

ORDINANCE NO. 2018-02

**AN ORDINANCE APPROVING AND ADOPTING AN UPDATE TO
SECTION 4.1 (WORKFORCE REDUCTIONS, DEMOTIONS AND DISCIPLINARY ACTIONS)
OF THE VILLAGE OF MAYWOOD PERSONNEL MANUAL**

WHEREAS, the Village of Maywood is a home-rule Illinois municipal corporation and is a unit of local government as provided by Article VII, Section 1 of the Illinois Constitution of 1970; and

WHEREAS, the President and Board of Trustees of the Village of Maywood (the "Village") have previously adopted and maintained in effect a personnel manual entitled the "Village of Maywood Personnel Manual" (the "Manual"); on December 19, 2017, the President and Board of Trustees of the Village adopted an ordinance approving an updated version of the Manual; and

WHEREAS, Section 35.01 (Statement of Equal Employment Opportunity and Adoption of Personnel Policy Manual) of Title III (Personnel Matters) of the Village of Maywood Code of Ordinances provides, in pertinent part, that "A Personnel Policy Manual shall be adopted by the President and Board of Trustees of the Village, and shall be amended from time to time by the Village Board"; and

WHEREAS, the President and Board of Trustees of the Village have determined that certain revisions to Section 4.1 (Workforce Reductions, Demotions And Disciplinary Actions) of the Manual is necessary in order to bring the Manual into compliance with applicable State and federal laws, Village practice and applicable collective bargaining agreements; and

WHEREAS, the President and Board of Trustees of the Village have discussed certain revisions to Section 4.1 (Workforce Reductions, Demotions And Disciplinary Actions) of the Manual and, after reaching a consensus, have agreed upon such revisions and direct that the final version of Section 4.1 (Workforce Reductions, Demotions And Disciplinary Actions) of the Manual be attached hereto as **Exhibit "A"**, and that such modifications be incorporated into the Village's current Manual; and

WHEREAS, the President and Board of Trustees of the Village of Maywood find that it is in the best interests of the Village, its officials, employees, residents, property owners and the public to make certain revisions to Section 4.1 (Workforce Reductions, Demotions And Disciplinary Actions) of the Village's current Manual, as set forth in attached **Exhibit "A"**.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Each of the Whereas clauses above are incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

SECTION 2: The President and Board of Trustees of the Village of Maywood approve and adopt certain modifications to Section 4.1 (Workforce Reductions, Demotions And Disciplinary Actions) of the Village's current Manual and direct that the final version of Section 4.1 (Workforce Reductions, Demotions And Disciplinary Actions) of the Manual be attached hereto as **Exhibit "A"**, and that such modifications be incorporated into the Village's current Manual.

SECTION 3: The President and Board of Trustees of the Village of Maywood direct the Village Manager, or his/her designee, to provide written notice to all Village employees of the updated Personnel Manual, which will include the updated Workforce Reductions, Demotions And Disciplinary Actions Policy (Exhibit "A"), and to issue copies of the updated Personnel Manual to each Village employee.

SECTION 4: The attached, updated final version of Section 4.1 (Workforce Reductions, Demotions And Disciplinary Actions) of the Personnel Manual (Exhibit "A") supersedes all prior personnel and/or employee policies related to the same topic, including without limitation the last version approved by the President and Board of Trustees.

SECTION 5: The attached, updated final version of Section 4.1 (Workforce Reductions, Demotions And Disciplinary Actions) of the Personnel Manual (Exhibit "A") shall remain in full force and effect in the Village of Maywood until such time as it is further revised or amended by the President and Board of Trustees.

SECTION 6: Those sections, paragraphs and provisions of the Personnel Manual, which are not expressly amended by this Resolution, shall remain in full force and effect until such time as they are further revised or amended by the President and Board of Trustees. This Resolution does not amend any portions of the Personnel Manual other than the final version of Section 4.1 (Workforce Reductions, Demotions And Disciplinary Actions) of the Personnel Manual, attached as Exhibit "A".

SECTION 7: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

ADOPTED this 16th day of January, 2018, pursuant to a roll call vote as follows:

AYES: Mayor Perkins, Trustee(s) H. Yarbrough, I. Brandon, A. Sanchez, K. Wellington, M. Lightford and R. Rivers

NAYS: None

ABSENT: None

APPROVED by me, and attested by the Village Clerk, on this 17th day of January, 2018.

Edwenna Perkins, Village President

ATTEST:

Viola Mims, Village Clerk

Published by me in pamphlet form this 17th day of January, 2018.

Viola Mims, Village Clerk

EXHIBIT "A"

**Section 4.1 (Workforce Reductions, Demotions And Disciplinary Actions)
Of The Village Of Maywood Personnel Manual**

(attached)

SECTION IV

WORKFORCE REDUCTIONS, DEMOTIONS AND DISCIPLINARY ACTIONS

4.1 Workforce Reductions.

A. Whenever it becomes necessary, through lack of work or funds, to reduce the number of employees in any given class, the Department Head concerned shall send to the Village Manager for approval a list of employees to be laid off.

B. Reasonable efforts will be made to transfer employees to another department rather than implement a workforce reduction. The Village Manager working closely with Department Heads will evaluate the operational needs of the Village and reduce the workforce accordingly. Except in the case of firefighters and police or where a collective bargaining agreement determines different rules, procedures and conditions, the Village Manager, in collaboration with Department Heads, retains the exclusive right to determine which employees shall be included in a workforce reduction. Seniority will not have a direct bearing on who is or is not subject to a reduction in the workforce; rather, the Village will consider what needs will fulfill the Village's objectives and mission, and will implement a reduction in force based on such business reasons within its discretion.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the attached and foregoing is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

ORDINANCE NO. 2018-02
ORDINANCE APPROVING AND ADOPTING AN UPDATE TO
SECTION 4.1 (WORKFORCE REDUCTIONS, DEMOTIONS AND DISCIPLINARY ACTIONS)
OF THE VILLAGE OF MAYWOOD PERSONNEL MANUAL

which Ordinance was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 16th day of January, 2018, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 17th day of January, 2018.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Perkins, Trustee(s) H. Yarbrough, I. Brandon, A. Sanchez, K. Wellington,
M. Lightford and R. Rivers

NAYS: None

ABSENT: None

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 17th day of January, 2018.

Viola Mims, Village Clerk

[SEAL]