

MEMORANDUM



To: City Council

From: Rich LaBombard
City Manager

Date: December 19, 2022

Subject: Personnel Policy and Benefit Manual
Amended 2022
Resolution 42-2022

This memorandum is intended to summarize the significant changes in the 2022 updated Personnel Policy and Benefits Manual.

1. Revised gender references throughout the document to a neutral gender
2. Inserted reference to persons with disabilities (Article I, Section B)
3. Cleaned up reference to ethnic harassment as it was covered under the Equal Employment Opportunity and Anti-harassment sections
4. Inserted new references to Retaliation and False Complaints (Article I, Section C4 & C5)
5. Inserted new reference to Anti-bullying (Article I, Section D)
6. Inserted new reference to Immigration Law Compliance (Article I, Section E)
7. Clarify ambiguous policies such as:
 - a. Definition of “hours worked” (Article III & Article V)
 - b. Unify references to how overtime is earned (Article V)
8. Inserted new reference to deductions / withholdings from pay (Article III, Section C3)
9. Clarified Pay Upon Separation (Article III, Section C4)
10. Inserted reference to adopted Credit Card policy (Article IV, Section B) – Will include full language from Resolution 38-2020 in the approved version.
11. Inserted new reference to Per Diem policy (Article IV, Section C)
12. Convert time references from days to hours (throughout Article V)
13. Unify references to increments of time that paid leave can be taken (Article V)
14. Revised procedure and reference to Medical Leave to include City’s ineligibility to participate in FMLA (Article V, Section A)
15. Revised Parental Leave policy (Article V, Section A2) – was formerly included in Medical Leave
16. Inserted new reference to Unpaid Leave policy (Article V, Section A4)
17. Balance holiday time between Police Union Contract and all other City Employees (Article V, Section B)
18. Reduce bereavement leave in several areas (Article V, Section B4)
19. Removed reference to Winter Holiday Event (Article VI, Section D)
20. Inserted new reference to Email retention policy and Freedom of Information (Article VIII, Section C, D, E & F)
21. Revised workplace policies to expand vehicle policy to include Equipment (Article X, Section A)

22. Revised Annual Review to coordinate with fiscal year rather than calendar year (Article X, Section E)
23. Inserted new reference to Weapon Free Workplace policy (Article X, Section G)
24. Inserted new reference to limited Remote Work policy (Article X, Section K)
25. Revised and clarified Cell Phone Reimbursement policy (Article X, Section M)
26. Revised Alcohol and Substance Abuse policy to correlate with current labor law practices and removed ambiguous decision levels (Article XI, Section B)
27. Included commonly referenced forms (Attachments)

I recommend City Council adopt Resolution 42-2022 and adopt the Personnel Policy and Benefits Manual as amended, to take effect on January 1, 2023.

**CITY OF THE VILLAGE OF DOUGLAS
COUNTY OF ALLEGAN
STATE OF MICHIGAN**

RESOLUTION NO. 42 -2022

**A RESOLUTION TO ADOPT THE PERSONNEL POLICY AND BENEFITS MANUAL AS
AMENDED, TO TAKE EFFECT ON JANUARY 1, 2023**

At a regular meeting of the City Council for the City of the Village of Douglas, Michigan, held at the City of the Village of Douglas City Hall, Douglas, Michigan, on the 19th day of December 2022, at 7:00 p.m.

PRESENT:

ABSENT:

The following Resolution was offered by Councilperson _____ and supported by
Councilperson _____.

RESOLUTION

WHEREAS, It is good practice to periodically review and update policies and procedures for the City of the Village of Douglas, and

WHEREAS, The Personnel Policy and Benefit Manual for the City of the Village of Douglas has not been updated since the year 2015, and

WHEREAS, The City Manager and City Clerk have reviewed the Personnel Policy and Benefit Manual and recommend City Council review the proposed changes, and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: The City of the Village of Douglas City Council hereby adopts Resolution 42-2022, Personnel Policy and Benefits Manual as amended, to take effect on January 1, 2023.

YEAS: Council Members:

NAYS: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

ADOPTED this 19th day of December 2022

CITY OF THE VILLAGE OF DOUGLAS

BY: _____
Jerome Donovan, Mayor Date

BY: _____
Pamela Aalderink, City Clerk Date

CERTIFICATION

I, Pamela Aalderink, the duly appointed Clerk of the City of the Village of Douglas, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Douglas City Council at a regular meeting held on Monday, December 19th, 2022 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

CITY OF THE VILLAGE OF DOUGLAS

BY: _____
Pamela Aalderink, City Clerk

City of the Village of Douglas

PERSONNEL POLICY AND BENEFITS MANUAL



Effective September 1, 2006
As Amended October 20, 2008
As Amended January 30, 2015
As Amended January 1, 2023

TABLE OF CONTENTS

INTRODUCTION	2
ARTICLE I: EQUAL OPPORTUNITY AND COMMITMENT TO DIVERSITY	2
A. EQUAL EMPLOYMENT OPPORTUNITY	2
B. PERSONS WITH DISABILITIES	3
C. ANTI-DISCRIMINATION, HARASSMENT AND RETALIATION	3
1. <i>Sexual Harassment Prohibited</i>	3
2. <i>Other Harassment Prohibited</i>	4
3. <i>Complaint Procedure</i>	4
4. <i>Retaliation Prohibited</i>	5
5. <i>False Complaints</i>	5
D. ANTI-BULLYING STATEMENT	5
E. IMMIGRATION LAW COMPLIANCE	6
ARTICLE II: DEFINITION OF EMPLOYEE STATUS	7
A. REGULAR FULL-TIME EMPLOYEE	7
B. REGULAR PART-TIME EMPLOYEE	7
C. TEMPORARY / SEASONAL	7
ARTICLE III: GENERAL INFORMATION	7
A. JOB CLASSIFICATIONS	7
B. WAGES AND HOURS OF WORK	8
1. <i>Wages</i>	8
2. <i>Hours of Work</i>	8
3. <i>Work Week and Payday</i>	8
4. <i>Pay Upon Separation</i>	8
C. OVERTIME AND COMPENSATORY TIME	9
1. <i>Exempt and Non-Exempt Employees</i>	9
2. <i>Overtime</i>	9
a) <i>Definition</i>	9
b) <i>Approval</i>	9
3. <i>Compensatory Time</i>	10
4. <i>Scheduling and Use of Compensatory Time</i>	10
ARTICLE IV: TRAVEL AND CONFERENCE POLICY	10
A. MILEAGE REIMBURSEMENT	10
B. CREDIT CARD USE	11
C. PER DIEM	11
D. DOCUMENTATION	11
E. LODGING	11
ARTICLE V: LEAVES OF ABSENCE	11
A. UNPAID LEAVE OF ABSENCE	11
1. <i>Medical Leave</i>	11
a) <i>Procedure</i>	11
b) <i>Length</i>	12
c) <i>Compliance and Return</i>	12
2. <i>Parental Leave</i>	13
3. <i>Military Leave</i>	13

