

CITY OF ALLEGAN

PERSONNEL POLICIES AND PROCEDURES MANUAL

**City of Allegan
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Effective June, 2015

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CHAPTER I
GENERAL PROCEDURES

I. PURPOSE

To establish policies and procedures for personnel employed by the City of Allegan.

II. APPLICATION

All facilities and services operated by the City of Allegan.

III. DEFINITIONS

- (a) City: The City of Allegan.
- (b) City Council: The City Council of the City of Allegan.
- (c) Manager: The City Manager of the City of Allegan. The Manager is the administrative officer of the City and its departments and supervises all programs and employees of the City Council.

IV. POLICY

- (a) Personnel policies have been developed to assist employees of the City to understand the terms and conditions of their employment. These personnel policies are subject to change and ongoing review by the City Manager, but all new or revised personnel policies must be approved by the City Council. The rules and regulations contained in this Personnel Policy Manual apply to all employees of the City who are employed in positions not covered by an existing collective bargaining agreement. Employees covered by a collective bargaining agreement will be covered by these policies to the extent they do not conflict with the agreement.
- (b) The Manager, or in his or her absence, his or her designee, shall be responsible for the administration of approved personnel policies and the development and administration of rules and regulations.
- (c) A Personnel Handbook containing applicable personnel policies shall be given to all employees of the City of Allegan.
- (d) The Manager may recommend that exceptions to the personnel policies be made as needed for individual employees. Any exception must be approved by the City Council.

PERSONNEL HANDBOOK POLICY

I. PURPOSE

To establish a handbook containing policies and procedures for personnel employed by the City.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City Council is responsible for the establishment and revision of rules and regulations for personnel administration within the City. The Manager is responsible for the implementation of these rules and regulations and the overall coordination of all personnel matters. The rules and regulations contained in this Personnel Handbook apply to all employees of the City who are employed in positions not covered by an existing collective bargaining agreement. Employees covered by a collective bargaining agreement will be covered by this manual to the extent it does not conflict with the agreement. To the extent that the policies contained in this Handbook are covered by or conflict with a written agreement specifically executed by the employee and the City, the written agreement will control. Furthermore, this Handbook and the policies contained herein supersede and replace all previous handbooks and employment policies issued and distributed by the City. Finally, to the extent any conflict exists between a provision of the City Charter and this Handbook, the City Charter will control.

The information contained in the Handbook may not cover every situation that arises. Likewise, changing circumstances may require the City to revise from time to time the personnel rules and regulations contained in the Handbook. Accordingly, employees should understand that nothing contained in the Handbook should limit nor prevent future changes in the City's policies or procedures. Employees should be notified of any such changes.

PERSONNEL RECORDS

I. PURPOSE

To establish policies and procedures regarding Personnel Records.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Personnel files are maintained for all employees. Employees are required to advise the Personnel Office in writing of their current address, telephone number, marital status, name of person to notify in case of emergency, and the names and addresses of their dependents as well as any changes in this information. Employees desiring their personnel information be released to outside parties shall provide a signed authorization. Employees may review the contents of their personnel files upon written request to the Manager, but may not remove their personnel file from the premises. Access to an employee's personnel file is limited to the Manager, an employee's Supervisor, the employee and such other agents of the City as deemed necessary by the Manager.

EQUAL OPPORTUNITY POLICY

I. PURPOSE

To establish a policy guaranteeing equal opportunity in employment.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City is an equal opportunity employer and will not unlawfully discriminate in its personnel matters with regard to religion, race, color, national origin, age, sex, height, weight, marital status or disability.

SOCIAL SECURITY NUMBER PROTECTION

I. PURPOSE

To establish policies and procedures regarding the protection of employee and citizen social security numbers.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

It is the policy of the City of Allegan to ensure, to the extent practicable, the confidentiality of the social security numbers of employees, citizens, and all others whose social security number may be in the possession of the City. Accordingly, the City hereby prohibits the unlawful disclosure of social security numbers. Access to social security numbers should be limited to only those individuals whose positions and authority require such information. Likewise, any documents containing social security numbers shall be kept in a secure location and/or disposed of in a manner that ensures the confidentiality of any social security numbers contained therein, including but not limited to shredding and/or incineration as well as the supervised transport to an appropriate disposal facility. Otherwise, the use of social security numbers, where the full number is not required, shall be limited to no more than four (4) sequential digits of a social security number.

Any individual found to have violated this policy will be subject to discipline, up to and including discharge. Such individuals may also be subject to criminal and civil penalties under Michigan law.

CHAPTER II

CITY EMPLOYMENT

EMPLOYEE SELECTION

I. PURPOSE

To establish policies and procedures regarding employee selection.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City Council is responsible for the selection, appointment, and discharge of the Manager as well as other administrative officers as set forth in the City Charter. The Manager is responsible for the selection, employment and discharge of all employees of the City. Employment of relatives of the Manager or City Council Members will require approval of six (6) members of the City Council. Employment of relatives of City Council members or the Manager shall be at all times consistent with the requirements of the City Charter.

JOB CLASSIFICATIONS

I. PURPOSE

To establish policies and procedures regarding job classifications.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Written job descriptions are maintained for all job classifications. Each job description includes a classification title, a general statement of normal duties and responsibilities, and a listing of the minimum qualification requirements of the position.

CATEGORIES OF EMPLOYMENT

I. PURPOSE

To establish policies and procedures regarding categories of employment.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

In addition to an employee's job classification, employees are categorized as follows:

- (a) Full-time employee: A full-time employee is an employee who is normally scheduled to work at least thirty hours per week on a regular schedule in a position classified by the City as full-time.
- (b) Regular part-time employee: A regular part-time employee is an employee who is normally scheduled to work more than twenty-three (23) but less than thirty (30) hours per week on a regular schedule in a position classified by the City as part-time.
- (c) Casual employee: A casual employee is an employee not included within the definitions of full-time and regular part-time employee, including temporary, seasonal and contract employees. Casual employees are not entitled to fringe benefits given to full-time positions regardless of the number of hours worked by the employee.

INTRODUCTORY PERIODS

I. PURPOSE

To establish policies and procedures regarding introductory periods for employees.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

All employees are in an introductory period for their first six (6) months of employment. The introductory period is a time for an employee to become familiar with his or her job duties and to decide whether to continue to work for the City, and for the City to determine if the employee can provide the level of performance required from City employees. The City may extend an employee's introductory period upon written notice to the employee. An employee may be discharged for any reason during the introductory period without recourse to the problem solving procedure. The employment relationship with the City after completion of the introductory period is at-will. Either the employee or the Employer can terminate the employment relationship with or without cause. Temporary, part-time or seasonal employees who are hired on a full-time basis shall begin a six-month introductory period on the full-time hiring date.

SUPPLEMENTAL EMPLOYMENT

I. PURPOSE

To establish policies and procedures regarding supplemental employment.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

No employee shall work at other employment, which would lead to a conflict of interest or impair his or her performance as an employee of the City. The Manager may, however, approve work at other employment at his or her discretion.

ANNIVERSARY DATE

I. PURPOSE

To establish policies and procedures regarding an employee's anniversary date.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

An employee's anniversary date is the date upon which the employee commenced work for the City.

TERMINATION OF EMPLOYMENT

I. PURPOSE

To establish policies and procedures regarding termination of employment.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The employment relationship with employees of the City is at will and is subject to termination with or without cause for any reason by the employee or the City. Employees who resign shall notify the Manager in writing at least two (2) weeks prior to the effective date of the resignation.

Effective 06/1/2003

POLITICAL ACTIVITIES

I. PURPOSE

To establish policies and procedures regarding political activities.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees may, except during hours that the employee is working for the City, engage in political activities. Employees who become candidates for the City Council of the City will be required to take a leave of absence without pay when that employee complies with the candidacy filing requirements or sixty (60) days before any election relating to that position, whichever date is closest to the election. Employees who are elected to the City Council of the City must resign their City employment. Similarly, no former council member or mayor may be employed by the City until one (1) year after the expiration of the term for which he or she was elected.

LAYOFF

I. PURPOSE

To establish policies and procedures regarding layoff.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

May it become necessary to layoff employees from any classification layoffs will be at the sole discretion of the City, but employees may be retained if they possess the necessary skill, ability, training, attendance, productivity, attitude and reliability to perform satisfactorily the remaining required work.

RECALL

I. PURPOSE

To establish policies and procedures regarding recall.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

In the event that the work force is to be increased, any employee who has been laid off in the classification to be increased within the preceding 12 months, shall be recalled to their classification based on the necessary skill, ability, training, attendance, productivity, attitude and reliability to perform satisfactorily the remaining required work and satisfactorily meet the required hours in the remaining work schedule.

An employee who fails to report for work within five (5) calendar days after the date they received, or should have received, notice of recall by certified mail, shall be presumed to be a voluntary quit. If unusual circumstances prevent an employee from reporting, they should telephone their Department Head or Supervisor promptly after receipt of the recall notice and prior to the notified date of return so that other satisfactory arrangements can be made. During the entire period of layoff, an employee will be expected to keep the City informed as to their current address.

DRUG/ALCOHOL FREE WORK PLACE

I. PURPOSE

To establish policies and procedures regarding Drug/Alcohol Free Work Place.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

City employees have the right to a drug/alcohol free work place. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the work place or wherever City employees work. Any employee involved in such activity or any employee under the influence of a controlled substance while performing services for, or on behalf of, the City will be subject to discipline ranging from a verbal warning to dismissal depending upon the individual circumstances.

Employees employed in safety-sensitive positions will be subject to drug and alcohol testing as required by federal regulations and the Anti-Drug and Alcohol Abuse Policy previously approved by the City Council on June 24, 1996. Likewise, all employees may be required to submit a blood and/or urinalysis examination for the purpose of detecting the use of unauthorized prescriptive drugs, illegal drugs, controlled substances and/or alcohol where, based on objective facts and reasonable inferences drawn from those facts, the City has reason to believe that the employee in question is possessing, under the influence, impaired or otherwise affected by the use of, or has attempted to sell/distribute/manufacture on City property prescriptive drugs, illegal drugs, controlled substances and/or alcohol.

