

TOI Professional Development Human Resources



PARTNERING WITH TOWNSHIPS

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

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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

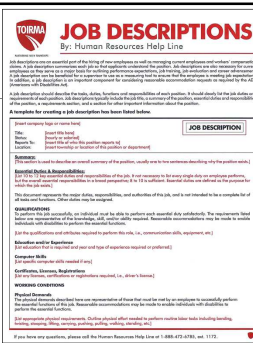
- Purchase "all-in-one" complete labor law posters can be purchased we recommend the Labor Law Center, their website is www.laborlawcenter.com
- Another option is to print the notices (one-by one) free directly from agency sites below:
 - The State of Illinois site at <https://www.illinois.gov/ldol/Employers/Pages/posters.aspx>
 - 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

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

COUNSELING STATEMENT

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 standards: Failure to improve performance with ongoing counseling and monitoring 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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