4. Unpaid Personal Leave of Absence	13
B. PAID LEAVES OF ABSENCE	14
1. Holiday Leave	14
2. Court Leave	15
3. Sick Leave	15
4. Bereavement Leave	16
5. Personal Leave	16
6. Vacation Leave	17
7. Jury Duty Leave	17
ARTICLE VI: EMPLOYEE PENSION AND INSURANCE	18
A. PLAN DESCRIPTIONS	18
B. RETIREMENT	18
C. HEALTH & DENTAL INSURANCE COVERAGE	18
D. OPTICAL REIMBURSEMENT	18
E. SHORT TERM DISABILITY INSURANCE	18
F. LIFE INSURANCE	19
ARTICLE VII: MISCELLANEOUS EMPLOYEE BENEFITS	19
A. UNIFORMS	19
B. TUITION REIMBURSEMENT	19
C. HOLIDAY BONUS	20
ARTICLE VIII: INFORMATION AND TECHNOLOGY	20
A. GENERAL POLICY	20
B. PROHIBITED USE OF IT RESOURCES	21
C. ELECTRONIC MAIL RETENTION POLICY	22
1. Definitions	22
2. Records Retention and Disposal Schedules	22
3. Four Categories of Electronic Mail	22
D. PROCEDURES	23
1. Employee Responsibilities	23
2. City of the Village of Douglas Responsibilities	24
E. FOIA AND LITIGATION COORDINATOR RESPONSIBILITIES	24
F. CONFIDENTIALITY	24
ARTICLE IX: WORKPLACE RULES & PROHIBITIONS	25
ARTICLE X: WORKPLACE POLICIES	27
A. CITY VEHICLES AND EQUIPMENT	27
B. CITY PROPERTY	27
C. PERSONAL POSSESSIONS	28
D. ACCESS TO PERSONNEL RECORDS	28
E. ANNUAL REVIEW	28
F. SAFE WORKPLACE	28
G. WEAPON-FREE WORKPLACE	29
1. Definitions	29
2. Searches of Personal Property	30
3. Enforcement	30
H. HEALTH AND SAFETY	30
I. INJURIES AND ILLNESSES	30
J. INCLEMENT WEATHER	31

1.	City Hall Closing	31
2.	Inability to Report to Work	31
K.	REMOTE WORK POLICY	31
1.	General Expectations	32
2.	Remote Attendance / Virtual Meetings	32
L.	USE OF SOCIAL SECURITY INFORMATION	32
1.	Purpose	32
2.	Obtaining Social Security Numbers	32
3.	Retention and Access to Social Security Numbers	33
M.	TELEPHONE USAGE	34
1.	Desk Phones	34
2.	Cellular Telephone Use Policy	34
3.	Terms	34
N.	TOBACCO FREE WORKPLACE	35
O.	POLITICAL ACTIVITY	36
P.	DRESS AND HYGIENE	36
Q.	OUTSIDE ACTIVITIES AND EMPLOYMENT	36
R.	REPORTING ILLEGAL / UNETHICAL ACTIVITY AND INVESTIGATIONS	37
S.	EMPLOYMENT OF RELATIVES	37
T.	CHANGE OF NAME, ADDRESS, OR TELEPHONE NUMBER	38
ARTICLE XI: ALCOHOL AND SUBSTANCE ABUSE POLICY		38
A.	PROHIBITED CONDUCT	38
B.	DRUG / ALCOHOL TESTING	39
1.	Reasonable Suspicion	39
2.	Post Accident / Injury	39
C.	RELEASE FROM DUTY	39
D.	LABORATORY TESTS	39
E.	DISCIPLINARY ACTION – GROUNDS FOR IMMEDIATE DISCHARGE	40
F.	VIOLATION OF REHABILITATION AND LAST CHANCE AGREEMENT	40
G.	CONFIDENTIALITY	40
H.	SEEKING VOLUNTARY ASSISTANCE	40
ARTICLE XII: DISCIPLINE AND DISCHARGE		41
A.	GENERAL	41
B.	PROCEDURES	41
C.	DISPUTING A DISCHARGE OR SUSPENSION	41
ARTICLE XIII: GRIEVANCE PROCEDURE		42
A.	INFORMAL RESOLUTION	42
B.	DEFINITION OF GRIEVANCE	42
1.	Grievance Procedure	42
a)	Step 1- Immediate Supervisor	42
b)	Step 2 – City Manager	42
C.	GRIEVANCE FORM	43
D.	TIME LIMITS	43
DOUGLAS PERSONNEL POLICY AND BENEFITS MANUAL		44
RECEIPT AND ACKNOWLEDGMENT		44
DISCRIMINATION, HARASSMENT OR RETALIATION COMPLAINT FORM		45

ETHICAL PRINCIPLES FOR THE GOVERNMENT OF THE CITY OF THE VILLAGE OF DOUGLAS

1. PRINCIPLE THAT THE PUBLIC OFFICE IS A PUBLIC TRUST.

Public servants shall treat public office as a public trust, using the powers and resources of public office only to advance public interests, and not to attain personal benefits or pursue any private interest incompatible with the public good.

2. PRINCIPLE OF INDEPENDENT, OBJECTIVE JUDGMENT.

Public servants shall employ independent, objective judgment in performing their duties, deciding all matters on the merits, free from conflicts of interest and apparent improper influences.

3. PRINCIPLE OF ACCOUNTABILITY.

Public servants shall assure that government is conducted openly, efficiently, equitably and honorably in a manner that permits the citizenry to make informed judgments and to hold government officials accountable.

4. PRINCIPLE OF DEMOCRATIC LEADERSHIP.

Public servants shall honor and respect the principles and spirit of representative democracy and set a positive example of good citizenship by scrupulously observing the letter and spirit of laws and rules.

5. PRINCIPLE OF RESPECTABILITY AND FITNESS FOR PUBLIC OFFICE.

Public servants shall safeguard public confidence in the integrity of government by being honest, fair, caring, and respectful, and by avoiding conduct which creates the appearance of impropriety.

CITY OF THE VILLAGE OF DOUGLAS

PERSONNEL POLICY AND BENEFITS MANUAL

INTRODUCTION

These policies are applicable to all personnel employed by the City of the Village of Douglas (hereinafter referred to as "City" or "Employer"), except as contradicted by a collective bargaining agreement ("CBA") or other specific written employment contract signed by the person with the appropriate level of authority, in which case the terms of the applicable agreement control.

This manual should not be construed as creating a contract between the Employer and any employee. Other than the City Council, no person or representative of the Employer has any authority to enter into any agreement for employment for any specified period, or to make any agreement contrary to the provisions contained herein.

The City may alter, change, discontinue, or modify any policy, benefit, or procedure at any time it chooses to do so without notice to the employee, and nothing contained in this manual shall give the employee a right to the continuation of any policy, benefit, or procedure which the City chooses to modify, alter, or discontinue.

All employees of the City are employees "at will". As such, their employment, compensation, and benefits can be terminated with or without cause and with or without notice at any time by either the employee or the City. An employee cannot rely upon customary or prior past practice(s). The fact that these policies may have been applied differently in the past does not affect their current or future application. The Employer reserves and retains, solely and exclusively, all rights to manage and operate its affairs. Such rights shall not in any way be abridged by the terms of this manual.

The policies included in this Personnel Policy and Benefits Manual supersede and replace any prior or past personnel manuals, policies, or representations.

ARTICLE I: EQUAL OPPORTUNITY AND COMMITMENT TO DIVERSITY

A. EQUAL EMPLOYMENT OPPORTUNITY

The City has established a City Rights ordinance (Ordinance 91.20 or as amended). The City has declared that for any person to deny any other person the enjoyment of their civil rights or for any person to discriminate against any other person in the exercise of their civil rights because of race, color, religion, sex, marital status, national origin, sexual orientation, age, height, weight, or handicap, is contrary to keeping peace, good order, and harmony among its citizens.

The City also ensures the opportunity to obtain employment without discrimination because of race, color, religion, sex, marital status, national origin, sexual orientation, gender identity, gender expression, age, disability, citizenship, genetic information, height, weight, veteran status, or any other characteristic or category protected by law.

The City is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the City. All individual employment decisions will be based on business needs and merit, including factors such as the individual’s qualifications, performance, skill, experience, conduct, and effort.

B. PERSONS WITH DISABILITIES

The City is committed to complying with all applicable provisions of the Americans with Disabilities Act (ADA) and the Michigan Persons with Disabilities Civil Rights Act. The City will not discriminate against a qualified individual on the basis of disability in the application process or with regards to any terms and conditions of employment. The City will also provide medically necessary reasonable accommodations to qualified employees with disabilities unless the accommodations cause the City an undue hardship or the employee poses a direct threat to their own safety or health or that of others. Employees who believe that they need a reasonable accommodation to perform the essential functions of their job should make a request to the City Manager as soon as possible. Michigan law requires that the request be submitted within 182 days from when the employee knew or reasonably should have known they may need an accommodation. The City treats all medical information and medical records as strictly confidential.