Drug abuse in the work place is dangerous. Employees are urged to make use of the drug counseling, rehabilitation, and assistance resources of this area when needed. If an employee needs information about such services, the City Manager should be contacted without fear of discipline. Nevertheless, any employee who is convicted or pleads no contest to a criminal drug statute for a violation that occurred at the work place must notify the City no later than five (5) days after the conviction. Within thirty (30) days of such notification, the City will take appropriate personnel action, which may include required participation in an approved drug rehabilitation program and/or discipline, up to and including termination.

Medical Marijuana. A positive test for any prohibited substance (regardless of when actually ingested) constitutes a violation of this Policy. This Policy applies to all employees of the City, including employees who may be certified to use medical marijuana pursuant to State law. Reporting for work under the influence of marijuana or testing positive for marijuana on a drug test conducted pursuant to this Policy may result in disciplinary action, up to and including discharge, regardless of whether or not the employee is a certified medical marijuana user.

SAFETY POLICY

I. PURPOSE

To establish policies and procedures regarding safety.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The personal safety of each employee of the City and the prevention of occupationally induced injuries and illnesses is of primary importance. To the degree possible, management seeks to maintain a safe and hazard free work environment. Supervisors are responsible for encouraging the proper attitudes towards safety in themselves and in those they supervise; and for insuring that all operations are performed with utmost regard for the safety of all personnel involved. Employees are responsible to comply with all rules and regulations and for continuously observing safety practices while performing their duties. Only through such cooperative effort can the City's safety record be improved and maintained.

ACCIDENTS

I. PURPOSE

To establish policies and procedures regarding accidents.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Any accident, no matter how slight, must be reported to the employee's Supervisor immediately. The Supervisor must report the incident to the finance department. The employee can and will be subject to drug testing. The Supervisor will send or take injured employees for examination or treatment. In an emergency, injured employees should be sent directly to the emergency room of the local hospital. As soon as possible, injured employees should give a full description of the accident to their Supervisor or Department Head. If these procedures are not followed by the employee, injured employees may not be able to receive full benefits available under the Worker's Compensation Law of the State of Michigan.

TELEPHONES/CELL PHONES

I. PURPOSE

To establish policies and procedures regarding telephones/cell phones.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Use of the telephone and of a City owned cell phone is an excellent way to further good public relations. Identify the office and speak naturally and directly into the phone. Be brief, direct and courteous. Business telephones and cell phones are available for limited personal use by City employees. Abuse of the privilege will result in discipline or discontinuation of the privilege.

The decision to assign a city owned cell phone to any employee shall be made by the Department Supervisor. Further any fees charged beyond the basic plan as established by employee category, shall be charged to the employee. Any of these decisions may be appealed and decided by the Finance Director. The City Manager is the final arbiter of any cell phone issue if necessary.

PRIVACY MONITORING

I. PURPOSE

To establish policies and procedures regarding privacy with electronic and physical files.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The employee's work output, whether it is paperwork, computer files, products, customer calls or customer interaction, belongs to the City Of Allegan. As such, work output is always subject to review by the City Of Allegan, whether it is stored electronically, on paper or in any other form. In addition, business equipment, including computers, desks, storage cabinets, lockers, etc. belong to the City of Allegan and are subject to search or investigation.

COMPUTER and EMAIL USAGE

I. PURPOSE

To establish policies and procedures regarding computer and email usage.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Computers, computer files, any E-mail system, and software furnished to employees are City property intended for business purposes only. Use of the City Of Allegan computer equipment for personal reasons is prohibited and all computer pass codes must be available to the City Of Allegan at all times. Employees should not use a password, access a file, or retrieve any stored communication without authorization. The City prohibits the use of computers and any E-mail system in ways that are disruptive, offensive to others, or harmful to morale. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The City prohibits the illegal duplication of software and its related documentation. Employees should notify their immediate Supervisor, the City Manager or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment. The City of Allegan reserves the right to enter, search and monitor the computer files or email of any employee, without advance notice, for business purposes, such as investigating theft, disclosure of confidential business or proprietary information, personal abuse of the system or monitoring workflow or productivity.

SOCIAL MEDIA

I. PURPOSE

To establish policies and procedures regarding employee use of social media sites.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City and its employees have a responsibility to promote a positive and professional working environment. As part of this responsibility, the City must ensure that employees' use of social media does not interfere with the professionalism, integrity, or reputation of the City or that of its employees.

Social Media encompasses Internet applications that are based on user participation and allow for the creation and exchange of user generated content. Examples include Facebook, Twitter, blogging, messaging, and other technologies. We expect employees of the City will engage in various forms of social media; however, it is important for employees of the City to know the City's policy.

These guidelines are designed to help you, the employee, navigate through social media technologies while protecting the reputation and credibility of the City of Allegan, its employees, and its citizens. Whether you are creating a social media site, commenting on a social media site, or blogging, this policy will help you understand how the City policies apply. Failure to follow this policy could result in disciplinary action. Electronic communication with internal or external employees, citizens, or vendors is not considered social media and is not covered under this policy.

This policy is not intended to interfere with rights vested under the National Labor Relations Act or the Public Employment Relations Act.

The following guidelines apply to all forms of social media whether for personal or professional use.

1. Adhere to all City policies.
2. Adhere to the City anti-discrimination and anti-harassment policies.
3. Never disclose City confidential information over social media sites. This includes City privileged information including financial information, legal matters, or rumors. Never disclose information about an employee, citizen, or vendor of City that was gained while in the employ of City.
4. If you are unsure whether your post or site is a violation of the Social Media Policy, consult the City Manager before posting or creating a site.

5. Be respectful and courteous. Don't make posts, comments, or blogs that could be considered defamatory, libelous, harassing, threatening, or obscene. A threat of any kind will be taken seriously. When disagreeing with another's opinion, keep your comments appropriate and tempered.
6. Be aware of consequences. You are accountable for anything you post. Your posts, comments, and blogs are permanent and can be retrieved even after they have been deleted.
7. Edit carefully. To ensure the quality of social media, review for accuracy, neatness, and overall comprehensive. A clear and concise message is better received.
8. Stay on topic. Make meaningful posts about the topic and refrain from going off-topic. Don't "spam" or make repetitive posts.
9. Minimize security risks. A compromised account can cause numerous integrity and confidentiality issues. To minimize security risks, choose a log-in and password that is not based on any easily identifiable traits such as children's names or last names. Sites should be monitored. Posts that are from an unrecognizable source, spam, and sites that you do not frequently visit should be deleted. Do not open links that are from an unrecognizable source.
10. Think before you send. Once submitted, messages and posts cannot be withdrawn.
11. The use of social media should not interfere with or compromise your responsibilities at the City.
12. Never visit a site deemed inappropriate or illegal at work.
13. Do not use your [City] email as your contact address unless it is for authorized City purposes.
14. If in a posting you mention you are an employee of the City, disclose your relationship to the City and use a disclaimer. The disclaimer should state that the opinions and views expressed are the employee's own and do not reflect the opinions and views of the City.
15. Managers should never post or comment regarding past or current employees.
16. Managers should never circumvent an employee's or applicant's privacy settings by pretending to be someone else in order to gain access to restricted sites.
17. Prior to taking any employment action or disciplinary action based on information gained from a social media site, contact the City Manager. By visiting a social media site, you may inadvertently become aware of an employee's or applicant's protected information such as age, race, marital status, pregnancy or disability.

Violations of this policy should be reported to the City Manager.

GIFTS AND FAVORS

I. PURPOSE

To establish policies and procedures regarding gifts and favors.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees shall not accept loans, gifts of money or goods, services or any other arrangements for personal benefit under any circumstance directly or indirectly involving possible influence or appearance of influence upon the manner in which they perform work, make decisions or otherwise discharge their duties as a City employee.

SMOKING

I. PURPOSE

To establish policies and procedures regarding smoking.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Smoking is prohibited in City facilities, except any specially designated areas. Smoking in any undesignated areas of buildings controlled by the City shall be prohibited.

CONCEALED WEAPONS POLICY

I. PURPOSE

To establish policies and procedures regarding concealed weapons.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Weapons are not permitted on or within City Property at any time except by law enforcement personnel authorized to carry a weapon. Further, City employees shall not carry a weapon (concealed or not) while at work or while performing duties for the City, while driving a City vehicle, or while on City property. Those in violation of this policy shall be subject to discipline up to and including termination.

PERSONAL APPEARANCE AND CONDUCT

I. PURPOSE

To establish policies and procedures regarding personal appearance and conduct.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees are expected to present a suitable and well-groomed appearance at all times and their dress shall be appropriate for their position. Good personal hygiene habits must be maintained. Each Department Head is responsible for establishing their specific dress code criteria for the appropriate job duties. All city employees, however, are to comply with the following appearance criteria:

Hair. Hair should be clean, combed and neatly trimmed or arranged. Style and color should also be kept in a professional manner. This pertains to sideburns, moustaches and beards.

Facial Piercings. Facial piercings and facial body art are not permitted while on duty. Ear piercings, although acceptable, shall be kept within professional levels.

Employees shall refrain from conduct, which will reflect adversely on their personal reputation and/or that of the City.

CHAPTER III

PROMOTIONAL OPPORTUNITIES

PROMOTIONAL OPPORTUNITIES

I. PURPOSE

To establish policies and procedures regarding promotional opportunities.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

When a full-time or regular part-time job vacancy occurs in a position within the City, notice of the job or vacancy shall be advertised by such means as deemed appropriate by the City Manager. Employees interested in the vacancy may file a written application by the deadline established in the announcements. The City Manager shall give due consideration to all applicants for the vacancy. The applicant considered by the City Manager to be the best qualified shall be awarded the vacancy provided, however, the City Manager may determine that none of the applicants are qualified and leave the position open or seek further applicants.

JOB TRANSFERS

I. PURPOSE

To establish policies and procedures regarding job transfers.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees who receive a new job within the City shall be required to serve a new job probationary period of sixty (60) working days in the new position to prove that they have the skill and ability to perform all the requirements of the position. If the employee fails to meet all the requirements of the position to the satisfaction of the Manager, the employee will be transferred back to the employee's prior classification; provided, however, that the Manager may disqualify an employee and return the employee to the employee's prior classification at any time during the new job probationary period. An employee may, in the City's discretion, be returned to their former classification during this period upon the employee's request.

