FCE) Criteria**

Employees whose position description requires an FCE must pass the FCE before returning to work after an injury or medical leave for the employee if they meet one or more of the following criteria:

1. Inpatient or outpatient surgery was required\*.
2. Childbirth for female employee.
3. Medical tests such as angiogram, angioplasty, etc. for a heart condition.
4. A medical condition that resulted in employee being off work or on transitional duty for 30 or more days.

\* An employee will be asked to pass his/her position's FCE after inpatient or outpatient surgery if the surgery and/or recovery impacts the physical requirements of their position as defined by the position's functional. This will be determined on a case-by-case basis.

The City reserves the right to request an employee pass his or her required FCE if a diagnosis for the employee creates a concern for the individual's fit for duty. This will be determined on a case-by-case basis.

### **The City/Human Resources Department Will**

1. Meet with the employee as soon as the Human Resources Department is aware of the condition, to explain the return to work procedure outlined in this document. The employee will be given a copy of this document.
2. Provide the employee with a copy of his/her FCE.
3. Ask the employee to sign a form acknowledging that he/she has received a copy of his/her FCE to acknowledge that he/she will complete and pass the FCE before returning to work.
4. Schedule the FCE appointment at Accelerated Rehab.
5. Contact the employee with the pass or fail results.

If the employee passed the Functional Capacity Evaluation, the employee is able to return to work.

### **When an Employee Does Not Pass the Functional Capacity Evaluation the First Time**

#### **Employees:**

1. Must attend an evaluation with the City's medical provider to determine any physical restrictions.
2. Must choose a treating physician. Employees may choose the City's medical provider or their own personal physician to be the treating physician.
3. Must sign a medical release so that the Human Resources Department is able to communicate with the treating physician regarding the employee's progress in treatment.

#### **The City/Human Resources Department Will:**

1. Provide the opportunity for employees to meet one time with a therapist from Accelerated Rehab to receive a home training/conditioning program.
2. Pay for this one-hour session and will also pay for the employee's time away from work to attend this session.

### **If Employee Fails the Cardio Portion of the FCE**

#### **Employees:**

1. Have the option to schedule a second cardiac evaluation and stress test with their own physician if the employee failed **just** the cardio portion of the FCE.
2. If he/she has a stress test, he/she must provide the City with a medical report from their own physician certifying that they have passed the cardio portion of the FCE.

If this happens, he/she can return to full-duty work.

#### **The City/Human Resources Department Will:**

Pay for the medical evaluation and stress test for the Cardio portion of the FCE and the employee's time away from work to take the stress test.

### **Taking the Second FCE (Re-test)**

#### **Employees:**

1. Are required to take a second FCE within 60 days or less from the date of the first failed FCE (unless the treating physician recommends that the employee needs more time to heal).
2. Provide documentation from the treating physician that they are physically able to take a second FCE.

If this happens, he/she can return to full-duty work.

#### **The City/Human Resources Department Will:**

1. Schedule the FCE on a case-by-case basis depending upon the employee's ability to re-take the test.
2. Pay for the employee's retest as well as for the employee's time away from work to take the retest.

If the employee passed the FCE, the employee is able to return to work.

### **When Employees Do Not Pass the Second FCE**

#### **Employees:**

1. Must schedule an appointment with their doctor to determine a course of treatment.
2. Inform the Human Resources Department of their appointment date and time and their choice of physician within five (5) business days.
3. Provide the Human Resources Department with the physician's recommendation for treatment within 24 hours of the appointment with their physician.
4. Provide the Human Resources Department with the physician's treatment recommendations and/or a report of concrete evidence of improvement (ability to lift more weight, outlined cardio workout, etc.) after each subsequent appointment with their physician.
5. Sign a medical release so that the Human Resources Department may communicate with the treating physician regarding the employee's progress.

#### **The City/Human Resources Department Will:**

1. Contact the employee and physician for regular updates on the employee's progress.

2. Make every effort to provide transitional duty for the employee if the treating physician has indicated that the employee is able to work.
3. Pay for the appointment with the employee's physician as well as for the employee's time away from work to attend the appointment.

The **Transitional Duty policy** (see page **Error! Bookmark not defined.**) within this chapter will be applied for employees who are following through with medical treatment in preparation for re-testing.