C. ANTI-DISCRIMINATION, HARASSMENT AND RETALIATION

The City strictly prohibits any form of unlawful harassment or discrimination against employees on the basis of any status or characteristic protected by law. The City expects that all relationships among persons in the workplace will be business-like and free of unlawful bias, prejudice, and harassment.

This policy covers vendors, citizens, contractors, visitors, or others who enter our workplace, as well as employees. An employee who discriminates against or harasses any other employee of the City or who harasses any vendor, citizen, contractor, or visitor of the City is subject to appropriate discipline up to and including discharge.

1. Sexual Harassment Prohibited

Sexual harassment is strictly prohibited and is inconsistent with the City's policies, practices, and management philosophy. Examples of sexual harassment can include the following:

Verbal harassment	Including jokes, comments or threats relating to sexual activity, body parts, or other matters of a sexual nature.
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Non-verbal harassment	Including staring at a person's body in a sexually suggestive manner, making sexually related gestures or motions and/or circulating sexually suggestive material.
Employment decision	Including promotion, demotion, compensation, scheduling made by a supervisor based on the employee's submission to or rejection of sexual conduct.
Physical conduct	Including grabbing, holding, hugging, kissing, tickling, massaging, displaying private body parts, touching, or other unwelcome physical contact of a sexual nature.
Submission	Submission to sexual conduct as an implicit or explicit condition of obtaining or keeping a job.
Denigration	Conduct that shows hostility or aversion to a person because of their gender and creates an intimidating, hostile, or offensive work environment.
Hostile work environment	Sexual conduct or communication that was intended to or, in fact did, substantially interfere with the employee's employment, or created an intimidating, hostile, or offensive work environment.

2. Other Harassment Prohibited

The City also prohibits harassment because of race, color, national origin, age, sexual orientation, gender identify, gender expression, religion, disability, marital status, height, weight, citizenship, veteran status and any characteristic or category protected by law. Such harassment includes derogatory comments, slurs, jokes, and other conduct based on the protected characteristic or category, concerning any individual employee, vendor, citizen, or ethnic, racial, or religious group.

Such comments and conduct may not occur in the workplace or at any time during any City activity, whether or not the targeted individual is present or receives any harassing material. This includes, but is not limited to all verbal communication, written communication (e-mail, computer messages, computer entries), and use of the computer, e-mail, and voicemail systems.

3. Complaint Procedure

Any employee who has experienced or witnessed discrimination or harassment should immediately fill out a complaint form and submit it to the City Manager, Chief of Police, or City Clerk immediately. Such reports will be investigated thoroughly. To the extent possible, the investigation will be conducted in a manner so as to protect the privacy of the

individuals involved. However, it is the primary goal of the City to investigate and resolve all harassment and discrimination complaints. As part of the investigation, it is likely that it will be necessary to reveal certain details and information. It is also possible that the information gathered during an investigation will be subject to subsequent legal or administrative proceedings which will require disclosure of the contents and results of the investigation.

Any person who has been found to have violated this policy will be subject to disciplinary action up to and including discharge depending on the circumstances.

It is important to keep in mind that the City cannot enforce its policy against discrimination and harassment unless all instances of harassment and discrimination are brought to the attention of the City. Thus, it is also the policy of the City that any employee who believes they have been subjected to harassment or discrimination, or who has observed another employee, vendor or citizen being subjected to harassment or discrimination, must report that fact immediately.

4. Retaliation Prohibited

The City not only prohibits discrimination and harassment, but also strictly prohibits any retaliation against any employee who, in good faith, has registered a complaint of discrimination or harassment. Any employee of the City who, after investigation, has been determined to have retaliated against an employee for utilizing the complaint procedure or for participating in an investigation will be subject to appropriate discipline up to and including discharge. Any employee who believes they have been retaliated against for exercising the rights guaranteed under this policy, should utilize the Complaint Procedure stated above.

5. False Complaints

Any employee who files a complaint which is knowingly false when made will be subject to immediate discipline up to and including discharge.

The foregoing policy requires that each individual exhibit, in their conduct and communications, sound judgment and respect for the feelings and sensibilities of each employee.

A form for filing a complaint is attached at the end of these policies. Additional forms may be obtained from any supervisor.

D. ANTI-BULLYING STATEMENT

The City does not tolerate bullying in the workplace. Bullying is repetitive inappropriate behavior that undermines, demeans, and/or humiliates another person. This behavior may be intentional or unintentional, but it is often identified by those who perceive themselves

as targeted regardless of intention. This type of behavior destroys teams, trust among co-workers, and overall morale within the City.

Examples of bullying include (generally, conduct must be repeated or pervasive to constitute bullying):

- Verbally abusing, humiliating, making fun of, or insulting a person or his/her family
- Undermining a person's self-confidence, reputation and/or ability to perform
- Rude or invasive body language
- Nonverbal threatening gestures or glances that convey threatening messages
- Persistent singling out of one person
- Shouting or raising voice at an individual in public or in private
- Not allowing the person to speak or express themselves (i.e., ignoring or interrupting)
- Personal insults toward an individual or group of individuals and use of offensive nicknames
- Public humiliation in any form
- Constant criticism on matters unrelated or minimally related to the person's job performance or description
- Spreading rumors or gossiping about individuals and/or groups
- Encouraging others to disregard a manager's instructions
- Taking credit for another person's ideas or work
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings
- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property)

If any employee believes that they have been subjected to bullying in violation of this policy, they should report it to their immediate supervisor. If the employee is uncomfortable submitting a complaint to their direct supervisor, is dissatisfied with the resolution by the supervisor, or if the supervisor was involved in the conduct, or if, after notifying the supervisor, the conduct continues, the employee should contact the City Manager. Any employee who is found to have engaged in bullying behavior will be subject to disciplinary action up to and including discharge.

E. IMMIGRATION LAW COMPLIANCE

The City is committed to employing citizens of the United States and aliens who are authorized to work in the United States and does not unlawfully discriminate based on citizenship or national origin. In compliance with the Immigration Reform and Control Act of

1986, each new employee, as a condition of employment must complete the Department of Homeland Security's Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

ARTICLE II: DEFINITION OF EMPLOYEE STATUS

A. REGULAR FULL-TIME EMPLOYEE

A regular full-time employee shall be defined as one who is regularly scheduled to be on "Full-Pay-Status" and work at least forty (40) hour per week. A regular full-time employee is generally entitled to fringe benefits as noted in this policy. For the first thirty (30) calendar days of regular employment, a full-time employee shall not receive, accumulate, or be entitled to any benefits.

B. REGULAR PART-TIME EMPLOYEE

A regular part-time employee is one who is regularly scheduled to work less than forty (40) hours per week. Part-time employees shall not receive, accumulate, or be entitled to any benefits except as required by law.

C. TEMPORARY / SEASONAL

An employee that does not meet the above stated requirements shall be considered a temporary or seasonal employee. Temporary and seasonal employees shall be paid by the hour for all hours actually worked and shall not receive, accumulate, or be entitled to any benefits.

ARTICLE III: GENERAL INFORMATION

A. JOB CLASSIFICATIONS

The City may, from time to time, revise position descriptions for each job classification in the City. Job descriptions shall include: the title of each job, a brief description of duties, responsibilities, essential functions, physical requirements of the position, minimum requirements of training, experience, skills, knowledge and abilities, and other qualifications necessary for each job.

Prior to the end of the fiscal year, the position supervisor shall conduct annual performance reviews for each employee supervised.

B. WAGES AND HOURS OF WORK

1. Wages

The City Manager may recommend, and the City Council may adopt a merit pay system for employees per the City Charter section 7.2(b). Employees shall be paid and receive increases for certain jobs, only when approved by the City Manager.

2. Hours of Work

Supervisors will advise employees of their individual work schedules. Staffing and operational needs, as determined by the supervisor, may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. The normal workday will be from 8-4:30 with a half hour unpaid lunch break for an eight (8) hour day. The specific lunch break will be scheduled by the supervisor to assure that the department will remain open during normal business hours.