CHAPTER IV

HOURS OF WORK

HOURS OF WORK

I. PURPOSE

To establish policies and procedures regarding hours of work.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The regular work hours of all City employees shall be determined by each Department Head and the City Manager. Nothing contained herein shall be construed to constitute a guarantee of any particular number of hours of work or pay per day or hours of work or pay per week. The City may change an employee's normal workweek and workday whenever it determines that operating conditions warrant such changes. The City will notify an employee in advance as to starting and quitting times and any changes which may become necessary.

OVERTIME

I. PURPOSE

To establish policies and procedures regarding overtime.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

All employees shall be expected to work overtime upon request and shall be considered a mandatory part of every position with the City. Overtime must be authorized in advance by the employee's Supervisor.

MEAL PERIODS

I. PURPOSE

To establish policies and procedures regarding meal periods.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Meal periods are unpaid and shall be scheduled by the Supervisor of each department so as not to interfere with prompt and efficient service to the public.

BREAK PERIODS

I. PURPOSE

To establish policies and procedures regarding break periods.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Supervisors will attempt to provide employees with a fifteen (15) minute break period during the first half of their work day and a fifteen (15) minute break period during the second half of their work day. Break periods may be eliminated in a particular day due to the needs of the Department. All break periods will be scheduled by Supervisors so as to not interfere with the prompt and efficient service to the public.

ABSENTEEISM AND TARDINESS

I. PURPOSE

To establish policies and procedures regarding absenteeism and tardiness.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

It is important that employees report promptly for work and remain at work until the end of the work schedule. In the event that employees are unable to report for work, they must notify their Supervisor as soon as possible, but no later than the beginning of the work day. Unexcused or excessive absenteeism and tardiness will not be tolerated and will be grounds for disciplinary action or discharge. An employee shall not be late for his or her shift and/or be absent from work without prior approval for more than five days during any three month period or fifteen days in a twelve month period. In the event an employee is absent for three consecutive days without notifying the Supervisor, the employee will be considered a voluntary quit.

TIME REPORTING

I. PURPOSE

To establish policies and procedures regarding time reporting.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

All hourly employees are required to record their hours of work through submission of weekly time reports to their Department Head indicating any deviation from their regular hours and the type of leave to be utilized for the period of the absence.

CHAPTER V

EMPLOYEE COMPENSATION

EMPLOYEE COMPENSATION

I. PURPOSE

To establish policies and procedures regarding employee compensation.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

A pay range is maintained for each job classification. Paychecks will only be released by email to other persons upon the signed authorization of the employee. Employees are classified by the City as either “salaried exempt” or “hourly non-exempt”. Salary exempt employees are those employed in executive, administrative or professional positions exempt from the overtime and minimum wage requirements of the Fair Labor Standards Act (FLSA). Hourly non-exempt employees are those who do not fall into the exempt categories and are not exempt from the requirements of the FLSA.

OVERTIME PAY

I. PURPOSE

To establish policies and procedures regarding overtime pay.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Hourly non-exempt employees shall be paid one and one-half (1-1/2) times their regular straight time rate of pay for all hours actually worked in excess of forty (40) in any workweek.

ADMINISTRATIVE TIME

I. PURPOSE

To establish policies and procedures regarding administrative time.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Salary Exempt employees are not legally entitled to overtime pay when they work more than forty (40) hours in the work week. Nevertheless, when a salaried exempt employee (below the level of department manager) works in excess of his/her normal work week (typically 40 hours per week), the City Manager may authorize “additional compensation” in the form of one (1) hour of administrative time for each hour worked over forty (40) in the work week for the exempt employee’s added efforts. “Additional compensation” will generally take the form of administrative time off. An employee can bank up to forty (40) hours of Administrative time off. Administrative time off not used within one (1) year of being awarded will be lost.

Administrative Time will be tracked in the City’s Payroll system after being authorized by the appropriate supervisor.

PAY PERIODS

I. PURPOSE

To establish policies and procedures regarding pay periods.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees will be paid every other Tuesday through direct deposit. Paychecks will cover a two (2) week period, which starts Monday and ends on the Sunday proceeding the payday. Paychecks will only be released to other persons upon the signed authorization of the employee. The City may change an employee's normal pay period whenever it determines that operating conditions warrant such changes. The City will notify an employee in advance as to any changes, which may become necessary.

CALL IN PAY

I. PURPOSE

To establish policies and procedures regarding call in pay.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Hourly employees who are called in to work at times other than their regularly scheduled shift shall be paid at their regular straight time rate of pay for two (2) hours or for the time actually worked at the appropriate rate, whichever is greater. The provisions of this section do not apply in instances where the employee is called in to work prior to the start of the employee's regularly scheduled shift and continues to work through the start of their regularly scheduled shift or who continue to work past the end of their regularly scheduled shift.

WORK TIME LOST

I. PURPOSE

To establish policies and procedures regarding work time lost.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

City services remain operational during severe weather periods and employees are expected to report for and remain at work unless City operations are officially closed by the Manager. In the event that weather conditions prevent an employee from reporting for work at their scheduled time, the employee must notify their Supervisor as soon as possible.

If an employee is unable to report to work due to emergency conditions caused by severe weather or a natural disaster, payment for the time not worked may be received in accordance with the following four options:

- (a) If work is available, the lost time may be made up within the current pay period.
- (b) Deduct the lost time from accumulated PTO.
- (c) Deduct the lost time from earned PTO.
- (d) The employee may choose to receive no pay for days missed.

If the employee's Supervisor has no work to be performed, or if an employee has no earned PTO, no pay shall be received for the time lost.

LONGEVITY PAY

I. PURPOSE

To establish policies and procedures regarding longevity pay.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

On or after December 1 of each year, a regular full-time or part-time employee hired prior to January 01, 2007 employed as of that date who has completed five (5) or more years of continuous service with the City as of the last anniversary date of his or her employment shall receive in a lump sum payment a longevity bonus in accordance with the following schedule:

0-4 years	\$0.00
5-9 years	\$250.00
10-14 years	\$400.00
15 or more years.....	\$500.00

RETIREMENT

I. PURPOSE

To establish policies and procedures regarding retirement.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City provides a defined contribution Retirement Plan for City employees who meet minimum eligibility requirements as set forth in the Plan. The major provisions of this Plan are set forth in the Summary Plan Description for the City Money Purchase Pension Plan. Please refer to the Summary Plan Description for details on the Plan.

DEFERRED COMPENSATION

I. PURPOSE

To establish policies and procedures regarding deferred compensation.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City is a member of the Public Employee Benefit Services Corp. and the International City Management Association/Retirement Corporation. These organizations operate several investment funds, which allow eligible employees to invest part of the employee's income on a tax-free basis. The investment is not subject to federal income tax until such time as it is withdrawn (normally at retirement when tax rates would be lower). Any full-time employee is eligible to participate. See the Finance Director for further details.

PAYROLL DEDUCTIONS

I. PURPOSE

To establish policies and procedures regarding payroll deductions.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Certain required deductions are made from employee paychecks. Federal withholding tax is deducted in accordance with the number of exemptions claimed by an employee on the W-4 withholding exemptions certificate that is on file in the office of the Finance Director. Social security tax and state income tax are also withheld as required by law. All deductions, except those required by law, require advance written consent of the employee.

CHAPTER VI

LEAVES OF ABSENCE

UNPAID TIME OFF.

I. PURPOSE

To establish policies and procedures regarding unpaid time off.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

At one time or another an employee may find it necessary to take some time off from work. Employees who have completed the introductory period may be granted a leave of absence upon approval of the Manager. Employees shall retain and continue to accumulate years of service in accordance with the terms of the approved leaves of absence. Requests for leaves of absence shall be made in writing and signed, stating the reasons the leave is requested, the length of time the employee desires, and given to the Department Head for review and comment. The Department Head shall transmit the request to the Manager. Leaves of absence shall be without pay and benefits, except as otherwise provided in this Manual. An employee who fails to return to work upon termination of the leave of absence shall be presumed to be a voluntary quit. Normally, leaves of absence in excess of six months will not be granted. If additional time is required, the employee must re-apply no later than fifteen days prior to the expiration of the approved leave of absence. The extended leave of absence will be reviewed based on the circumstances of the request and the needs of the City at the time. PTO must be used. See Appendix A for FMLA.

FAMILY AND MEDICAL LEAVE

I. PURPOSE

To establish policies and procedures regarding Family and Medical Leave.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees who have been employed for at least 12 months are eligible for leaves of absence for family and medical reasons under the terms and conditions set forth in Appendix A and as those terms and conditions are supplemented and explained by the Family and Medical Leave Act of 1993 (FMLA) and the regulations issued under that act, provided that they are employed at a work site where 50 or more employees of the Employer are employed within a 75 mile radius and were employed for at least 1,250 hours of service during the 12 month period immediately preceding the commencement of the requested leave:

(a) Qualifying Reasons for Leaves.

- (1) The birth of a son or daughter, and to care for the newborn child;
- (2) The placement with the employee of a son or daughter for adoption or foster care;
- (3) To care for the employee's spouse, son, daughter, or parent with a serious health condition;
- (4) Because of a serious health condition that makes the employee unable to perform the functions of his or her job; and
- (5) Because of any "qualifying exigency" arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces in support of a contingency operation.

An eligible employee is entitled to a total of 12 workweeks of leave for the reasons listed in subparagraph's (1) through (4) during a "rolling" 12-month period measured backward from the date an employee uses any leave.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a "covered service member" shall be entitled to a total of 26 workweeks of leave to care for the service member and/or in combination with their 12 weeks of leave for the reasons previously described. Employees are, at most, entitled to combined general leave and service member family leave totaling 26 weeks during any "rolling" 12-month period.

For purposes of leaves under subparagraphs (3) and (4) above, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves (a) inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care City,

including any period of incapacity, or any subsequent treatment in connection with such inpatient care; or (b) continuing treatment by a health care provider. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems and periodontal disease are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave.

Continuing treatment includes (i) a period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves treatment two or more times by a health care provider or treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider; (ii) any period of incapacity due to pregnancy, or for prenatal care; (iii) any period of incapacity or treatment for such incapacity due to a chronic serious health condition; (iv) a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective; and (v) any period of absence to receive multiple treatments by a health care provider for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment. A period of incapacity means an inability to work, attend school, or perform other regular daily activities due to the serious health condition or its treatment and recovery.