### **Compensation if Transitional Duty is Not Available**

#### **Medical Leave (Usually FMLA)**

1. Full-time Employees – If the City does not have any transitional duty available while the full-time employee is on medical leave and is not able to pass the FCE, the employee will be required to use sick time, then vacation time, and other benefit time. If all benefit time is used, the employee will be off work, without pay, until he/she is able to pass the FCE.
2. Part-time Employees – If the City does not have transitional duty available while the part-time employee is on medical leave and is not able to pass the FCE, the employee will be off work, without pay, until he/she is able to pass the FCE.

#### **Work-related Injury (Usually Workers' Compensation)**

1. When a part-time or full-time employee on Workers' Compensation is unable to pass the FCE and transitional duty is not available, Workers' Compensation Insurance will pay the employee at the rate of 66 2/3% of the employee's salary for a maximum of one year. (per Illinois statute, MAP and IAFF employees receive 100%.)
2. If the part-time or full-time employee on Workers' Compensation is unable to pass the FCE after one (1) year, an accommodation hearing will be conducted, which is a meeting with the employee's department director, immediate supervisor, and the Human Resources Department. At this meeting, reasonable accommodations for the employee will be considered and discussed.

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## **TRANSITIONAL DUTY**

*APP: ALL EMPLOYEES*

Transitional duty is intended to transition injured employees back into their full duties. Transitional duty will be available to any employee who has restrictions due to work-related or non-work-related injury or illness, **provided** there is appropriate work available. This **temporary** job placement must meet the physical restrictions that the physician has assigned to the injured employee.

### **Physician Certification**

If an employee becomes injured and receives doctor's treatment (either at the Occupational/Health Clinic or from his own physician), he/she **may** be eligible for transitional duty. To be considered for transitional duty, the employee must present a note from the Occupational/Health Clinic or his/her physician. The physician should review the employee's job description prior to writing this note. The note should state:

1. Length of time that the employee is to remain on restricted duty.

2. Exact nature of the work that the employee can and cannot perform. This should include specific duties and weight limitations, if applicable.
3. Date of the next scheduled re-examination to determine any change in the employee's physical status.

The above-mentioned information must be provided in writing after each examination.

Upon return from an examination, the employee must submit the physician's note to Human Resources. The doctor's office may also call in or fax the restrictions. The Human Resources Department, in conjunction with the supervisor, will determine if transitional duty is available. If it is determined that transitional duty is not available in his/her department, HR will notify all City departments to see if anyone may be able to accommodate the employee's restrictions. If it is determined that transitional duty is not available, the employee will not be allowed to work. If transitional duty is available, or becomes available at a later time due to changes in tasks, personnel, or the employee's restrictions, the employee with a work-related injury/illness will be required to report to work at a date and time determined by the City. If transitional duty is available, the employee with a non-work-related injury/illness will have the option to report to work or continue to be off work and use benefit time.

### **Transitional Duty Time Limitations/Restrictions**

Transitional duty shall be determined on a case-by-case basis and depends on the employee's restrictions and work availability. Transitional duty is not guaranteed. Normally, it will not last for more than thirty (30) calendar days from the initial date of release for transitional duty unless there has been an improvement in the employee's condition. If there is an improvement in the employee's condition during the first thirty (30) calendar days of transitional duty, the employee may receive up to an additional (30) days of transitional duty from the date of the improvement. It shall only be allowed if it does not exacerbate the employee's injury.

The maximum amount of time that an employee is allowed to work transitional duty is usually 180 days and is based on availability of work. Day one of the 180 days is the date the employee failed a first PFT or FCE or as specified in writing by the treating physician. The City will review a treating physician's recommendation on a case-by-case basis, and additional time on transitional duty may be granted, along with other possible accommodations that allow the employee to return to work.

An employee will work within the normal daytime work hours of the transitional duty department or division, Monday through Friday, up to eight hours per day while on transitional duty. Employees will not be allowed to work overtime while on transitional duty.

The duties given shall be legitimate and productive work, and not "manufactured" or "busy" work and may be tasks the employee has never performed before. Employees may be offered transitional duty work intermittently or as needed by the City.

*APP: IAFF EMPLOYEES***Transitional Duty for IAFF**

Transitional duty assignments are a recognition by the City, its Departmental officials, and the Employees that an Employee is not able to perform at full capacity in his normal work assignment.