3. Work Week and Payday

Unless otherwise provided, the normal work week begins each Saturday at 12:01 a.m. and continues until Friday at midnight. Employees will normally be paid on a bi-weekly basis. Payday shall normally be by Wednesday for the preceding two (2) weeks ending the Friday before payday.

Federal laws require that the City deduct tax withholding and Social Security from your pay. These deductions plus those you have authorized are itemized on a pay voucher. Certain state and city taxes may also be required deductions. Questions as to the amounts of any deductions should be directed to the City Manager. It is the employees' responsibility to complete and file with the City the appropriate tax exemption forms on a current basis.

The City prohibits improper pay deductions from all employees and will reimburse an employee for any improper deductions. Employees must examine each of their paychecks carefully. If an improper deduction or other error has been made, you must notify the City Manager as soon as you learn of the error so that it can be investigated and corrected.

4. Pay Upon Separation

A separated employee's final paycheck will include payment for all wages due and not previously paid, and compensatory time, minus authorized deductions. Unused vacation will be included in the final paycheck unless the employee was involuntarily terminated due to misconduct. Unused personal time and sick leave will not be paid out at the end of employment, regardless of reason.

C. OVERTIME AND COMPENSATORY TIME

1. Exempt and Non-Exempt Employees

Positions will be classified as "exempt" or "non-exempt." The determination as to exempt or non-exempt status will be made by the City based upon the actual duties and responsibilities of the position in accordance with the standards set forth in the Fair Labor Standards Act (FLSA) and the Michigan Minimum Wage Act (MMWA). Those full-time employees who are salaried and who are considered executive, administrative, or professional are exempt from the overtime provisions of the FLSA and are not required to be paid overtime nor are they eligible for compensatory time. Non-exempt employees are entitled to overtime in accordance with the FLSA and the MMWA or they may elect compensatory time off under the Compensatory Time policy below.

2. Overtime

It is the City's intent to keep overtime to a minimum. From time to time, employees may be required to work longer than their scheduled shift. Non-exempt employees who actually work in excess of forty (40) hours in a work week shall be paid, or receive compensatory time off, at the rate of one and one-half (1 ½) times their normal hourly rate of pay for the overtime hours worked. There shall be no pyramiding of overtime pay. Employees are not entitled to two different premiums for the same hours worked. For example, an employee is not entitled to time and one-half for overtime hours worked on a holiday and holiday pay.

a) Definition

"Overtime" is defined as work actually performed by non-exempt employees in excess of forty (40) hours in a regular work week. Overtime pay is based on actual hours worked in a workweek. Hours that were paid, but not worked (i.e., sick leave, vacation, etc.) are not counted for purposes of determining whether an employee is entitled to overtime pay in a workweek. However, hours worked includes paid holidays for full-time employees. The supervisor will attempt to give as much advance notice as possible when overtime work is required.

b) Approval

Overtime shall not be worked without prior approval of the supervisor. Employees should not work before their scheduled starting time, work through their lunch period or continue working after their scheduled quitting time without first getting their supervisor's approval. Unauthorized overtime may result in discipline.

3. Compensatory Time

Compensatory time, which is commonly called "comp time", is earned at the rate of one and one half (1 ½) times the regular hourly base rate of pay for all hours actually worked over forty (40) hours in a work week. Non-exempt employees may bank up to a maximum of two hundred and forty (240) hours of comp time. Employees may elect, but are not required, to take comp time in lieu of overtime pay. Employees are not required to participate in the comp time program.

4. Scheduling and Use of Compensatory Time

The scheduling of compensatory time off work must be approved in advance by the employee's immediate supervisor. The employee who requests the use of compensatory time off shall be permitted to use such time within a reasonable period after making the request, provided the use of compensatory time off does not substantially disrupt the operations of the department. In no case shall an employee be permitted to accrue more than two hundred and forty (240) hours of compensatory time. Upon discharge of employment, employees shall be paid for all accrued but unused compensatory time at the rate that was in effect at the time the comp time was earned.

ARTICLE IV: TRAVEL AND CONFERENCE POLICY

A. MILEAGE REIMBURSEMENT

Employees required to drive their own vehicle while on City business will be reimbursed for travel based on the current IRS mileage rate. Parking charges for meters, lots, etc., will be reimbursed at actual cost. A brief explanation of the travel, with a statement of the mileage traveled, must be submitted on a reimbursement request form signed by the employee and approved by the supervisor.

All travel by common carrier must be at tourist fare rates and receipts submitted in order to be reimbursed. A travel expense is defined as follows:

- Travel for City business within the State of Michigan which does not require a formal registration or an overnight stay.
- Convention or other professional development activities of City employees, including conferences, conventions, seminars, or other training which requires a formal registration and/or an overnight stay. Such travel shall be approved and budgeted in advance.

B. CREDIT CARD USE

Credit card use is covered under Council resolution 38-2020 dated November 16, 2020.

C. PER DIEM

An employee is eligible for the reasonable cost reimbursement of meals going to and from and while in attendance at any meeting, convention, conference, or seminar on City business. Per diem rates are developed by the City Treasurer. No alcoholic beverages shall be reimbursed. Itemized receipts are required for reimbursement.

D. DOCUMENTATION

Normal day to day business expenses may be approved only if properly documented and relevant to the conduct of City business. Charges for personal goods, services, entertainment, and travel not related to City business will not be reimbursed.

E. LODGING

Reimbursement for lodging expenses will be at single room rates. Receipts for lodging expenses must be submitted with the reimbursement request form. Government rates shall be requested whenever possible. A Tax Exemption Certificate is available from the City Treasurer.

ARTICLE V: LEAVES OF ABSENCE

A. UNPAID LEAVE OF ABSENCE

1. Medical Leave

Although the City is a covered employer under the Family Medical Leave Act (FMLA), the City has less than 50 employees, so no employees are eligible to take leave under the FMLA. An employee, however, may request an unpaid medical leave of absence under this policy if serious physical or mental conditions of the employee necessitate time away from work.

a) Procedure

A written request for a medical leave must be submitted to the City Manager as early as possible (preferably at least 30 calendar days prior to the desired time off). In the request you should specify the dates, requested length, and other useful information. You must also include with your request form a physician's supporting

written statement explaining (to the City's satisfaction), the basis for the requested medical leave and why they believe you need a medical leave of absence (i.e. why you cannot perform your current job). Your physician's written statement should also specify whether you are:

- "totally disabled" and unable to perform *any* work
- if not "totally disabled," can you perform your job's essential functions despite your "disability"
- if not, what are your restrictions (your restrictions *must* be explained in detail)

If you are "totally disabled," we will look to an appropriate medical leave. If you are not "totally disabled," and depending on your restrictions, the City may attempt to reasonably accommodate your condition, thereby allowing you to continue working in either your regular or an alternate vacant position for which you are qualified. If unable to reasonably accommodate your restrictions, we will again look to an appropriate medical leave.

The City may also, at its expense, require a second physician's opinion. If the second opinion is contrary to your physician's opinion, the parties will pick a mutually agreeable third physician to review your condition (at the City's expense). In such cases, the City and employee agree that they will abide by the third physician's opinion. If the doctors reach a consensus that the employee is "totally disabled," or place restrictions on the employee which the City cannot "reasonably accommodate," the period of medical leave shall be deemed to have commenced on the date of the employee's doctor's diagnosis.

b) Length

The employee will, as part of a medical leave, first be required to exhaust any accrued and available compensatory time and paid time off. Upon exhaustion of the foregoing, any remaining portion of the medical leave will be unpaid, unless you qualify for worker's compensation or short-term disability. A medical leave will be limited to the period of actual inability to work, but may not exceed the period in which the City can reasonably accommodate the leave of absence without incurring an undue hardship. Employees generally may not take medical leave on an intermittent basis because it causes an undue hardship.

c) Compliance and Return

An employee's health insurance benefits will continue as long as an employee is receiving short-term disability benefits and the leave has been approved to

continue. An employee who fails to comply with the conditions accompanying their leave (e.g. periodically reporting in, additional physician's statements, etc.), or who fails to return to work at the designated time (the employee must present a physician's written certification releasing their return to work and setting forth any restrictions) will be separated from employment. An employee who returns upon expiration of their leave of absence will be reinstated if there is a vacant position which they are able to perform and for which they are qualified, and any restrictions can be "reasonably accommodated". If an employee is unable to return to work when their leave of absence expires, but is subsequently released by their physician to return to work, they will have to re-apply as a new hire. On return from a medical leave, the Employer reserves the right to require an employee, at the Employer's expense, to take a medical examination.