(b) Requests for Leave. Employees desiring leaves of absence under this section shall provide written notice to the Employer setting forth the reasons for the requested leave, the anticipated start date of the leave, and its anticipated duration. The timing of this notice shall be as follows:

- (1) Foreseeable leaves. An employee must provide at least 30 days advance notice before the leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or of a family member. If 30 days notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin or a change in circumstances, notice must be given as soon as possible. Employees are expected to consult with the Employer prior to the scheduling of planned medical treatment in order to work out a treatment schedule which best suits the needs of both the Employer and the employee and the Employer may, for justifiable cause, require an employee to attempt to reschedule treatment, subject to the ability of the health care provider to reschedule the treatment and the approval of the health care provider as to any modification of the treatment schedule. In the event that an employee fails to give the required notice with no reasonable excuse for the delay, the Employer may deny the taking of the leave until at least 30 days after the date the employee provides notice to the Employer of the need for the leave.
- (2) Unforeseeable leaves. When the need for leave, or its approximate timing, is not foreseeable, an employee shall give notice to the Employer as soon as practicable under the facts and circumstances of the particular case. It is

expected that an employee will give notice to the Employer within no more than one or two working days of learning of the need for leave, except in extraordinary circumstances. In the case of a medical emergency requiring leave because of an employee's own serious health condition or to care for the employee's spouse, son, daughter or parent with a serious health condition, written advance notice is not required.

Employees shall provide notice to the Employer either in person or by telephone, telegraph, facsimile ("fax") machine or other electronic means. Notice may be given by the employee's representative (e.g., a spouse, family member or other responsible party) if the employee is unable to do so personally. The employee or representative will be expected to provide more information when it can readily be accomplished as a practical matter, taking into consideration the situation.

The Employer has the obligation to determine if a particular leave request qualifies for FMLA leave. This determination shall be promptly communicated to the employee as soon as the Employer has received sufficient information to make a determination if a requested leave qualifies as FMLA.

(c) Medical Certification. A request for leave to care for the employee's spouse, son, daughter, or parent with a serious health condition, or due to the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position, must be supported by a certification issued by the health care provider of the employee or the employee's ill family member. The employee must provide the requested certification to the Employer within 15 calendar days, unless it is not practicable under particular circumstances to do so despite the employee's diligent, good faith efforts. An employee who fails to provide the certification may be denied the taking of leave until the required certification is provided.

If the Employer has reason to doubt the validity of a medical certification, it may require the employee to obtain a second opinion at the Employer's expense from a health care provider of its choice, provided that the selected health care provider cannot be employed on a regular basis by the Employer. If the opinions of the employee's and the Employer's designated health care providers differ, the Employer may require the employee at the Employer's expense to obtain certification from a third health care provider designated or approved jointly by the Employer and the employee. The Employer and the employee must each act in good faith to attempt to reach agreement on whom to select for the third opinion provider. This third opinion shall be final and binding.

The Employer may request recertification at any reasonable interval, but not more often than every 30 days, unless:

- (1) The employee requests an extension of leave;
- (2) Circumstances described by the original certification have changed significantly (e.g., the duration of the illness, the nature of the illness, complications); or

- (3) The Employer receives information that casts doubt upon the continuing validity of the certification.

The Employer may also require recertification of the employee's or the family member's serious health condition when it is prevented from recovering its share of health benefit premium payments made on the employee's behalf during a period of unpaid leave because the employee is unable to return to work after leave due to the continuation, reoccurrence, or onset of a serious health condition.

Employees whose leave was a result of a serious health condition that made the employee unable to perform their job are required to obtain and present certification from the health care provider that they are fit for duty and able to return to their work. This certification must be provided at the time the employee seeks reinstatement at the end of the leave, and the Employer may deny restoration until satisfactory certification is provided.

(d) Length of Leave. An employee is eligible for up to 12 workweeks of leave each year for the birth of a son or daughter, and to care for the newborn child; The placement with the employee of a son or daughter for adoption or foster care; To care for the employee's spouse, son, daughter, or parent with a serious health condition; and because of a serious health condition that makes the employee unable to perform the functions of his or her job. This year is based upon a "rolling" 12-month period measured backward from the date an employee uses any leave under this section. This 12 workweeks of leave may be taken in one continuous period or "intermittently or on a reduced leave schedule" under certain circumstances. "Intermittent leave" is leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time, and may include leave of periods from an hour or more to several weeks. A "reduced leave schedule" is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. Leave taken because of a birth or placement of a child for adoption or foster care may only be taken intermittently or on a reduced leave schedule with the prior written approval of the Employer. Leave taken to care for a sick family member or for an employee's own serious health condition may be taken intermittently or on a reduced leave schedule when medically necessary.

For intermittent leave or leave on a reduced leave schedule, there must be a medical need for leave (as distinguished from voluntary treatments and procedures) and it must be that such medical need can be best accommodated through an intermittent or reduced leave schedule. In the case of a request for intermittent leave or leave on a reduced leave schedule which is medically necessary, the employee shall advise the Employer of the reasons why the intermittent/reduced leave schedule is necessary and the schedule for treatment, if applicable. The treatment regimen and other information described in the certification of a serious health condition meets the requirement for certification of the medical necessity of intermittent leave or leave on a reduced leave schedule. Employees needing intermittent leave or leave on a reduced leave schedule must attempt to schedule their leave so as not to disrupt the Employer's operations. The employee and the Employer shall attempt to work out a schedule which meets the employee's needs without unduly disrupting the Employer's operations, subject to the approval of the health care provider.

If an employee requests intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, including during a period of recovery from a serious health condition, the Employer may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position. The alternative position must have equivalent pay and benefits. The Employer may also transfer the employee to a part-time job with the same rate of pay and benefits, provided the employee is not required to take more leave than is medically necessary. The Employer may not eliminate benefits which otherwise would not be provided to part-time employees; however, the Employer may proportionately reduce earned benefits where such reduction is normally made by the Employer for its part-time employees.

If an employee takes leave on an intermittent or reduced leave schedule, only the amount of leave actually taken is counted toward the maximum 12 weeks of leave. Where an employee normally works a part-time schedule or variable hours, the amount of leave is determined on a pro rata or proportional basis by comparing the new schedule with the employee's normal schedule. If an employee's schedule varies from week to week, a weekly average of the hours worked over the 12 weeks prior to the beginning of the leave period is used for calculating the employee's normal workweek.

Employees must utilize available paid leave and cannot elect to have unpaid leave in order to retain paid leave for use at other times. Upon the exhaustion of accrued paid leave days, the remainder of the leave shall be without pay.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a "covered service member" shall be entitled to a total of 26 workweeks of leave to care for the service member and/or in combination with their 12 weeks of leave for the reasons previously described. Employees are, at most, entitled to combined general leave and service member family leave totaling 26 weeks during any "rolling" 12-month period.

(e) Benefit Status While on Leave. While on leave, an employee's coverage under any group health plan shall be continued on the same conditions as coverage would have been provided if the employee had been continuously employed during the entire leave period. An employee may choose not to retain health coverage during the leave, and upon return from the leave is entitled to reinstatement of the group health plan coverage without any qualifying period, physical examination, or exclusion of pre-existing conditions.

Except as required by the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), the Employer's obligation to maintain health benefits ceases when an employee informs the Employer of their intent not to return from leave (including at the start of leave if the Employer is so informed before the leave starts), or the employee fails to return from leave and thereby terminates employment, or the employee exhausts their leave entitlement.

The Employer may recover its share of health plan premiums paid during a period of unpaid leave from an employee if the employee fails to return to work after the employee's leave entitlement has been exhausted or expires, unless the reason the employee does not return is due to:

- (1) The continuation, recurrence, or onset of a serious health condition which would entitle the employee to leave under this section, unless the Employer requests medical certification and the employee does not provide such certification in a timely manner (within 30 days); or
- (2) Other circumstances beyond the employee's control.

The Employer's right to recover its share of health premiums paid during periods of unpaid leave extends to the entire period of unpaid leave taken by the employee. When an employee fails to return to work, except for the reasons stated above, health premiums paid by the Employer during a period of leave are a debt owed by non-returning employee to the Employer. In the circumstances where recovery is allowed, the Employer may recover its share of health insurance premiums through deduction from any sums due to the employee (e.g., unpaid wages, vacation pay, profit sharing, etc.). Alternatively, the Employer may initiate legal action against the employee to recover its share of health insurance premiums.

(f) Rights Upon Return to Work. On return from leave, an employee shall be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, unless the employee is no longer qualified for the position because of their physical or mental condition or the failure to maintain a necessary license or certification.

PROCEDURE

In order to comply with the provisions of the FMLA, the following procedures shall be followed:

(a) Posting Requirements. A notice explaining the Act's provisions and providing information concerning the procedures for filing complaints of violations of the Act with the Wage and Hour Division shall be posted in conspicuous places where employees are employed. The notice must be posted prominently where it can be readily seen by employees and applicants for employment, and shall be large enough to be easily read and contain fully legible text. In the event that a substantial portion of the workforce is comprised of workers who are not literate in English, the notice shall be provided in a language in which the employees are literate.

(b) General Notice Requirements. The information concerning FMLA entitlements and employee obligations under the FMLA as set forth in the Wage and Hour Division FMLA Fact Sheet shall be included in written guidance to employees concerning employee benefits or leave rights. In addition, information regarding the employer's policies regarding the FMLA shall be included in this written guidance.

(c) Specific Notice Requirements. Written notice shall be given to the employee the first time in each six month period that an employee gives notice of the need for FMLA leave. The notice shall be given within a reasonable time after notice of the need for leave is given by the employee, within one or two business days if feasible, and shall be given in a language in which the employee is literate. If leave has already begun, the notice should be mailed to the employee's address of record. This notice shall include, as appropriate:

- (1) That the leave will be counted against the employee's annual FMLA leave entitlement;
- (2) Any requirements for the employee to furnish medical certification of a serious health condition and the consequences of failing to do so;
- (3) The employee's right to substitute paid leave and whether the employer will require the substitution of paid leave and the conditions related to any substitution;
- (4) Any requirement for the employee to make any premium payments to maintain health benefits and the arrangements for making such payments, and the possible consequences of failure to make such payments on a timely basis (i.e., the circumstances under which coverage may lapse);
- (5) Any requirement for the employee to present a fitness for duty certificate to be restored to employment;
- (6) the employee's status as a key employee and the potential consequence that restoration may be denied following FMLA leave, explaining the conditions required for such denial;
- (7) The employee's right to restoration to the same or an equivalent job upon return from leave;
- (8) the employee's potential liability for payment of health insurance premiums paid by the employer during the employee's unpaid FMLA leave if the employee fails to return to work after taking FMLA leave.