When on transitional duty, the Employee shall not be considered as part of the minimum staffing as defined in this Agreement. In addition, an Employee on transitional duty shall not be considered to be eligible for call backs for emergencies or to fill shift vacancies, as defined in the Agreement, until such time as the Employee has returned to full duty status. Unless the employee consents to a different work schedule, the hours of work for an employee with a transitional duty assignment shall be eight (8) consecutive hours (including a one-half hour lunch period) between 08:00 a.m. and 17:00 p.m. Monday through Friday. (Unless the physician specified a shorter workweek.)

An employee's assignment to a different shift for transitional duty shall commence on the employee's next regularly scheduled duty day with a maximum transition period of 72 hours.

An assignment to transitional duty shall be made at the discretion of the City, by the Fire Chief, with the best interest and operation of the department of primary concern.

An assignment to transitional duty may be required, subject to doctor's approval, if an Employee is recovering from a work related or workers' comp. time off injury or illness. If the Employee is recovering from a non-work related or off-duty injury or illness, transitional duty shall be voluntary at the Employee's discretion, subject to doctor's approval.

If transitional duty is offered to Employees recovering from work related or workers' comp. injuries or illness it must be offered on an equivalent basis to the Employees recovering from non-work related or off-duty injuries or illness.

**ACCOMMODATION HEARING***APP: ALL EMPLOYEES*

In the event an employee has been given permanent restrictions due to either a work-related or non-work-related injury, an accommodation hearing will be held to determine if the City can accommodate the restriction(s). The meeting will consist of the employee, the employee's supervisor and department director, and the Director of Human Resources.

During the meeting, the job description will be reviewed and the employee will have an opportunity to request any specific changes to be made in order to accommodate him/her, such as purchasing a piece of equipment.

Due to fiscal and/or personnel concerns, reasonable accommodations may be granted in whole, partially or not at all. The Director of Human Resources will inform the employee in writing of the City's decision.

**USE OF PERSONAL/CITY VEHICLE FOR CITY BUSINESS**

*APP: ALL EMPLOYEES*

City of St. Charles employees are expected to have access to a personal vehicle for City business. A City vehicle may be used for the following:

- Two (2) or more employees car pooling to a destination.
- The use of specialized equipment is needed.
- City vehicle is required for identification purposes.
- An operational need exists as approved by the department director.

Employees who use their personal vehicles for business travel will be reimbursed for mileage based on the Standard Mileage Allowance rates issued by the IRS. Calculated mileage shall be the difference between the employee's normal commute to work and the commute to conduct City business. For example, if an employee's normal commute is fifteen (15) miles and he/she must travel twenty (20) miles in another direction to attend a seminar, the employee will be reimbursed for five (5) miles. Any employee falsifying mileage driven in order to receive extra compensation will be subject to disciplinary action up to and including termination.

The City may opt to reimburse deductibles due to damage of personal vehicles involved in an accident while the employee is conducting City business. The employee will maintain insurance coverage on his or her personal vehicle in accordance with state law.

Our City values our *Sense of Place*, in the City's 2014 Strategic Plan, our community generates an appealing sense of place and fosters a welcoming, sustainable environment. This includes our efforts to protect our natural assets and practice environmental sensitivity. This means each of us is responsible in guiding a cooperative effort to educate the community toward a "green ethic." Therefore, we encourage any employees using City and personal vehicles to be mindful of the following green driving tips that are simple and easy to remember, and will even save our City money:

- Accelerate smoothly; avoid putting the "pedal to the metal." Quick starts or gunning the engine wastes fuel and may cause unburned gas to escape from the exhaust pipe into the atmosphere.
- Avoid excess idling in non-traffic situations. Idling for more than 30 seconds consumes more fuel than restarting the engine.
- Obey speed limits. Besides being unlawful, speeding increases gasoline consumption and may increase exhaust emissions under certain conditions.
- Maintain a steady speed. Using cruise control on the highway is ideal, except in hilly terrain, because it decreases gas pedal activity.
- Remove excess weight. Unnecessary weight (unneeded items in the trunk for example) makes the engine work harder and consume more fuel.
- Plan and consolidate your trips. This will enable you to bypass congested routes, and lead to less idling, fewer start-ups, and less stop-and-go traffic. Whenever feasible, share a ride, carpool, and use the most fuel efficient car possible.
- Keep your car well-tuned. Cars that are not properly tuned emit more pollutants. A well-tuned care also improves gas mileage.
- Avoid "topping off" the gas tank when refueling. Do not overfill your gas tank because spilled gasoline evaporates and contributes to air pollution.
- Keep tires properly inflated. This reduces tread wear and conserves fuel.