2. Parental Leave

Regular full-time employees who have been employed by the City for at least 12 consecutive months are eligible for up to eight (8) weeks of unpaid Parental Leave due to birth of a child or the placement of a child with the employee for adoption or foster care. Parental Leave may not be taken intermittently or on a reduced schedule and must be taken within twelve (12) months of the birth or placement of the child.

Employees will be required to use any available paid time off concurrently with a Parental Leave. Birthing mothers may also qualify for short-term disability benefits.

Employees who seek Parental Leave must submit a request to the City Manager at least 30 days' prior to the commencement of the leave unless such notice is not practicable, in which case notice must be given as soon as possible. Employees will be required to submit any documentation requested by the City, including any documentation evidencing the birth or placement of the child.

3. Military Leave

The City agrees to abide by the provisions of USERRA with respect to leaves of absence due to military service, including National Guard duty. Employees who require military leave should inform the City Manager, as soon as they receive their orders, of the date that the employee must leave for service.

4. Unpaid Personal Leave of Absence

The City provides employees an attractive paid leave of absence allocation. Occasionally employees encounter situations where unforeseen, rare and extraordinary circumstances result in an employee requesting an unpaid personal leave of absence. The City encourages employees to plan and budget paid leave of absence time thoughtfully and carefully to avoid such situations when possible. If an employee would like to request an unpaid leave of absence, the request must be

made in writing to the City Manager at least thirty (30) days in advance unless not possible, in which case the request must be made as soon as possible. The City Manager may grant an unpaid leave within their sole discretion.

B. PAID LEAVES OF ABSENCE

Employees who were hired after January 1 will receive a prorated allocation upon completion of thirty (30) days of employment. New employees will not be entitled to accrue or take any paid time off under these policies until they have completed thirty (30) calendar days of employment.

1. Holiday Leave

Regular full-time employees who have completed thirty (30) calendar days of employment shall be granted eight (8) hours of paid time off for each of the following holidays:

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Indigenous People Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve Day
- Christmas Day
- New Year's Eve

Should a holiday fall on a Saturday, then the Friday prior to the holiday shall be considered the holiday. Should a holiday fall on a Sunday, then the following Monday shall be considered the holiday. However, if the Friday and/or Monday are already a holiday, then the day before and/or after shall be considered the holiday. In the case of a holiday falling on an employee's regularly scheduled day off, they will be entitled to holiday pay equal to one eight (8) hour day's wages at the regular time rate.

Employees who are required to work on a paid holiday will be entitled to holiday pay plus their regular pay (pay at two (2) times their regular rate) for all hours worked up to a maximum of eight (8) hours.

To be eligible for holiday pay, the employee must also be on the payroll as of the date of the holiday, and must have worked the last full scheduled day before and the first full scheduled day after such holiday, unless excused. For this purpose, the

employee will be considered as having worked such day(s) if they were on paid vacation or were granted prior approval for compensatory or personal time off, thereon.

An employee who is scheduled to work on a holiday recognized under this policy or who otherwise agrees to work on such holiday, but fails to report for work, unless otherwise excused for a reason satisfactory to the Employer, shall not be entitled to holiday pay and will be subject to discipline.

2. Court Leave

An employee subpoenaed as a witness to testify on behalf of the City in connection with any matters arising out of their employment shall be granted time off for such testimony. Witness fees will be handled in the same manner as jury fees. Mileage shall be paid from an employee's home base to the courthouse. If, however, an employee is subpoenaed for any other purpose, they will be given time off without pay and without mileage reimbursement.

3. Sick Leave

All full-time employees who have completed thirty (30) calendar days of employment with the City will be allocated 64 hours (8 days) of sick leave on the first workday of any calendar year. Employees who were hired after January 1 will receive a prorated allocation upon completion of thirty (30) days of employment. Employees must notify their supervisor at the earliest opportunity when they will be off work because of illness.

Sick leave is a paid leave of absence from duty for an employee's personal mental and physical illness, injury, health condition, medical diagnosis, or preventative medical care, or to provide care for an immediate family member. An immediate family under this section is defined as the employee's spouse, parent, child, or member of the employee's immediate household living with the employee.

Each employee granted sick leave under this section will be paid at their current, regular time rate. Sick leave is not considered hours worked and used sick leave is not included in the total hours worked for overtime calculation purposes. Sick leave shall be taken in increments of no less than one hour.

To be eligible to use allocated paid sick leave, the employee shall give notice to their supervisor at least one (1) hour prior to the start of the scheduled workday. The supervisor must be contacted on each day of absence unless it is impossible to do so.

Records shall be maintained of sick leave used. Any sick leave in excess of 24 (twenty-four) consecutive work hours (three (3) consecutive workdays), shall be required to provide a signed doctor's certificate upon return to duty.

The abuse of sick leave or falsification of requests shall constitute sufficient grounds for discharge or other disciplinary action. Sick leave shall not be converted to paid time off or vacation. There will no pay out of sick leave not used at the end of the calendar year. If an employee leaves before the end of the year for any reason, they will forfeit any unused sick leave. Up to forty (40) hours may be carried over to the next year.

Employees budgeted to work forty (40) hours may donate up to sixteen (16) hours (two (2) days) of sick time to a full-time employee.

4. Bereavement Leave

Full time employees shall be allowed paid time off according to the following schedule in the event of a death of a family member:

- up to forty (40) hours (five (5) days) with pay in the event of death of a spouse, parent, or child;
- up to twenty-four (24) hours (three (3) days) with pay in the event of death of a sibling, grandparent, or parent-in-law;
- up to eight (8) hours (one (1) day) with pay in the event of the death of an aunt, uncle, niece or nephew.

Exceptions for extenuating circumstances may be made with the approval of the City Manager. The City Manager may also grant exceptions to this policy in their sole discretion based on the unique circumstances of each specific full-time employee's request for funeral leave. Employees are not entitled to paid bereavement leave to attend a funeral while the employee is on paid or unpaid time off or is not scheduled to work. Bereavement leave must be taken within 60 days of the death. Documentation substantiating the death may be requested by the City.

5. Personal Leave

Full-time employees shall receive twenty-four (24) hours (three (3) days) of paid personal leave per year. Personal leave is intended to provide employees with flexible paid time off from work that can be used for such needs as mental and physical health, appointments, educational activities, volunteerism, and other activities of the employee's choice. Such leave shall be requested for approval by the supervisor two (2) working days in advance. Unused personal days shall not be carried over from year to year or paid out at the end of employment.

Each employee granted personal leave under this section will be paid at their current, regular hourly base rate. Personal leave is not considered hours worked and used personal leave is not included in the total hours worked for overtime calculation purposes. Personal leave shall be taken in increments of no less than one hour.

6. Vacation Leave

All full-time employees are entitled to vacation leave as noted below. Vacation leave is earned time for hours worked the previous year. Vacation leave will be prorated during the initial year of employment based on the employee's date of hire.

Upon Hire until Completion of 2 Years of Service	40 Hours
2 Years of Service to 5 Years	80 Hours
6 Years of Service to 10 Years	120 Hours
11 Years of Service and up	160 Hours

Employees will not be required to use vacation leave if their vacation falls on a paid holiday. Vacation leave pay out in lieu of time off shall not be approved.

Each employee granted vacation leave under this section will be paid at their current, regular hourly base rate. Vacation leave is not considered hours worked and used vacation leave is not included in the total hours worked for overtime calculation purposes. Vacation leave shall be taken in increments of no less than one hour.

Vacations will be granted at such times during the year as are suitable, considering both the wishes of the employee and the efficiency of the Department concerned. The City may deny vacations based upon the Department's operational needs.

