

TOI Professional Development Human Resources



PARTNERING WITH TOWNSHIPS

Springfield, Illinois – November 11, 2019 2:30 to 3:30pm
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Vice President, Human Resources
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Agenda



PARTNERING WITH TOWNSHIPS

- Personnel Manuals / Employee Handbooks
- Employee Personnel Files
- Federal / State Required Postings
- Job Descriptions
- Hiring Practices
- Managing & Documenting Performance Issues
- ADA
- HR Help Line

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Personnel Manuals / Employee Handbook

- Policies
- Expectations
- Township Goals
- At Will Employment Status
- Sample Employee Handbook available TOI website www.toi.org

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Employee Personnel Files

- Establishing and maintaining Employee Personnel Files provides an accurate view of the employee's employment history
- Only keep information that can be legally the basis for an employment-related decision in the file as these records are discoverable (subject to subpoena).
- Employment decisions including hiring, firing, promotion, demotion, layoff, training opportunities, and all other actions taken regarding employees.
- Employee medical and I9 files kept separate

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Employee Personnel Files

- Employment decisions may not be made on the basis of sex, race, national origin, color, religion, disability, or veteran's status or having to do with garnishment orders; therefore, it is important to keep all records related to benefits and leave of absence, employee health and safety records, and equal employment opportunity records in separate records from the personnel records.
- I9 forms must be made available on demand to the Department of Labor inspectors and it is best to keep them in a separate location for convenience.

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Employee Personnel Files

- Proper maintenance critical to defending employment-related litigation
- Ensure improper documentation is not maintained in personnel files
- All TOIRMA members have access to human resources professionals for guidance and assistance.

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Required Federal and State Postings

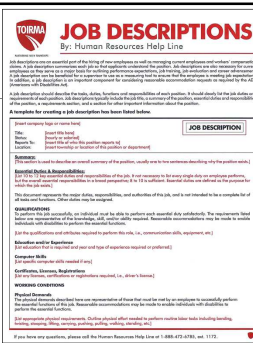
- Purchase "all-in-one" complete labor law posters can be purchased we recommend the Labor Law Center, their website is www.laborlawcenter.com
- Another option is to print the notices (one-by one) free directly from agency sites below:
 - The State of Illinois site at <https://www.illinois.gov/ldol/Employers/Pages/posters.aspx>
 - The U.S. government has a guide outlining the various federal labor law posting requirements: <https://www.dol.gov/oasam/boc/osdbu/sbrefa/poster/matrix.htm>



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Job Descriptions

- Essential part of hiring of new employees
- Assists in managing current employees & workers comp claims
- Outlines performance expectations, job training, evaluation, career advancement.
- Important when dealing with ADA requests
- Template handout
- Electronic format available



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Hiring Practices

- Job Description
- Employment Application
- How will you screen candidates?
- Will you do a background check?
- Will you do a fitness for duty screen, i.e., drug screen, or other screening
- What are your policies on employment of relatives?

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Progressive Discipline Misconduct

COUNSELING STATEMENT

- Verbal Warning
- Written Warning
- Last step (Final) Warning
- Termination of Employment

From _____ Date _____
Employee _____
Position _____

1. I have made the following observations of the employee's conduct:
2. I have informed the employee of the following standards that will be expected of him or her here:
3. These standards are important because of the following impact on the work environment:
4. I have advised the employee of the following consequences if he fails to follow the above standard. Failure to improve performance with ongoing counseling and coaching performance may result in further discipline, including an immediate termination.
5. These matters will be reviewed in _____ days, or sooner if immediate corrections is not implemented by the employee.

Manager/Supervisor Signature Date _____

I have read and received a copy of the above statement. If I choose to I can submit written comment about the above matter.

Employee Signature Date _____

Witness Signature Date _____

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Americans with Disabilities Act (ADA)

The ADA makes it unlawful to discriminate in all employment practices such as:

- Recruiting
- Termination
- Hiring
- Training
- Job assignments
- Promotions
- Pay
- Benefits
- Layoffs
- Leave
- All other employment related activities

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ADA

- Applies to all employers with 15 or more employees.
- Protects individuals with disabilities from discrimination.
- Requires "reasonable accommodation" if needed in order to perform "essential functions" of a job.
- ADA is enforced by the EEOC, but many states also have similar laws to ADA which are enforced locally.

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ADA – Essential Job Functions

Essential job functions are the fundamental duties of the job.

A job function may be considered essential for any of several reasons, such as:

- The job exists to perform that function.
- The function requires specialized skills or expertise and the person is hired for that expertise.
- There is only a limited number of employees to perform the function.

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ADA – Making Accommodations

Individuals with disabilities may require an accommodation to perform the *essential functions* of a job.

Examples of accommodations:

- Providing special phone for employee with hearing impairment.
- Exempting employee with severe skin condition from using headset
- Relocating employee away from equipment which aggravated a medical condition
- Extension of LOA

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ADA – Making Accommodations cont'd

- Accommodations: "reasonable" and without "undue hardship"
- Employee must make it known an accommodation is needed. In some cases, documentation will be required.
- Re-evaluate periodically.
- What is reasonable will vary by each unique situation.
- "Simple" accommodations that can be made without any fuss should be done first.
- Tolerating poor performance unrelated to a disability is not an accommodation.
- Always maintain privacy of individuals with disabilities.

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Human Resources Help Line



The Help Line toll-free number is:

(888) 472-6785, extension 1172

Rhonda Stuebe, Vice President, HR
Lori Anderson, Senior HR Specialist

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Questions/Answers

THANK YOU!



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