- Repair air-conditioner leaks immediately. Some air conditioners may contain chlorofluorocarbons.
- Use an engine heater in cold climates. The warmer the engine upon starting, the quicker it and the catalytic converter (an important emission control device) achieve maximum efficiency.
- Don't pump the accelerator if your car has fuel injection. A properly tuned, fuel-injected car should start right away, even in cold weather.
- Newer model cars don't need to be warmed up by idling. Prolonged idling creates excess emissions and may damage the catalytic converter.

### **Weapons Prohibited in City Vehicles**

Possession of a weapon, including concealed carry, while driving or riding in a City vehicle is prohibited except for any City personnel whose job requires them to regularly carry a weapon while on duty and except if given express permission by authorities in charge of City property. Concealed carry licensees who store a weapon in their personal vehicle while parked in public lots must comply with the requirements of the Illinois Firearm Concealed Carry Act (430 ILCS 66/65(b)). Employees who violate these provisions will be subject to discipline up to and including termination in addition to penalties specified in the act.

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## **OPERATION OF PRIVATELY-OWNED VEHICLES (POV'S)**

*APP: ALL EMPLOYEES*

Employees are encouraged to use their own vehicles for City business use whenever possible. Employees who use their personal vehicles will be reimbursed at the prevailing rate established by the Internal Revenue Service.

### **Driver's License Policy**

All City employees shall hold a valid driver's license as a condition of continued employment. No City employee shall operate a City vehicle without a valid driver's license.

### **Verification of Driver's License**

The City will verify the validity of all employee driver's licenses. This confidential check will be conducted by the Human Resources Department. If an invalid or expired license is discovered, the Human Resources Department will contact the employee and the employee's immediate supervisor to notify them of the situation. An employee who is required to drive in the course of their duties may not be allowed to work until the situation has been corrected.

### **Traffic Violations**

**Employer Notifications** – Within thirty (30) days of a conviction for any traffic violation, except parking, an employee must notify his/her employer, regardless of the nature of the violation or the type of vehicle which was driven at the time.

If a driver's license is suspended, revoked, cancelled, or if he/she is disqualified from driving, his/her employer must be notified. The notification must be made by the end of the next shift following receipt of the notice of the suspension, revocation, cancellation, lost privilege, or disqualification.

### **Observance of Traffic Laws**

Employees operating City-owned motor vehicles or privately-owned vehicles while conducting official business shall observe all traffic laws, rules and regulations, and should use common sense and good judgment.

If, during the course of employment, an employee exhibits a disregard for acceptable safe driving procedures, the responsible department director may deny further authorization to operate a vehicle while representing the City.

### **Reimbursement (POV)**

Employees approved to operate a privately owned vehicle (POV) will receive the IRS per mile standard. Refer to the “Employee Travel” policy (Chapter 8) for additional information.

### **Weapons Stored In Personal Vehicles**

Concealed carry licensees who store a weapon in their personal vehicle while parked in public lots must comply with the requirements of the Illinois Firearm Concealed Carry Act (430 ILCS 66/65(b)). Employees who violate these provisions will be subject to discipline up to and including termination in addition to penalties specified in the act.

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## **USE OF CITY-OWNED MOTOR VEHICLES**

*APP: ALL TEAMSTERS AND  
IBEW EMPLOYEES AND  
THEIR SUPERVISORS*

The City may provide vehicles for business use, to allow employees to drive on City business, and to reimburse employees for business use of personal vehicles according to the guidelines.