All vacations must have the prior approval of the employee's supervisor. Employees must notify their supervisor, in writing, at least fourteen (14) calendar days in advance of the vacation period desired.

An employee shall not accumulate more hours of vacation leave than the vacation maximums set forth above unless outlined in or in a separate contract. The employee may carry over up to forty (40) hours of vacation leave from one calendar year to the next.

7. Jury Duty Leave

If an employee is summoned and reports for jury duty, such employee shall be paid for jury duty up to 10 working days in a calendar year. Upon receipt of notification from the court of an obligation to serve on a jury, employees must notify their supervisor and provide them with a copy of the jury summons. The City will pay a regular full-time employee their regular straight time rate which they would have earned if working. If jury duty ends before an employee's scheduled shift ends, they may either return to work or take a paid leave of absence from vacation or personal time for the remainder of the day. In order to receive payment through the City, an

employee must coordinate with payroll and submit payment(s) received for jury duty, less mileage paid, to the City Treasurer. Such payment will only be made on days when the employee otherwise would have been scheduled to work.

ARTICLE VI: EMPLOYEE PENSION AND INSURANCE

A. PLAN DESCRIPTIONS

Employees should contact the City Clerk's office to obtain a copy of the Summary Plan Description (SPD) of each benefit described in this section. The SPD contains information regarding coverage, eligibility requirements, and required employee contributions. Coverage, eligibility and benefits will be controlled by the insurance carrier's actual plan documents.

B. RETIREMENT

The City currently provides a pension plan for eligible employees. All such full-time employees will be covered by the Municipal Employees Retirement System (MERS), effective the date of employment. The plans are described in detail in the plan statement which is available from the City Clerk. The terms of the plan control the benefits provided thereunder and eligibility for benefits.

C. HEALTH & DENTAL INSURANCE COVERAGE

The City currently offers health and dental insurance coverage for all regular full-time employees and dependents. Coverage will be offered after satisfactorily completing thirty (30) calendar days of employment with the City. Terms and conditions of insurance coverage shall be stipulated by an insurance carrier at its own discretion according to the policy package adopted by the City. The City reserves the right to change insurance carriers, coverage, co-pays and premium sharing contributions by employees in its discretion at any time. See Human Resources for more detail.

D. OPTICAL REIMBURSEMENT

The City currently offers reimbursement up to a certain amount per year for optical expenses incurred by full-time employees who have satisfactorily completed thirty (30) calendar days of employment. See Human Resources for more detail.

E. SHORT TERM DISABILITY INSURANCE

The City currently provides short term disability insurance benefits to regular full-time employees who have completed thirty (30) calendar days of employment. Terms and

conditions of insurance coverage shall be stipulated by an insurance carrier at its own discretion according to the policy package adopted by the City. The City reserves the right to change insurance carriers, coverage, co-pays and premium sharing contributions by employees in its discretion at any time. The determination of disability and terms and conditions of coverage shall be stipulated by an insurance carrier according to the policy selected by the City. Approval for short-term disability insurance benefits does not automatically entitle employees to a leave of absence. Whether an employee is entitled to a leave of absence will be determined by the City in accordance with its Medical Leave of Absence policy. See Human Resources for more detail.

F. LIFE INSURANCE

The City currently provides group life insurance benefits for regular full-time employees who have completed thirty (30) calendar days of employment. The terms of the benefit will be controlled by the insurance carrier's actual plan documents. Any full-time employee wishing to carry life insurance on a spouse or child shall be responsible for 100 percent of the premium. The City reserves the right to change insurance carriers, coverage, co-pays and premium sharing contributions by employees in its discretion at any time

ARTICLE VII: MISCELLANEOUS EMPLOYEE BENEFITS

Miscellaneous employee benefits are provided on a fiscal year basis (July 1 – June 30).

A. UNIFORMS

The City will establish uniform allowance for employees whom it determines are required to wear uniforms. Employees will be required to launder and maintain the uniforms in good condition. All uniforms will be maintained without holes, tears, cuts, or stains. The allowance will be used to purchase or replace uniforms as needed based upon normal wear and tear. Uniforms will not be worn during off-work hours. The uniform allowance may be used to purchase or replace shirts, pants, shoes, boots, and coats as approved by the employee's supervisor. The City will provide health and safety equipment such as high visibility safety vests, gloves, hard hats, ear and eye protection as required for the work being performed.

B. TUITION REIMBURSEMENT

The City shall reimburse employees for up to two (2) classes each calendar year, up to a maximum of one thousand dollars (\$1,000) if the class is approved by the City in advance and is related to their work. Should an employee leave employment for any reason within

one (1) year after receiving tuition reimbursement, the employee shall repay the City for such reimbursements. Employees must have worked for the City for at least 30 days to be eligible for this benefit.

C. HOLIDAY BONUS

The City provides a fifty (\$50) dollar holiday bonus to all full-time employees in the last pay period of the month of December. The holiday bonus is subject to payroll taxes. Employees must have worked for the City for at least 30 days prior to the payment date to be eligible.

ARTICLE VIII: INFORMATION AND TECHNOLOGY

This policy covers the use and treatment of all City information and Information Technology (IT) resources (e.g., computers, computer systems, networks, software, programs, e-mail, electronic voice communication, video communication, facsimile, wi-fi, internet, and any future technologies owned by the City), including the City's access to, review or disclosure of electronic files, electronic mail, electronic voice, and video communications through or stored on any part of the IT resources systems.

A. GENERAL POLICY

IT resources are intended to assist in the efficient and effective day to day operations of City, including collaboration and exchange of information within and between City departments, Council members, agencies, other branches of government, and outside contacts. These resources also provide public access to certain public information. The IT system is to be used for City-related purposes only. The City will treat all information stored through or on these systems including, but not limited to, voice communication and e-mail messages, as City information. The City has the capability to access, review, copy, modify, and delete any information transmitted or stored in the system, including voice and e-mail messages.

Any written or recorded information on IT resources that contain personal information of an employee as a result of an employee making incidental use of the IT resource system for personal purposes, including the transmission of personal voice and e-mail messages, will be treated no differently than other City files. The City reserves the right to access, review, copy, modify, delete or disclose them for any purpose. Accordingly, employees should not use the City's IT resources to send, receive, or store any information for personal purposes. The files or messages sent, received or stored anywhere in the respective system will be available for review by authorized representatives of the City, are subject to the Freedom of Information Act, and may be disclosed to third parties.

B. PROHIBITED USE OF IT RESOURCES

The following uses of the IT resource system are strictly prohibited, and violation of these policies may result in discipline, up to and including discharge and, where appropriate, civil and/or criminal liability. The list of prohibited uses of IT resources is for illustration purposes only and is not intended to be all-inclusive.

- Distribution of offensive or harassing statements, transmission of defamatory obscene, offensive, or harassing messages or messages that disclose personal information without authorization.
- Distribution of statements which may incite violence or describe or promote the use of weapons or devices associated with terrorist activities.
- Distribution or solicitation of sexually orientated messages or images.
- Any use for illegal purposes or in support of such activities.
- Any use for commercial purposes, product advertisement or for-profit personal activity.
- Wasting IT resources, for example:
 - Placing a program in an endless loop
 - Printing unnecessary amounts of paper
 - Intentionally disrupting the use or performance of City-authorized IT resources or any other computer system or network
 - Storing any information or software on City-provided IT resources which is not authorized
- Accessing accounts within or outside the City's computers and communication facilities for which you are not authorized or do not have a business need.
- Copying, disclosing, transferring, examining, renaming, or changing information or programs belonging to another user unless you are given express permission to do so by the person responsible for the information.
- Knowingly or inadvertently spreading computer viruses.
- Distributing "junk mail" such as chain letters, advertisements, or unauthorized solicitations.

- Transmitting confidential information without proper security and authority.
- No games are permitted to be loaded upon or utilized on City computers.