If the specific information provided in the notice changes with respect to a subsequent period of FMLA leave during the six month period, the employer shall within one or two business days after receipt of the employee's notice of need for leave provide written notice referencing the prior notice and setting forth any information that has changed.

Written notification of the need to provide medical certification or a fitness for duty report shall be given with respect to each employee notice of a need for leave unless the initial notice in the six-months period and the written documents describing the employer's leave policies clearly provide that certification or a fitness for duty report would be required. Oral notification of this requirement must be made if subsequent written notification is not provided.

(d) Review of the Adequacy of Medical Certification. An employee requesting FMLA leave to care for the employee's seriously-ill spouse, son, daughter, or parent, or due to the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position must be supported by a certification issued by the health care provider of the employee or the employee's ill family member.

Additional information cannot be requested from the employee's health care provider after an employee submits a complete certification signed by the health care provider, unless the employee is also on a workers compensation leave of absence. However, a health care provider representing the employer may contact the employee's health care provider, with the employee's permission, for purposes of clarification and authenticity of the medical certification.

If the Employer has reason to doubt the validity of a medical certification, it may require the employee to obtain a second opinion at the Employer's expense from a health care provider of its choice, provided that the selected health care provider cannot be employed on a regular basis by the Employer. If the opinions of the employee's and the Employer's designated health care providers differ, the Employer may require the employee at the Employer's expense to obtain certification from a third health care provider designated or approved jointly by the Employer and the employee. The Employer and the employee must each act in good faith to attempt to reach agreement on whom to select for the third opinion provider. This third opinion shall be final and binding.

(e) Designation as FMLA Leaves. The Employer is responsible for designating leave, paid or unpaid, as FMLA qualifying. This designation decision must be based only upon information received from the employee or the employee's spokesperson. In instances where the Employer does not have sufficient information about the reason for an employee's use of paid leave, the Employer should inquire further of the employee or the spokesperson to ascertain whether the paid leave is potentially FMLA qualifying.

Once the Employer acquires knowledge that leave is being taken for an FMLA required reason, the Employer must promptly (within two business days absent extenuating circumstances) notify the employee that the paid leave is designated and will be counted as FMLA leave. The Employer's notice that the leave has been designated as FMLA leave may be given orally or in writing. If the notice is oral, it shall be confirmed in writing no later than the following payday.

If the leave is taken for an FMLA reason and has not been so designated by the Employer, an employee may request such designation by notifying the Employer within two business days of returning to work that the leave was for an FMLA reason.

(f) Recordkeeping. In addition to the records required to be maintained under the Fair Labor Standards Act, an employer shall keep for a period of at least three years the following information:

- (1) Dates FMLA leave is taken by FMLA eligible employees. Leave must be designated in records as FMLA leave; leave so designated may not include leave required under state law or an employer plan which is not also covered by FMLA.
- (2) If FMLA leave is taken by eligible employees in increments of less than one full day, the hours of the leave.
- (3) Copies of employee notices of leave furnished to the employer under FMLA, if in writing, and copies of all general and specific written notices given to employees. Copies may be maintained in employee personnel records.
- (4) Any documents describing employee benefits or employer policies and practices regarding the taking of paid and unpaid leaves.
- (5) Premium payments of employee benefits.
- (6) Records of any dispute between the employer and eligible employee regarding designation of leave as FMLA leave, including any written

statement from the employer or employee of the reasons for the designation and for the disagreement.

Records and documents relating to medical certifications, recertifications or medical histories of employees or employees' family members, created for purposes of FMLA, shall be maintained as confidential medical records in separate files/records from the usual personnel files.

DISABILITY LEAVE

I. PURPOSE

To establish policies and procedures regarding disability leave.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

After completion of the twelve (12) week family and medical leave requested because of a serious health condition which made the employee unable to perform the functions of their job, an unpaid supplemental disability leave of absence for injury, illness, pregnancy or other disability will be granted to employees who have completed the introductory period, subject to the City's right to require medical proof. Requests for disability leave shall be in writing, signed by the employee, and given to the Manager. An employee may be on a disability leave for a period of not more than six (6) months, including time on an FMLA leave. The Manager may request at any time, as a condition of continuance of a disability leave of absence, proof of a continuing disability. An extension of this period for up to six (6) additional months may be granted by the Manager, in his or her sole discretion, provided the extension is requested at least fifteen (15) days prior to the termination of the original leave period. In situations where the employee's physical or mental condition raises a question as to the employee's capacity to perform the job, the Manager may require a medical examination and, if appropriate, require the employee to take a leave of absence under this section. Employees who are anticipating a leave of absence under this section may be required to present a physician's certificate recommending that the employee continue at work and in all cases, the employee's attendance and job responsibilities must be satisfactorily maintained. Employees are required to notify the Manager of any condition which will require a leave of absence under this section together with the anticipated date for commencement of such leave. This notice shall be given to the Manager by the employee as soon as the employee is first aware of the condition. All employees returning to work from a disability leave of absence must present a physician's certificate establishing to the Manager's satisfaction that the employee is physically and/or mentally able to perform the employee's job.

WORKERS COMPENSATION LEAVE

I. PURPOSE

To establish policies and procedures regarding workers compensation leave.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

A workers compensation leave of absence for a period of not more than six (6) months, including time on a FMLA leave, will be granted to employees who have completed the Introductory Period and who are unable to continue to work for the City because of a work related injury, illness, or other disability for which the employee is entitled to receive benefits under the workers compensation laws of the State of Michigan and is receiving voluntary payments from the City, subject to the right of the City to require medical proof. In all cases of workers compensation injuries, the employee must be seen by a physician designated by the City. Requests for workers compensation leave shall be in writing, signed by the employee, and given to the Manager. An extension of this period for up to six (6) additional months may be granted at the discretion of the Manager, provided the extension is requested prior to the end of the original leave period. The City may request at any time, as a condition of continuance of a workers compensation leave of absence, proof of a continuing inability to perform work for the City. In the event that the City on the advice of a physician selected by the City, determines that the employee is capable of returning to work, with restriction the City will make every effort to accommodate in the department the employee is regularly scheduled, however duties outside your department may be utilized. During the period of a worker's compensation leave of absence, the employee shall receive worker's compensation payments, but the leave shall otherwise be without pay or accruing benefits except as otherwise specifically provided elsewhere in these Policies. Employees on workers compensation leave are still responsible for paying their insurance co-pay amounts. All employees returning to work from a workers compensation leave of absence must present a physician's certificate establishing to the City's satisfaction that the employee is physically and mentally able to perform the employee's job.

The City reserves the right to create light duty positions to aid employees to return to their full-time position. However, the number and duration of light duty assignments shall be at the sole discretion of the City, and such positions shall be used solely to assist employees with the transition to full-time duty.

MILITARY LEAVE AND REINSTATEMENT

I. PURPOSE

To establish policies and procedures regarding military leave and reinstatement.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees required to perform active duty for training or to perform emergency duty in any reserve component of the Armed Forces of the United States or the National Guard shall be granted a leave of absence for the period of such training or emergency duty upon request and the presentation of proper documentation from the employee's Commanding Officer. For each day that a full-time employee is on such leave when the employee otherwise would have worked, the employee will be paid the difference between the employee's straight time regular rate of pay for eight (8) hours and the amount the employee received for such training, for up to a maximum of ten (10) days per year. Evidence of military pay sufficient to the City must be provided. The provisions of this Section do not apply to an employee's initial period of active duty for training.

JURY DUTY LEAVE

I. PURPOSE

To establish policies and procedures regarding jury duty leave.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees summoned by a court to serve as jurors shall be given a jury leave of absence for the period of their jury duty. In order to be eligible to receive jury duty pay, an employee must:

- (a) Be a regular full-time or regular part-time employee;
- (b) Give their Supervisor reasonable advanced notice of the time that the employee is required to report for jury duty;
- (c) Give satisfactory evidence that the employee served as a juror at the summons of the court on the day that the employee claims to be entitled to jury duty pay;
- (d) Return to work promptly after being excused from jury duty service.

BEREAVEMENT LEAVE

I. PURPOSE

To establish policies and procedures regarding bereavement leave.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

In the event that a death occurs in an employee's immediate family, an employee shall be granted up to three (3) consecutive paid days of leave. "Immediate family" shall mean the employee's current spouse, children, mother, father, sister, brother, grandparents, grandchildren, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law. Employees who lose work from their regularly scheduled hours while on such leave shall receive pay at their regular rate for all time lost for up to the number of hours the employee was regularly scheduled to work on the days missed. No bereavement leave will be paid for any day on which a holiday falls, but the paid holiday shall be construed as a paid day in lieu of one of the bereavement leave days referred to herein. No bereavement leave will be paid to any employee while on vacation, leave of absence or layoff, but an individual may reschedule the vacation at a later date and receive bereavement leave. Bereavement leave requests for persons not listed herein may be taken from accumulated PTO up to the number of hours the employee was regularly scheduled to work on the days missed upon the approval of the Manager. Upon being presented with special circumstances, the Manager may approve additional leave.

RETURN TO WORK AFTER LEAVE OF ABSENCE

I. PURPOSE

To establish policies and procedures regarding return to work after leave of absence.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees returning from approved paid leaves of absence, family and medical leave, or military service leave will be reinstated to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Employees returning from other leaves of absence shall be offered reinstatement to the employee's former job classification if a position is currently open and available. If there is no position currently open and available in the employee's former job classification, reinstatement shall not occur until a position in the employee's former job classification becomes open and available. The City reserves the right not to reinstate any employee who is no longer qualified for the position because of their physical or mental condition or the failure to maintain a necessary license or certification. This section shall be implemented consistent with the requirements of federal and state disability discrimination laws and the federal FMLA.