### **Examples of Appropriate/Inappropriate Uses**

Following are examples of appropriate uses of City vehicles:

1. Traveling to/between/from job sites using a City vehicle within the paid break/lunch time allotted, as long as it is within the closest, most reasonably convenient location of the job site. Travel and food/drink consumption is within the allotted time of break/lunch. Only one stop is permitted.
2. Bathroom use of closest proximity to the job site. Employee cannot go home.
3. Eat lunch/break at worksite/field; one person takes orders and gets lunch for others in the crew, as long as it is within the closest, most reasonably convenient location of the job site. Travel and consumption is within the allotted time of break/lunch upon return of order taker. Only one stop is permitted.
4. Stop at convenient store in the morning for coffee on the way to the job site. Location is on the way to the job site and one crew member stops and picks up orders for the whole crew. Only one stop is permitted, and crews are to stay on the job site.
5. Stop for coffee and/or food on emergency call-outs and/or weather-related incidents, with the division manager or designee approval.
6. Attend a City authorized medical facility, training, and/or City-related business, with the division manager/designee approval.

Following are examples of inappropriate uses of City vehicles:

1. Employee works at the garage and takes a City vehicle to pick up break/lunch coffee/food and returns to the garage to consume it.

2. Travel to an employee's home, a store, etc. for any personal use.

### **Take Home Vehicles**

A vehicle may be taken home at night providing one of the following criteria are met and it is approved by the department director:

1. The nature of duties is such that the employee is subject to be routinely called out on an emergency or other extra duty outside normal working hours.
2. If it is necessary for the employee to have a car to protect the safety, health, or welfare of the citizens of St. Charles.
3. When the employee is required to attend an official meeting or conference on the City's behalf.

The following regulations relate to take home vehicles:

1. When permission is granted for a City vehicle to be driven home, the vehicle shall be stored off the street.
2. Each employee authorized to drive a City vehicle home shall make the vehicle available for emergency use whenever he or she is out of the City or unavailable for service for other reasons.
3. Personal use of City vehicles is subject to withholding tax, as required by IRS regulations.
4. Possession of a weapon, including concealed carry, while in possession of a City vehicle is prohibited, even if the employee is not inside the vehicle (e.g. a City vehicle taken home and left in a driveway) except for any City personnel whose job requires them to regularly carry a weapon while on duty and except if given express permission by authorities in charge of City property.

### **Regulations Relating to Vehicle Use**

1. Each City vehicle shall be assigned to a specific individual, whenever possible, for purposes of responsibility, and for assurance of proper maintenance. All vehicles so assigned will be for the sole purpose of allowing City personnel to carry out their job responsibilities during normal working hours.
2. Operators of City vehicles shall conduct a routine inspection of the vehicle to include but not to be limited to the following: headlights and tail lights, seat belts, horn, windshield wipers, tire, brakes, turn signals, and a weekly inspection of oil, battery, water, and appearance. Each vehicle shall be scheduled for routine inspection and maintenance by the Fleet Division.
3. Vehicles should be kept neat inside and outside, and every precaution must be taken to prevent debris from being blown or falling off trucks or from being discarded by vehicle occupants. Vehicle windows shall be closed and doors locked when not in use.
4. All City vehicles should be driven in a safe, courteous manner. Violations of traffic laws by a City employee while driving on City business are subject to review by the proper authorities for disciplinary action in addition to normal law enforcement procedures. The driver of a City vehicle is responsible at all times for not only the safe operation of the vehicle, but for the safe and lawful condition of the vehicle itself. All persons shall use the safety belt restraining system while operating or riding as a passenger in the vehicle while the vehicle is in motion. Faulty operation of a vehicle shall be immediately reported to the fleet division manager who shall issue a work order for repair.

5. City employees may not operate any vehicle for which they do not have a valid Illinois license for the intended use and type of vehicle being driven. It is the responsibility of the employee to procure the proper license.
6. City employees who are authorized to take City vehicles home at night may transport other City employees so long as a reasonably direct route between the work station and residence of the employee authorized to drive the City vehicle is maintained.
7. Employees shall not allow members of their family or their friends to drive City vehicles.
8. Possession of a weapon, including concealed carry, while in possession of a City vehicle is prohibited except for any City personnel whose job requires them to regularly carry a weapon while on duty and except if given express permission by authorities in charge of City property.
9. Abuse of vehicle privileges may result in disciplinary action up to and including termination.