C. ELECTRONIC MAIL RETENTION POLICY

In order for municipal government to function administratively, undergo periodic audits, provide for its legal requirements and document its heritage, it must manage its records properly. Therefore, the City requires its employees to retain and destroy e-mail messages that are sent and received in the course of conducting official business in accordance with an approved records Retention and Disposal Schedule.

1. Definitions

Electronic mail (e-mail) is a means of exchanging messages and documents using telecommunications equipment and computers. A complete e-mail message not only includes the contents of the communication, but also the transactional information (dates and times that messages were sent, received, opened, deleted, etc.; as well as aliases and names of members of groups), and any attachments. Transactional information can be found and printed or saved from the e-mail system, or by contacting the city's IT Technician.

2. Records Retention and Disposal Schedules

These are listings of records or records series that are maintained by government agencies in the course of conducting their official business that identify how long the records must be kept, when they may be destroyed and when certain records can be sent to the Archives of Michigan for permanent preservation. In accordance with Michigan law, records cannot be destroyed unless their disposal is authorized by an approved Retention and Disposal Schedule. Retention and Disposal Schedules are developed by the Department of History, Arts and Libraries, Records Management Services, through consultation with an agency about its records. The City of the Village of Douglas adopted the Michigan Municipal League (MML) Records Management Guidelines and Approved Retention and Disposal Schedule for Cities and Villages at its regular council meeting on 8/04/2008.

3. Four Categories of Electronic Mail

- a. Official Records are recorded information that is prepared, owned, used, in the possession of, or retained by the City of the Village of Douglas in the performance of an official function. Official records include evidence of a decision. E-mail messages are public records if they are created or received as part of performing a public employee's official duties. Retain official records according to the MML Retention Schedule.

- b. Transitory Records related to the City of the Village of Douglas activities that have temporary value and do not need to be retained once their intended purpose has been fulfilled. Retain transitory records for up to 30 days.
- c. Non-Records are in the possession of the City of the Village of Douglas that are not intended to document the performance of an official function. These include drafts, duplicates and convenience copies that do not document agency activities. Non-records should be disposed of as soon as they have served their intended purpose. There is no requirement to retain them.
- d. Personal Records are records that document non-government business or activities. These should not be retained by using government technology resources.

D. PROCEDURES

1. Employee Responsibilities

<ul style="list-style-type: none"> Senders and Recipients of e-mail messages shall evaluate each message to determine if they need to keep it as documentation of their role in a business process.
<ul style="list-style-type: none"> Senders are generally considered to be the person of record for an e-mail message. However, if recipient of the message, they should also retain it as a record.
<ul style="list-style-type: none"> It is recommended that employees retain only the final message in a communication string that documents the contents of all previous communications. This is preferable to retaining each individual message, containing duplicate content
<ul style="list-style-type: none"> Shall evaluate the content and purpose of each e-mail message to determine which Retention and Disposal Schedule defines the message's approved retention period
<ul style="list-style-type: none"> Employees shall retain e-mail that has not fulfilled its legally mandated retention period by: putting the needed e-mails into a folder on a flash drive for future storage.
<ul style="list-style-type: none"> A CD of the e-mails will also be made. Flash drives will be kept in the safe and CD's stored in the department.
<ul style="list-style-type: none"> Shall retain transactional information (see definition of e-mail above) with the e-mail message if there is a substantial likelihood of relevancy to litigation.
<ul style="list-style-type: none"> Shall organize their e-mail messages so they can be located and used.
<ul style="list-style-type: none"> Shall dispose of transitory, non-record and personal e-mail messages from the e-mail system.
<ul style="list-style-type: none"> Shall dispose of e-mail messages that document the official functions of the agency in accordance with an approved Retention and Disposal Schedule. Note: Records, including e-mails, shall not be destroyed if they have been requested

under FOIA, or if they are part of ongoing litigation, even if their period has expired.
<ul style="list-style-type: none"> • Shall provide access to their e-mail to the FOIA or Litigation Coordinator upon request.
<ul style="list-style-type: none"> • Shall retain all work-related appointments, tasks and notes stored in the e-mail system for 2 years.
<ul style="list-style-type: none"> • Recognizing that e-mail messages that are sent and received using the City of the Village of Douglas e-mail system are not private, employees are encouraged to manually delete personal appointments (such as sick leave or annual leave) from the e-mail system after the event takes place

2. City of the Village of Douglas Responsibilities

<ul style="list-style-type: none"> • Shall ensure that its records are listed on an approved record Retention and Disposal Schedule.
<ul style="list-style-type: none"> • Shall ensure that all employees with e-mail accounts are aware of and implement this policy.
<ul style="list-style-type: none"> • Shall notify the City Clerk when the accounts of former employees can be closed.
<ul style="list-style-type: none"> • Shall ensure that the e-mail messages (and other records) of former employees are retained in accordance with approved Retention and Disposal Schedules
<ul style="list-style-type: none"> • Shall notify the litigation or FOIA coordinator when an agency becomes involved in litigation or receives a FOIA request. Exceptions to the procedures in this document may be granted in writing by the City Council.

E. FOIA AND LITIGATION COORDINATOR RESPONSIBILITIES

<ul style="list-style-type: none"> • Shall identify if the records that are requested by the public are stored in e-mail, even if the public does not specifically request e-mail.
<ul style="list-style-type: none"> • Shall notify affected employees that a FOIA request involving e-mail was received to prevent the destruction of relevant messages.
<ul style="list-style-type: none"> • May in appropriate instances notify the City Council that a FOIA request involving e-mail was received to prevent the destruction of relevant messages.
<ul style="list-style-type: none"> • Shall identify all records relevant to litigation to which the agency is a party that are stored in e-mail.
<ul style="list-style-type: none"> • Shall notify the City Council that e-mail litigation cannot be destroyed until after the case is closed.
<ul style="list-style-type: none"> • May direct employees to complete an on-line e-mail retention training.

F. CONFIDENTIALITY

All employees are responsible for protecting the any confidential and sensitive information in the City's possession.

Specific examples include, but are not limited to:

- Employee's personal information, including addresses, phone numbers, performance
- Citizen records such as billing information, credit status, and other personal customer information.

Examples of some exceptions: If the communication of information is consistent with your normal job duties, or you are authorized to disclose this information by your supervisor, City Manager, or a member of City Council.

ARTICLE IX: WORKPLACE RULES & PROHIBITIONS

It is the policy of the City of the Village of Douglas to ensure an orderly and productive working environment for all employees. All City employees are expected to adhere to the rules, policies and prohibitions of the City. Further, the list may be added to, modified, or supplemented by the City Council, City Manager, or the supervisor with the approval of the City Manager. The purpose of these rules is to set forth guidelines for conduct, violation of which will result in the disciplinary action, including possible discharge. The City reserves the right to apply other standards of conduct, or to impose disciplinary action for other matters not specifically listed below. **This list is not intended to be an all-inclusive list of rules of conduct expected of employees. The inclusion of these rules is not meant to either create an employment contract or alter the employee's status. Non-union employees are at will employees and may be terminated at any time, with or without cause.**

- Failure to notify supervisor not less than one hour prior to beginning of shift that an employee is not coming to work.
- Leaving premises or a work assignment during working hours without permission.
- Absences of three (3) consecutive working days without notifying management will be considered a voluntary resignation.
- Unexcused absences from work or from your working station.
- Tardiness three (3) times in any sixty (60) day period and each succeeding incident of tardiness during the calendar year.
- Repeated offense three (3) times in any sixty (60) day period, the failure to either punch a timecard or properly fill out a timecard.
- Interfering with others in the performance of their duties.
- Posting, removing, or tampering with bulletin board notices without authority.