DONATING BLOOD

I. PURPOSE

To establish policies and procedures regarding donating blood.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

All city staff are eligible to take a 2 hour paid leave from work up to, but no more than, three times each year specifically for the activity of donating blood locally in Allegan (or related, i.e. plasma) to the Red Cross or similar volunteer or established entity. This time will not be deducted from a staff member's available PTO time, but is instead a "donation" of time to the employee from the City of Allegan as employer. However, individuals on said leave are not performing services for, or on behalf of, the City. In order for this benefit to qualify, the following criteria must be met:

- (a) Staff must pre-arrange time off with Department Supervisor, or reporting entity, prior to taking a time donation.
- (b) If a staff member needs more than 2 hours, this must be pre-arranged with Department Supervisor. The Department Supervisor reserves the right to require this additional time to be deducted from available PTO time.

Staff is to consider the potential health concerns following the blood donation in regard to safety in returning to work. It is advised that staff who chooses to donate seek counsel with a blood drive staff or volunteer to ensure the necessary precautions are taken to preserve health and welfare upon return to work.

CHAPTER VII

HOLIDAYS

RECOGNIZED HOLIDAYS

I. PURPOSE

To establish policies and procedures regarding recognized holidays.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The following (10) days shall be recognized by the City as holidays: New Year's Day, Good Friday, Memorial Day, July 4th, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve and Christmas Day. Holidays falling on Sunday will be observed by the City the following Monday. Holidays falling on Saturday will be observed by the City the preceding Friday.

HOLIDAY PAY

I. PURPOSE

To establish policies and procedures regarding holiday pay.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Eligible employees who normally work an eight (8) hour shift shall receive eight (8) hours of pay at their regular straight time hourly rate for each paid holiday. Eligible employees who normally work a ten (10) hour shift shall receive ten (10) hours of pay at their regular straight time hourly rate for each paid holiday.

ELIGIBILITY FOR HOLIDAY PAY

I. PURPOSE

To establish policies and procedures regarding eligibility for holiday pay.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

To be eligible for holiday pay, an employee must be a regular full-time employee or regular part-time employee that is regularly scheduled to work the day of the holiday. Employees must have worked all of the scheduled hours he or she was scheduled to work the last day he or she was scheduled to work before the holiday and the next day following such holiday, except in cases where the employee's absence on such day or days is due to the fact that such day or days occur during his or her regularly scheduled vacation or unless such absence is excused by the Employer. An employee who is scheduled to work on a holiday and is absent without an excuse acceptable to the Manager shall not be eligible for holiday pay.

HOLIDAY PREMIUM PAY

I. PURPOSE

To establish policies and procedures regarding holiday premium pay.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

When an eligible employee is required to work on any day celebrated as one of the above recognized holidays (or on Easter Sunday or Veterans Day Sat/Sun), he/she shall be paid one and one-half (1½) times his or her straight time hourly rate for the hours worked.

OVERTIME PAY IN HOLIDAY WEEKS

I. PURPOSE

To establish policies and procedures regarding overtime pay in holiday weeks.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

When a pay week contains a holiday, overtime pay for employees will be based on forty (40) hours. Thus an employee (regardless of the number of hours worked per shift) will be paid overtime for all hours *actually worked* over 40 for a week in which a holiday or holiday's falls.

CHAPTER VIII

PAID TIME OFF (PTO)

PAID TIME OFF (PTO)

I. PURPOSE

To establish policies and procedures regarding Paid Time Off (PTO).

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

All full-time employees with the required years of service who shall have worked during the period establishing their eligibility as set forth below shall be granted paid time off in accordance with the following schedule, provided they have worked the requisite and qualifying number of hours:

<u>Years of Continuous Service Required</u>	<u>Hours Pay</u>
0 to 4 years	184 hours
5 to 9 years	224 hours
10 + years	264 hours

Part-time employees shall receive a pro rata equivalent of PTO.

PTO PAY

I. PURPOSE

To establish policies and procedures regarding PTO pay.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

PTO pay shall be at the employee's regular rate in effect at the time the employee takes paid time off. Employees will be paid PTO for time spent away from their regularly scheduled hours, but may not receive pay in lieu of PTO. No request for PTO time off will be approved unless the employee has earned PTO hours.

PTO SCHEDULING

I. PURPOSE

To establish policies and procedures regarding PTO scheduling.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

PTO time will be granted at the time desired by the employee, provided that such time off will not unreasonably interfere with the operation of the department and provided further, that if the requirements of the work are such, the Employer shall have the discretion to defer or delay PTO, but preferences will not be on the basis of years of service. A "Request for Time Off" form must be filled out and receive proper approvals in advance. Any PTO requests greater than 80 hours must have Department Head and Manager approval.

PTO ACCUMULATION

I. PURPOSE

To establish policies and procedures regarding PTO accumulation.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees may carry over eighty (80) hours of PTO for use in the following year. Any additional carry over must be pre-approved by the Manager.

PTO PAYOUT

I. PURPOSE

To establish policies and procedures regarding PTO payment.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees may cash out up to forty (40) hours, (pro-rated amount for part time employees) of PTO at the end of each year with the approval of the City Manager.

PTO BENEFIT ON TERMINATION

I. PURPOSE

To establish policies and procedures regarding PTO benefit on termination.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Employees who have completed the introductory period who leave the employment of the City may receive pay for accrued but unused PTO leave. Unless approved by the Manager, an individual terminated involuntarily by the City or who fails to provide at least two weeks notice before resigning will not be eligible to receive payment for accrued but unused PTO. Earned PTO is pay due to the employee for work performed the previous year.

TRANSFER OF PAID TIME OFF

I. PURPOSE

To establish policies and procedures regarding the transfer of paid time off.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

An employee may, at their discretion, elect to make a one-time transfer of up to 10% of their accumulated PTO time to another City employee. Transfers are limited as follows:

- (a) Minimum increment is one hour.
- (b) Maximum increment is ten percent (10%) of accumulated PTO leave currently recorded.
- (c) Not more than one transfer per employee may occur in a calendar year.
- (d) Recipient not to receive more than 480 hours of transferred PTO.

In order to transfer PTO an employee must fill out and sign a "PTO Transfer Request" in writing which shall include a statement of the circumstance(s) for the requested transfer and the number of hours/days requested to be transferred. Approval of the transfer is subject to the discretion of the Manager.

CHAPTER IX

INSURANCE

GROUP HEALTH INSURANCE PROGRAM

I. PURPOSE

To establish policies and procedures regarding the Group Health Insurance Program.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City makes available a group insurance program covering certain hospitalization, surgical, and medical expenses for participating employees and their eligible dependents. It also currently makes available to employees a prescription drug plan. These insurance programs shall be on a voluntary basis for all full-time employees who elect to participate in the insurance programs. The specific terms and conditions governing the group insurance programs are set forth in detail in the master policy or policies governing the programs as issued by the carrier or carriers. Summary descriptions of the programs are available. Employees electing to participate in the group health insurance and prescription drug plans shall advise the City in writing of this intent and shall make arrangements for payment of the employee's portion of the required monthly premium. Full-time employees are eligible to participate in the health insurance program after they have completed thirty (30) workdays of employment and any waiting periods required by the insurer.

GROUP DENTAL INSURANCE PROGRAM

I. PURPOSE

To establish policies and procedures regarding the Group Dental Insurance Program.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City makes available a group insurance program covering certain dental expenses for participating employees and their eligible dependents. This insurance program shall be on a voluntary basis for all full-time employees who elect to participate in the insurance program. The specific terms and conditions governing the group insurance program are set forth in detail in the master policy or policies governing the program as issued by the carrier or carriers. Summary descriptions of the program are available. Employees electing to participate in the group dental insurance plan shall advise the City in writing of this intent and shall make arrangements for payment of the employee's portion of the required monthly premium, if any.

OPTICAL INSURANCE

I. PURPOSE

To establish policies and procedures regarding optical insurance.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City makes available a group insurance program covering certain optical expenses for participating employees and their eligible dependents. This insurance program shall be on a voluntary basis for all full-time employees who elect to participate in the insurance program. The specific terms and conditions governing the group insurance program are set forth in detail in the master policy or policies governing the program as issued by the carrier or carriers. Summary descriptions of the program are available. Employees electing to participate in the group optical insurance plan shall advise the City in writing of this intent and shall make arrangements for payment of the employee's portion of the required monthly premium, if any.

TERM LIFE INSURANCE

I. PURPOSE

To establish policies and procedures regarding term life insurance.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

All full-time employees are eligible for term life insurance coverage after completion of the waiting period presently in effect. The specific terms and conditions governing this insurance program are set forth in detail in the master policy or policies governing the program as issued by the carrier or carriers. The City currently pays the entire premium for this coverage.

SHORT-TERM DISABILITY INSURANCE

I. PURPOSE

To establish policies and procedures regarding short-term disability insurance.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City makes available a group short-term disability program for all full-time employees. In general, the short-term disability insurance provides 66.67% of earnings (maximum \$800.00) up to twenty six (26) weeks commencing on the first day of accident and the eighth day of sickness. The specific terms and conditions governing the short-term disability program are set forth in detail in master policy or policies governing the program as issued by the carrier or carriers. The City currently pays the entire premium for this coverage.

CONTINUATION OF INSURANCE PREMIUMS

I. PURPOSE

To establish policies and procedures regarding continuation of insurance premiums.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

In the event that an employee eligible for insurance coverage is on an unpaid leave of absence, quits, or the employee's employment with the City is otherwise terminated, the City shall have no obligation or liability whatsoever for making any insurance premium payments for such employee or their lawful dependents beyond the month in which the quit, termination, or leave of absence occurs. Employees on approved unpaid leaves of absence may continue insurance benefits on a month-by-month basis by paying to the City, in advance, the amount of the next month's premium for that employee and/or their lawful dependents, subject to the approval of the insurance program. The City will resume payment of insurance premiums for eligible employees who return to work from unpaid leaves of absence (except for leaves under the FMLA) as of the first (1st) day of the premium month following the date of the employee's return to work. Eligible employees returning from approved FMLA leaves will be eligible for continued coverage as set forth in the City's approved FMLA Policy. The City will continue to pay the insurance premiums for eligible employees who are entitled to worker's compensation benefits on account of a job related injury during the period of the worker's compensation absence. Employees, their spouses and dependents that lose coverage due to a qualifying event will be entitled to continuation coverage at their expense pursuant to the requirements of federal COBRA law.

Employees on any leave of absence including workers compensation, FMLA, and other unpaid leaves are responsible for paying their insurance co-pay.

WORKERS COMPENSATION

I. PURPOSE

To establish policies and procedures regarding Workers Compensation.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Workers compensation coverage is provided for all employees. The City may allow the employee the use of PTO leave to supplement such payments at the discretion of the Manager.