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## **COLLISION INVESTIGATION INVOLVING CITY EMPLOYEES**

*APP: ALL EMPLOYEES*

If, while operating a City vehicle or a privately owned vehicle in the performance of official duties, an employee is involved in an accident resulting in personal injury or property damage, the operator shall cause the following reporting and investigative procedures to occur.

### **Vehicle Accident Reporting Requirements – Employee**

1. Contact 911, a police report is required to send to insurance if damages are estimated to be over \$500.
2. Report the accident and/or injury to his/her supervisor immediately. This should happen even if the vehicle does not need immediate repair.
3. Complete the “[Vehicle Accident Report](#)” (available on [iNet](#) or within your department) and immediately return it to the supervisor.

### **Vehicle Accident Reporting Requirements – Supervisor**

1. Convey the pertinent information to the finance department and fleet division immediately, especially if the vehicle has substantial damage or the party has incurred injury.
2. Approve and sign the “[Vehicle Accident Report](#)” (available on [iNet](#) or within your department) that the driver completes. Complete the “Supervisor’s Vehicle Accident Investigation Report” and forward both reports with the police report to the Finance Department within twenty-four (24) hours of the accident. Notify the Finance Department if more time is required. (Forms are available on the City [iNet](#).)

### **Investigation Procedure**

1. Request that all parties and properties concerned remain at the scene of the accident, if possible, until a law enforcement representative has released them.
2. All collisions involving City vehicles or persons on duty and actively engaged in City business will be investigated by a police agency.
3. If occurring outside the City of St. Charles, the collision will be investigated by the police agency having jurisdiction.

4. If occurring within the City of St. Charles and involving property damage or a minor (non-hospitalizing) injury, the collision will be investigated by the City of St. Charles Police Department.
5. If occurring within the City and the collision results in a fatality or injury requiring immediate hospitalization of any party, the accident will be investigated by an outside authority. Selection of an outside authority will be handled by the City of St. Charles Police Department at the scene.

### **Employee Statements**

Employee/operators shall refrain from making statements regarding the accident with anyone other than the investigating law enforcement representative, appropriate City officials, and representatives of his or her own insurance company, if the employee's privately owned vehicle is involved. Statements made to investigating authorities should be confined to factual observations.

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## **EMERGENCY CONDITIONS**

### *APP: ALL EMPLOYEES*

City offices and activities shall remain open and in operation during established working hours. All employees should make every attempt to report for work on a timely basis. It is the City's expectation that all City employees will be available to mitigate City-declared emergencies. This may include answering phones, assisting with volunteer registration, processing paperwork, assisting in obtaining supplies, delivering food and water to those who are working in the field, etc.

If employees are unable to report to work, the following criteria shall apply:

1. The employee is responsible for contacting his/her supervisor or department director by telephone to indicate anticipated absence from work or late arrival to work and the reason.
2. If an employee is unable to report to work, the absence may be charged as vacation or personal leave.
3. Such leave cannot be used to offset absence from work for pay purposes for other than sickness.

### **Closing City Offices**

The City Administrator shall be authorized to close City offices to protect the safety and welfare of City employees. In the event of an authorized closing, employees who do not have to report to work will not receive pay unless said employee chooses to use vacation and/or personal leave. Employees who are required to report to work will receive pay according to their collective bargaining agreement or City policy, as applicable.

### **Emergency Evacuation Procedures**

The following are procedures to be followed in case of an emergency. Refer to the City's Emergency Action Plan for detailed instructions, point leaders, and notifications in the event of a fire, tornado, or bomb threat.

#### **Fire**

A building occupant is required *by law* to evacuate the facility when the fire alarm sounds. If there is a fire in a work area, an employee should extinguish the fire **ONLY** if they have been trained to use the fire extinguisher by the City of

St. Charles Fire Department and the fire extinguisher is in working condition and also if:

- The fire department has been notified.
- The fire is small and is not spreading to other areas.
- Escaping the area is possible by backing up to the nearest exit.

Once the fire alarm is sounded, the employees must:

- Leave the building using the designated escape routes.
- Assemble in their designated area.
- Remain outside until the fire department or competent authority announces that it is safe to re-enter.

Employees should know at least two evacuation routes. Evacuation route maps have been posted in each work area. The following information is marked on evacuation maps:

- Exit locations.
- Primary and secondary evacuation routes.
- Assembly points for a fire emergency.
- Refuge areas in case of tornado or severe weather events.

