TOI Professional Development
Human Resources

Springfield, Illinois • November 11, 2019 2:30 to 3:30pm
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Cannon Cochran Management Services, Inc.

Agenda

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

Personnel Manuals / Employee Handbook

- Policies
- Expectations
- Township Goals
- At Will Employment Status
- Sample Employee Handbook available TOI website www.toi.org
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 I-9 files kept separate.

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.
- I-9 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.

Employee Personnel Files

- Proper maintenance critical to defending employment-related litigation.
- Ensure improper documentation is not maintained in personnel files.
- All TORMA members have access to human resources professionals for guidance and assistance.
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](http://www.laborlawcenter.com).

- Another option is to print the notices (one-by-one) directly from agency sites below:
  - The State of Illinois site at [https://www.illinois.gov/idol/Employers/Pages/posters.aspx](https://www.illinois.gov/idol/Employers/Pages/posters.aspx)
  - The U.S. government has a guide outlining the various federal labor law posting requirements: [https://www.dol.gov/esaam/boc/odolu/brefu/poster/matrix.htm](https://www.dol.gov/esaam/boc/odolu/brefu/poster/matrix.htm)

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

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?
Managing Performance Issues

<table>
<thead>
<tr>
<th>Poor Performance</th>
<th>Matter of Record</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Failure to meet position standards</td>
<td>• Excessive absenteeism or tardiness</td>
</tr>
<tr>
<td>• Low product quality</td>
<td>• Disruptive or argumentative behavior</td>
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<tr>
<td>• Errors or omissions in work</td>
<td>• Customer Service complaints</td>
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<tr>
<td>• Low volume of productivity</td>
<td>• Policy violations</td>
</tr>
<tr>
<td>• Examples: customer complaints, quality standards, failure to adhere to written guidelines</td>
<td>• Safety violations</td>
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<tr>
<td></td>
<td>• Misuse or destruction of equipment</td>
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<tr>
<td></td>
<td>• Examples: incident of rude, disruptive behavior, dress code violations, excessive absences</td>
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</tbody>
</table>

Poor Performance

• Discussion
• Counseling
• Matter of Record
• Formal Performance Improvement Plan
Progressive Discipline, Misconduct

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

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

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.
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.

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.

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.
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

Questions/Answers
THANK YOU!