UNEMPLOYMENT COMPENSATION

I. PURPOSE

To establish policies and procedures regarding unemployment compensation.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

All employees are covered under Michigan's unemployment compensation system.

PAYMENT IN LIEU OF HEALTH INSURANCE

I. PURPOSE

To establish policies and procedures regarding payment in lieu of health insurance.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

Full-time employees who elect not to enroll in the group medical insurance plan because they are eligible for coverage under another health insurance plan will be eligible to receive additional monthly compensation based upon their medical care coverage eligibility status. The amount of the additional compensation shall be set by the City and revised from time to time. The additional amount shall be paid to the employee (the amount will be divided equally among pay periods to be dispersed in the employee's regular paycheck), or placed in the employee's account in the city's deferred income plan. Employees not participating in the City's health programs must prove outside health coverage in order to receive opt out benefit. In the event a full time employee has a spouse also employed by the City on a full time basis, neither spouse will be eligible for the payment in lieu of insurance.

PLAN CHANGES

I. PURPOSE

To establish policies and procedures regarding plan changes.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City has the authority at any time to change carriers, employee contribution amounts or benefit levels in its group plans at the Manager's discretion when necessary. Changes to insurance benefits are available only during annual open enrollment or for those meeting specifications of a qualifying change in status.

CHAPTER X
GRIEVANCE PROCEDURE
PROBLEMS

I. PURPOSE

To establish policies and procedures regarding problems.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

In the event that an employee has a complaint or concern involving his or her employment, the grievance procedure is available to attempt to resolve the complaint. Nothing in this Procedure is intended to create any status of employment, other than at-will employment.

GRIEVANCE PROCEDURE

I. PURPOSE

To establish policies and procedures regarding grievances.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

All complaints/problems shall be handled in the following manner:

(a) Step 1. Oral Procedure to Supervisor. An employee with a complaint shall discuss the matter with the employee's Supervisor within ten (10) working days from the time the instance which gave rise to the problem occurred. The employee's Supervisor will give an oral answer to the employee as soon as reasonably possible. Every effort will be made to settle the complaint in this matter.

(b) Step 2. Written Procedure to Department Head. If the complaint is not settled satisfactorily at Step 1, the employee must record the complaint in writing and submit it to the employee's Department Head within five (5) working days of the Supervisor's oral answer. The writing must be signed by the employee and set forth the following:

- (1) A statement of the facts giving rise to the complaint;
- (2) A proposed resolution of the complaint;
- (3) The date that the employee received the step one (1) response.

The Department Head may schedule a conference with the employee to discuss the problem, and respond in writing within ten (10) work days after the receipt of the written complaint.

(c) Step 3. Written Procedure to City Manager. If the problem is not settled satisfactorily at Step 2, it may be appealed to the City Manager within five (5) working days of the Department Head's written response. The City Manager may schedule a conference with the employee to discuss the grievance. The City Manager will endeavor to respond within ten (10) work days of his receipt of the written statement of the complaint. The decision of the City Manager shall be final and binding.

CHAPTER XI

MISCELLANEOUS

MISCELLANEOUS STAFF BENEFITS

I. PURPOSE

To establish policies and procedures regarding miscellaneous staff benefits.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City believes that its employees should be recognized for the efforts that are put forth throughout the year. In an effort to reward achievements and instill high morale, it is the City's intention to provide two employee functions throughout the year. The first being an employee picnic in the summer/fall months. The second being an employee recognition and appreciation program held in December.

SOLICITATION

I. PURPOSE

To establish policies and procedures regarding solicitation.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City has always been interested in community fund raising drives. However, in order to maintain efficiency, unless otherwise approved, the following rules for solicitation and the distribution of literature must be followed:

- (a) Oral solicitations by employees are prohibited during working time in work areas. Employees are, however, permitted to engage in oral solicitations during their authorized break periods, meal times and other times when they are not required to be working, as long as the individuals being solicited are also on authorized break periods, meal time or otherwise not required to be working at the time the solicitation occurs.
- (b) The distribution by employees of printed or written materials of any kind is prohibited in work areas. Printed or written materials may only be distributed in non-work areas, and then only during authorized break periods, meal times and other times when the employee distributing the printed or written material is not required to be working.
- (c) Persons who are not City employees are not allowed to be in City working areas at any time to engage in either oral solicitation or distribution of printed or written materials.

SEXUAL HARASSMENT POLICY

I. PURPOSE

To establish policies and procedures regarding sexual harassment.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The sexual harassment of employees or members of the public by any City employee is strictly prohibited. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

- (a) Submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain employment;
- (b) Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment;
- (c) Such conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile or offensive employment environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body. The City forbids retaliation against anyone who has reported harassment. The City's policy is to investigate all such complaints thoroughly and promptly.

The City also discourages romantic relationships between Supervisors and subordinates and prohibits any such conduct that is unwelcome. Anyone who is an unwilling participant in such a relationship must notify the Manager immediately.

Violation of this rule prohibiting sexual harassment will subject the violator to discipline, up to and including immediate discharge.

An employee who believes he or she has been sexually harassed should immediately report such harassment to the employee's Supervisor or to the Manager. Supervisors are required to be alert to stop any sexual harassment from occurring in our work place and will forward reports to the Manager. All reports of sexual harassment will be investigated. An employee who believes the Manager has sexually harassed them should immediately report such harassment to their Supervisor or a member of the City Council.

CITY VEHICLE USAGE

I. PURPOSE

To establish policies and procedures regarding city vehicle usage.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

City owned vehicles shall be operated only by City employees with a valid operator's license. All employees are required to wear seat belts while operating or riding in any City vehicle equipped with seatbelts. The City reserves the right to update the driving record at least annually for all employees permitted access to City-owned vehicles. If it is determined that the employee's driving record is unacceptable, the City reserves the right to impose disciplinary action and/or a probationary prohibition on further vehicle use until corrective action or improvement of the driving record is obtained. Persons other than City employees may be passengers in City owned vehicles when such persons are official guests to the City, engaged in official business or when required for the conduct of official business and in any other case where prior approval is granted. City employees are expected to operate City owned vehicles in a safe and responsible manner at all times in accordance with state motor vehicle regulations and City ordinances.

Commuting to and from work in a city owned vehicle is considered personal use. In accordance with the IRS all personal use of a city owned vehicle is considered a non-cash fringe benefit and will be taxed within the IRS current commuting guidelines. This will be done annually and reflect on your W-2.

The method that the City of Allegan will be using to determine taxable value is the one-way commuting method.

Forms will be distributed to all employees that use city vehicles for personal use to identify how many round trips were made by the employee. These forms will be filled out and returned to the finance department quarterly.

Effective 06/1/2003

EDUCATION AND TRAINING

I. PURPOSE

To establish policies and procedures regarding education and training.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

It is the policy of the City to encourage employees to take advantage of training opportunities. Attendance of personnel at special workshops and seminars is based upon the needs of the City for information or training in special areas. Such attendance shall be at the discretion of the Manager and as approved by the City Council in the annual budget.

The City will reimburse up to \$1,500 annually (within a fiscal year) per Full-time Regular Employee for educational expenses subject to the following provisions:

- (a) A written request to the City Manager must be submitted for approval prior to enrollment. The request must include an outline and the recommendations of the department head.
- (b) The curriculum must be of direct and obvious benefit to the employee for the performance of his or her duties as an employee of the City.
- (c) Reimbursement is available only upon satisfactory evidence of a passing grade (B- in a graded course, or the minimum required grade established by the University when course grades are required to exceed a B- status).
- (d) Advance payment will be made only by special request to the City Manager. Expenditures in this instance must be reimbursed by the employee to the City in the event that the course is not completed satisfactorily (B- in a graded course, or the minimum required grade established by the University when course grades are required to exceed a B- status).
- (e) Before tuition will be provided by the City, Employees will be required to agree to sign a Tuition Reimbursement Policy that establishes a pay-back of tuition expenses to the City, should the employee choose to terminate employment within a given timeframe.

UNIFORMS

I. PURPOSE

To establish policies and procedures regarding uniforms.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

All employees who are required to wear uniforms shall be provided with same by the City. The City shall assume the cost of the necessary cleaning of such uniforms. Uniform replacements resulting from negligent loss or misuse by an employee shall be at the employee's expense. The City will deduct the cost of uniforms from an employee's final paycheck if the uniform(s) are not returned to the City upon termination of employment.

SAFETY SHOES

I. PURPOSE

To establish policies and procedures regarding safety shoes.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

An employee with a job in which safety shoes are required by the Department Head, may be reimbursed one time yearly up to a maximum of \$150 towards the purchase of a pair of approved safety shoes. The purpose of this payment is to reimburse the employee for added cost of a pair of safety shoes and encourage safety on the job. Proof of purchase will be supplied to the Department Head for submission to the City Manager for approval of reimbursement.

CHAPTER XII

DISCIPLINARY ACTION

GENERAL POLICY

I. PURPOSE

To establish policies and procedures regarding discipline.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

All employees are expected to conduct their private and professional lives in a manner, which reflects positively upon the City. Employees shall be courteous in their dealings with the public and other employees. Employees shall avoid any action that gives the appearance of impropriety. Adherence to this policy is essential for the City to maintain the public support necessary to carry out its functions.

IMPOSITION OF DISCIPLINE

I. PURPOSE

To establish policies and procedures regarding the imposition of discipline.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The imposition of disciplinary action is the responsibility of the Manager or Supervisor. Situations of a minor nature are handled informally by the employee's immediate Supervisor and result in a verbal warning conducted in private. The warning may be documented and placed in the personnel file. Offenses of a serious nature are to be documented in writing and retained in the employee's personnel file. Habitual minor offenses shall be considered serious and shall be entered into the personnel file. Terminations must have the prior approval of the Manager. Salaried exempt employees shall not be subject to unpaid disciplinary suspensions.

UNACCEPTABLE EMPLOYEE CONDUCT

I. PURPOSE

To establish policies and procedures regarding unacceptable employee conduct.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The City expects that the personal and professional conduct of its employees will conform to acceptable standards. In instances where an employee fails to comply with these standards, an attempt may be made to correct an employee's conduct through the use of progressive discipline, but commission of the following offenses or any other improper employee actions may result in disciplinary action up to and including discharge, depending upon the seriousness of the offense. This list of unacceptable employee conduct does not include all examples of improper conduct, but is provided for the guidance of employees. Employees with questions concerning the propriety of any contemplated action should consult with their Supervisor or the Manager before engaging in the activity.