Primary and/or secondary designated personnel must:

- Coordinate an orderly evacuation of personnel.
- Assist any physically challenged employees in evacuation.
- Ensure that all employees have evacuated the area.
- Perform an accurate head count of employees reported to the employee assembly points.
- Provide the fire department with any necessary information about any missing employees.
- Provide the fire department with any necessary information about the facility or fire event.

### **Tornado**

When a tornado warning is issued:

- Employees should immediately seek shelter within the City's designated tornado shelter areas.
- It is important that employees remain sheltered until the warning expires or determination can be made in the EOC that the storm threat has passed. If the warning extends beyond the employee's shift, it would be made clear that exiting the shelter would be immediately dangerous to their health and safety. However, the employee would make his/her own decision on whether to stay or leave.
- The EOC will notify the shelter locations either via telephone or radio that the employees may return to work.
- It is the responsibility of the assembly point leader to account for all of the employees and visitors from his/her area.

All areas have signs posted to direct them to the tornado shelter. Following are the shelter locations for each City building:

- City Hall – basement meeting and break room areas
- Century Station – City training room and adjoining hallways
- Police Department – lower level booking room
- Fire Station #1 – see Century Station
- Fire Station #2 and #3 – interior bathroom
- Public Works – lower level locker room (including inventory control and lab)

- Water and Wastewater:
  - Well 3-4, 250 N. Riverside Ave. – bathroom
  - Well 7/210 N. Randall Road – atomerator room
  - Well 8/Ohio Ave. Filtration Plant – Ohio Filtration Plant bathroom
  - Well 9/5N061 Rte. 25 – no safe area of refuge designated
  - Well 11/2900 5<sup>th</sup> Ave. – maintenance room
  - Well 13/2595 Oak Street – bathroom or mechanical room
  - Water tower/2901 Campton Hills Rd. – inside tower at base
  - Water tower/109 S. 10<sup>th</sup> St. – inside tower at base
- Electric:
  - Substation 2 – basement bathroom
  - Substation 3 – Century Station basement
  - Substation 5 – basement bathroom
  - Substation 7 – basement bathroom
  - Substation 8 – basement under stairs leading to basement

### **Bomb Threat**

When an assembly point leader has been notified of a bomb threat, the assembly point leader shall:

- Have employee visually assess their work area for foreign or suspicious objects.
- Direct facility evacuation in accordance with that facility’s evacuation plan.
- Ensure all employees have evacuated the facility.
- Meet with employees at the pre-designated rally point for a roll call.
- Meet with the first responders (police, fire) to brief them on the situation.
- Notify police of any employees unaccounted for.

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## **WORKING AT HOME DUE TO A PUBLIC HEALTH EMERGENCY**

*APP: ALL EMPLOYEES*

Under extreme public health emergency situations, as determined by the City, the City of St. Charles will consider a request to work from home from either the supervisor or employee. Working from home is not considered normal practice, and granted only when certain conditions are present.

### **Conditions**

Permission to work at home will be considered if the following two conditions are met:

1. The City designates it as a public health emergency, and the employee’s need to work at home is **exclusively** related to a public health emergency (as determined solely by the City).
2. An employee can legitimately work from home to maintain **key** City operations as determined by the department director and director of Human Resources.

### **Approval Process**

Since an emergency situation precipitated the need to work from home, verbal approval, **followed by written approval** will be utilized in order to respond to the request as soon as possible. Verbal contact will be made as soon as the employee is aware of the need.

1. Complete the Working from Home authorization form, in advance, if possible, or within 24 hours of notification of the emergency closure and return it to the employee's supervisor.
2. The Working from Home authorization form is routed from the supervisor to the department director and then to the Director of Human Resources for written approval.
3. HR will return a copy of the Working from Home authorization form to the department director within 24 hours of receipt of it.
4. The department director (or designee) will notify Information Systems with approval for remote access.

### **Pay and Benefits**

Full-time, non-exempt employees will receive pay for the actual time worked from home. If time worked is less than eight hours a day, benefit time (vacation or personal) may be substituted for the additional hours.

Part-time employees will be paid their hourly wage for the time worked from home.

Timesheets must be completed for supervisor approval in the same manner as if the employee were working at the City offices.