

**AGREEMENT  
BETWEEN  
CITY OF NAPERVILLE  
AND  
NAPERVILLE PROFESSIONAL FIREFIGHTERS UNION  
IAFF LOCAL 4302  
May 1, 2016 - December 31, 2019**

Nothing in this Agreement shall be construed to preclude the applicability of the Firemen's Disciplinary Act, 50 ILCS 745/1 *et seq.*, but said Disciplinary Act shall not be incorporated herein by reference.

**Section 22.7 Pre-Termination Meeting.**

Unless a formal interrogation has been conducted pursuant to the Firemen's Disciplinary Act, prior to discharging a non-probationary employee, the Fire Chief or his designee will offer to meet with the employee, describe the reason or reasons why dismissal is being contemplated, and afford the employee an opportunity to state his/her side before a final decision is made.

**ARTICLE XXIII - OUTSIDE EMPLOYMENT**

Employees shall notify the Chief in writing of any outside employment. Outside employment shall be defined as employed by an employer, contracting for or accepting anything of value in return for services and/or self-employed for remuneration. Employees may be allowed to work on outside employment on their days off, provided such employment shall not:

- result in a conflict of interest;
- bring the City into disrepute;
- result in outside work during an employee's work shift;
- involve the use of City equipment, supplies or facilities; or
- adversely impact the employee's ability to do the job for the City.

The Union and City agree that outside work, which for purposes of this provision is defined as any active full time, privatized, paid on-call, volunteer, or any other class of work that provides emergency fire or pre-hospital emergency operational service as provided by the city of Naperville fire department bargaining unit members, (hereinafter "Like Work") shall be restricted under the following guidelines:

1. Tier 2 pension members must resign from and cease performing Like Work within 12 months of the date City Council ratifies the collective bargaining agreement ("Contract Ratification").
2. Tier 1 pension members that have submitted notification of performing Like Work and have received written approval from the fire chief prior to contract ratification shall be allowed to continue working for that current, approved Like Work.
3. Employees hired after contract ratification shall be prohibited from performing like work.
4. Current employees (Tier 1 and 2) who have not submitted written notification and received written approval of the Fire Chief as of contract ratification shall be prohibited from performing Like Work.
5. Any employee (Tier 1 and 2) who leaves, is terminated, or otherwise severs their relationship with their current, approved Like Work, shall be prohibited from performing any future like work.

When an employee leaves, is terminated, or otherwise severs their relationship with their current, approved Like Work, that employee is required to submit written notification to the fire chief of their status.

Tier One employees who desire to or are currently engaged in "like work" shall in writing submit a "Request to Work Outside Employment" form to the Fire Chief within 30 days of contract ratification. Employees whose request is denied shall terminate their outside employment on a date to be decided by the Fire Chief at his discretion after consultation with the employee and the Union. Employees who fail to submit a "Request to Work Outside Employment" form within 30 days shall not be permitted to work "like work" outside employment.

Daniel Smith 1/3/2017 5:32 PM  
**Comment [1]:** The policy contents of 9.2.1 is the 1<sup>st</sup> paragraph of this provision.