APPENDIX A

WORK RULES AND DISCIPLINARY GUIDELINES

GROUP I

<u>Offense</u>	<u>Minimum</u>	<u>Maximum</u>
First	Warning	1 day suspension w/o pay
Second	1 day suspension w/o pay	3 days suspension w/o pay
Third	3 days suspension w/o pay	10 days suspension w/o pay
Fourth	5 days suspension w/o pay	15 days suspension w/o pay
Fifth	Discharge	

1. Late to work without an excuse acceptable to the City.
2. Failure to properly check in at the beginning of the work shift.
3. Failure to report personal injury or accident.
4. Inattentiveness to work: loafing, wasting time, failing to start work at the designated time, quitting work before the proper time or leaving the job during working hours without permission of the City.
5. Disregarding job duties by neglect of work, carrying on personal business or reading for pleasure.
6. Unexcused or unauthorized absence on one or more scheduled days of work.
7. Establishment of a pattern of sick leave abuse. Excessive absenteeism.
8. Failure to observe precautions for personal safety, posted rules, signs, safety instructions or to use protective clothing or equipment. Neglect or carelessness that leads to unsafe conditions of self, other employees or the public. Contributing to, or creating unsafe conditions.
9. Violating traffic regulations, reckless driving or improper operation of a motor vehicle owned by the City.
10. Careless workmanship resulting in spoilage or waste of materials or delay in production.

11. Failure to attend meetings called by the City without presenting an excuse acceptable to the City prior to the meeting.
12. Failure or delay in carrying out orders, work assignments or instructions.
13. Incompetence, inefficiency or unsatisfactory work performance.
14. Stopping work or making preparations to leave work without authorization before the lunch period, official break in work, or before specified quitting time.
15. Distracting the attention of other employees.
16. Violation of Solicitation and Distribution Policy.

GROUP II

<u>Offense</u>	<u>Minimum</u>	<u>Maximum</u>
First	Warning	5 days suspension w/o pay
Second	5 days suspension w/o pay	15 days suspension w/o pay
Third	10 days suspension w/o pay	Discharge

1. Smoking in unauthorized areas.
2. Permitting any person who is not an employee of the City of Allegan to enter or ride in a City vehicle without the authorization of the Supervisor. Police personnel excepted.
3. Unauthorized possession of, loss of, or damage to the City property or the property of others, or endangering the same through carelessness.
4. Gambling or unlawful betting on City premises.
5. Covering up or attempt to conceal defective work: removing or destroying the same without permission.
6. Unauthorized posting of notices or unauthorized removal of notices or signs from bulletin boards on City property.
7. Failure to report for overtime work without good reason after being scheduled to work according to overtime policy.
8. Use of City vehicle or City equipment or City buildings for other than employer directed use.
9. Disrespectful conduct; use of insulting, abusive threatening or obscene language toward subordinate, fellow employees or Supervisor.
10. Unauthorized use of City property for private work or performing private work on

City time.

11. Conviction of a misdemeanor or pleading "no contest" to a misdemeanor charge while in the employ of the City.

GROUP III

<u>Offense</u>	<u>Minimum</u>	<u>Maximum</u>
First	Warning	Discharge
Second	15 days suspension w/o pay	Discharge

1. Disorderly conduct; fighting or engaging in dangerous horseplay.
2. Threatening, intimidating, coercing or interfering with employees or supervision at any time.
3. Resisting competent authority.
4. Reporting for duty or being on duty under the influence of illegal drugs or intoxicants; unauthorized possession of, or attempting to, bring illegal drugs or intoxicants on City premises.
5. Selling, using or possessing intoxicants, illegal drugs or narcotics on City premises.
6. Sleeping during working hours.
7. Possession of firearms, explosives or other weapons on the employer's premises. Police personnel accepted.
8. Conviction of a felony or pleading "no contest" to a felony charge while in the employ of the City.
9. Conviction of drunk or reckless driving while operating a City owned vehicle.
10. Being under the influence of narcotics or drugs without the written orders of a physician during working hours.
11. The making or publishing of false, vicious or malicious statements concerning any employee, Supervisor, the City or its operation.
12. Actual or attempted theft of City property or the property of others.
13. Immoral, indecent or notoriously disgraceful conduct.
14. Discrimination against an employee or applicant contrary to State and federal anti-discrimination laws, and any reprisal action against an employee for reporting such discrimination.

15. Falsifications, misstatement, exaggeration, or concealment of facts in connection with the employment, promotion and record investigation or other proper proceeding concerning an employee or applicant.
16. Falsifying attendance records, time records, personnel records or any other City records or reports.
17. Disobedience to constitute authorities, or deliberate refusal to carry out any proper order from any Supervisor having responsibility for the work of the employee. Insubordination.
18. Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits, workmen's compensation or unemployment compensation payments.
19. Accepting bribes in the course of work.
20. Willful destruction of City property or equipment.

CHAPTER XIII

EXPENSES

BUSINESS EXPENSE REIMBURSEMENT / TRAVEL POLICY

I. PURPOSE

To establish policies and procedures regarding business expense reimbursement and travel.

II. APPLICATION

All facilities and services operated by the City.

III. POLICY

The Business Expense Reimbursement Travel Policy has been developed to communicate the City requirements, standards and procedures for controlling travel and meeting costs. This policy applies to all City employees and elected officials and supersedes any previous orders and/or instructions. It is meant to provide guidance to travelers, travel arrangers, approvers and auditors on cost-effective management of travel expenses; identification of reimbursable and no-reimbursable expenses; and clarification of employee responsibility for controlling and reporting travel and meeting expenses.

GENERAL

- (a) Application – These regulations will be applicable to all employees and elected officials of the City of Allegan and any person receiving compensation as a wage or salary unless designated differently by union contract or City policy.
- (b) Interpretation and Enforcement – The City Manager and Finance Director are responsible for the interpretation and enforcement of these provisions.
- (c) Responsibility – Each employee and elected official is responsible for compliance with these regulations. The City Manager and Finance Director or designee retains the right to question any items that appear to violate the intent of these regulations.
- (d) Prudent Personnel Rule – It is expected of all employees traveling on City business to exercise the same care in incurring expenses, as a prudent person would exercise when traveling on private business.
- (e) Credit Cards – Use of business credit cards will be accepted as evidence of payment when supported by the usual receipts required to support cash payments.
- (f) Personal Checks – Copies of canceled personal checks will be accepted as proof of payment.

- (g) Supporting Receipts – Supporting receipts must be attached to expense reports for all items of expense. Receipts not submitted may cause the expense to be denied.
- (h) Altered Receipts – If a receipt that supports a travel expense voucher(s) shows signs of erasures or alterations, the voucher(s) will be returned to the employee or elected official. The voucher will not be approved for payment until a statement of facts that explains the reason(s) for the alterations is submitted.

MILEAGE REIMBURSEMENT

- (a) Individuals will be reimbursed at the IRS standard rate for the year for personal transportation while conducting city business.
- (b) When used for official business, city employees' personally owned vehicles must be properly licensed and insured by automobile liability insurance as required by the State of Michigan at the employee's own expense. The city is not responsible for any damage to employees' vehicles.
- (c) The locations to and from traveled must be written. When travel is to several destinations during any single trip, list the nearest city, village or township and all addresses at which travel stopped.
- (d) No individual expenses such as gasoline, lubrications, repairs, antifreeze, towage, traffic violations (moving and non-moving) and other similar expenditures are reimbursable when using personally owned vehicles.

MEALS

- (a) The traveler will be entitled to meal allowance on a full day of a conference. When meals are included in the registration fee, provided by public transportation or paid by others, the traveler shall not be entitled to any allowance for those particular meals. The cost of alcoholic beverages is not reimbursable by the City. Receipts are required for meal reimbursements.
- (b) Reimbursement for individual meals will be based on actual expenses (receipts required) up to the amounts set by US General Services Administration (www.gsa.gov/mie), with exceptions made for group functions if approved by the City Manager.
- (c) The maximum daily amount for gratuities for meals will be 20%.
- (d) The cost of guest meals is allowable only if it can be shown that such cost is necessary to conduct official city business or has the approval of the City Manager. Full explanation must be given on the voucher including name, position, and employer of the guest, nature of business discussed and how it related to the city. The cost of the meals for guests cannot exceed the amount permitted an employee. Receipts are required.

- (e) Lunches among employees will not be reimbursed.
- (f) The employee will not be reimbursed for non-city travelers (spouses and other family members, friends, etc.)
- (g) The city will not pay for any social functions offered at the conference (e.g. sporting events, golf outings, sightseeing tours, etc.)

PARKING FEES

- (a) Reimbursement for parking fees is allowable. Receipts are required.

LODGING

- (b) The city shall pay for the standard single occupancy rate only. No upgrades allowed. Request government rate if available. Original receipts for lodging expenses are required. In-room movies will not be reimbursed.
- (c) If hotel or other lodging is shared with one or more non-city travelers who receive no travel reimbursement, the employee will be reimbursed at the rate of single occupancy as certified by the hotel/motel (the rate of single occupancy must be on the receipt) regardless of the number of persons and/or rooms occupied. At no time will reimbursement be allowed for an additional room or for non-city travelers.

COMMENTS

- (a) No reimbursement without receipt(s).
- (b) Expenses must be turned in for reimbursement within thirty (30) days.
- (c) Employees and elected officials have a duty to understand this policy prior to use, particularly with respect to conventions, seminars and associated expenses.

ACKNOWLEDGMENT CARD

I, _____, am in receipt of the Personnel Policies and Procedures Manual of the City of Allegan, which outlines procedural guidelines of the City of Allegan Personnel Handbook. I will familiarize myself with the information in this booklet and understand that it constitutes the general personnel policies of employment and that I and my employees are governed by it. I understand the policies and procedures set forth in this manual are to be administered and the manner outlined.

Since the information in this booklet is necessary subject to change by the City, it is understood that any changes in the policies and procedures listed herein that may be made by the City may modify, supersede, or eliminate the policies in this booklet.

Dated _____, _____

Signature of Department Head / Supervisor

(This card must be signed and returned to the Personnel File.)