- Personal work on City time.
- Violating the Alcohol and Substance Abuse Policy.
- Sleeping, or making a place to sleep, during working hours.
- Solicitation or distribution of literature for any cause during work time or in work areas without permission.
- Tampering with time clock or timecards.
- Conviction of a crime if the conviction makes the employee unfit for their position in the City's discretion.
- Loss of driver's license if driving is a required function of the employee's position.
- Stealing.
- Falsification of City records or documents.
- Lying or misrepresentation.
- Possession of weapons or explosives on City premises, at any time.
- Violation of safe driving practices and traffic laws while driving City vehicles.
- Improper use of leave of absences.
- Smoking within City buildings or vehicles.
- Verbally abusing or threatening, intimidating, coercing, physically attacking or other improper treatment, or interfering with employees, citizens or visitors.
- Refusal to perform work order of a supervisor.
- Abuse, misuse, or negligent or deliberate damage to City property or equipment.
- Abuse, misuse, or damage to the property of others on City premises.
- Poor or careless work, inefficiency, incompetence, neglect of duty or failure to satisfactorily perform job functions.
- Violation of departmental rules on confidentiality.

- Unlawful discrimination, harassment or retaliation.
- Carelessness, negligence, or disregard of safety rules or safety procedures.
- Instigating, aiding, or participating in any illegal strike or work stoppage or slow down at the City.

ARTICLE X: WORKPLACE POLICIES

A. CITY VEHICLES AND EQUIPMENT

For business purposes City vehicles and equipment may be provided for employees', contractual individuals', and Council members' use. City equipment is not to leave the assigned premises unless written approval is provided by the City Manager. Individuals are prohibited to permit any non-employee, or any non-authorized person to use a City vehicle for any reason. Non-employees are prohibited from using or riding in a City vehicle unless they are conducting City business. Employees utilizing City vehicles must have a valid driver's license and comply with all traffic laws. If an employee's driver's license is suspended or restricted in any way they must report that information to their supervisor immediately.

Smoking is prohibited in City vehicles. No employee shall transport drugs or alcoholic beverages in any City vehicle or operate a City vehicle if they have illegal drugs (including marijuana), alcohol, or any legally prescribed drug in their bodily system that could impair their ability to drive in any way.

City vehicles are not to be taken home or parked overnight at an employee's residence unless authorized by the City Manager. Operators of City vehicles must ensure that the vehicle is maintained and secured in a manner which protects its value and reflects favorably on the image of the City. Any defect or damage to the vehicle must be promptly reported to the City Manager.

B. CITY PROPERTY

The City supplies documents, keys, equipment, hardware, software, and tools to employees for use on the job. All property remains the property of the City and is not to be used for personal purposes. Employees are responsible for the loss or damage of employer-owned property.

Per the City Charter, whenever any employee shall cease to be employed for any reason whatsoever, they shall, within five (5) days, or sooner on demand, deliver to their supervisor all City property.

All property provided to the employee must be returned to the City in the same condition as when it was received, normal wear and tear is anticipated. If property is worn or damaged through normal use, the employee should return it to their supervisor for replacement.

C. PERSONAL POSSESSIONS

The Employer assumes no responsibility for personal items (radios, pictures, etc.). The Employer will not reimburse an employee for a lost, missing, or damaged personal item.

D. ACCESS TO PERSONNEL RECORDS

Personnel records are maintained in the City Clerk's office for employees. These records include information on initial employment or re-employment, professional credentials, salary increases, promotion, demotions, disciplinary actions, and other pertinent employment information. Employees may have access to, review and have a copy made of their personnel records provided that the City Clerk, or their designee, is present during the review a maximum of two times per calendar year during business hours and with reasonable notice.

Access to personnel records shall be limited to the employee's supervisor, City Manager, and the employees responsible for maintaining said files except in accordance with Michigan law.

E. ANNUAL REVIEW

Annual performance reviews shall be conducted by an employee's immediate supervisor prior to June 30 each year.

F. SAFE WORKPLACE

The City is committed to providing a safe workplace for its employees, customers, and contractors. In an effort to prevent the potential for violence on City property, the City strictly prohibits any threatened or actual workplace violence. This includes, but is not limited to, any of the following conduct in or around the work environment:

- Threatening injury or damage against a person or property
- Fighting or threatening to fight with another person
- Using obscene or abusive language or gestures
- Stalking

Because of the potential for misunderstanding, joking about any of the above conduct is also prohibited. Any person who exhibits unsafe behavior will be removed from the City's premises by a law enforcement officer as quickly as safety permits and shall remain off City premises pending the outcome of an investigation. If the investigation substantiates that a violation has occurred, the supervisor will take immediate corrective action. Corrective action may include immediate discipline, up to and including discharge. Additionally, the City may, at its discretion, pursue any criminal or civil remedies which may be available.

All employees, contractors, and any other personnel are responsible for notifying the City of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Any individual who reasonably believes that a situation may become violent, should immediately leave the area. No disciplinary action shall be taken against any employee who leaves a job site or office setting when/he has a reasonable belief that another person may cause them harm.

Any violations of this policy should be immediately reported in writing to the City Manager or, in their absence, their replacement.

A report or complaint will be promptly investigated. If a report is made in good faith, the employer shall undertake to protect the complainant from retaliation or any other detrimental impact on their employment. In order to provide a safe workplace and protect employees from threats to their safety, the City must know if a court has ordered an individual to stay away from City locations. Therefore, this policy also requires all individuals who obtain a protective or restraining order which lists City locations as being protected areas, to provide the City Manager a copy of any protective or restraining order. This information will be kept reasonably confidential to the extent possible.

G. WEAPON-FREE WORKPLACE

To ensure that the City maintains a safe workplace free of violence for all employees, the City prohibits the possession or use of dangerous weapons on City property.

All City employees are subject to this provision, including contractual employees and temporary employees on City property. A license to carry the weapon on City property does not supersede this policy. Any employee in violation of this policy will be subject to disciplinary action, up to and including discharge.

1. Definitions

- a.) City Property – Defined as all City-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the City's ownership or control. This policy applies to all City-owned or leased vehicles and all vehicles that come onto City property.
- b.) Dangerous Weapons – Include firearms, explosives, knives and other weapons that might be considered dangerous or that could cause harm.

Employees are responsible for making sure that any item possessed by the employee is not prohibited by this policy.

2. Searches of Personal Property

Although the City respects employees' legitimate privacy concerns, such concerns are subservient to facility, employee and citizen security, and safety concerns. Therefore, when the City has reason to believe an employee has violated City policy (e.g. bringing drugs, alcohol, or weapons onto City property, theft, etc.), The City reserves the right at any time and at its discretion to search all personal property, vehicles, packages, containers, lockers, briefcases, purses, desks, enclosures, containers, and persons entering City property, for the purpose of determining whether any drug, alcohol, or weapon is being or has been brought onto City-owned or leased property or premises in violation of this policy. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including discharge.

3. Enforcement

This policy is administered and enforced by the City Manager. Anyone with questions or concerns specific to this policy should contact the City Manager.

H. HEALTH AND SAFETY

Where the City shall deem it necessary it shall provide for protective devices and equipment as appropriate. Employees are expected to work in a safe manner and shall cooperate with the City in all health and safety procedures and shall make proper use of all equipment and devices provided for such purposes. It is expressly understood that violation of safety rules or regulations may result in disciplinary action up to and including discharge.

Employees shall report to their supervisor as soon as possible, all defects known to them in connection with any health and safety equipment used during the work shift.

I. INJURIES AND ILLNESSES

An employee injured on the job, or in any way, related to their employment or who discovers a medical condition that they believe arises out of their employment shall report such injury or illness to their supervisor no later than the employee's next regularly scheduled workday. Such report shall set forth the nature of the injury/illness, the manner of its occurrence, witnesses, if any, to the event, and other such details as may be required by the City and its workers compensation insurer. The employee shall fill out an accident / incident report in writing on forms to be furnished by the City.

The City may require that the employee submit to a medical evaluation by a doctor selected by the City or the City's insurance carrier and may require a medical release prior to allowing

an employee to return to work. Any accrued sick, personal or vacation time may be used to supplement any worker's compensation payments.

Employees shall report to their supervisor as soon as possible, all defects known to them in connection with any vehicles and equipment used during the work shift.

J. INCLEMENT WEATHER

The inclement weather policy shall govern the operation and/closure of City buildings, as well as the safety of City employees and customers during emergencies. The following policy was developed regarding unscheduled closings due to bad weather, during times that the City offices would otherwise be open.

1. City Hall Closing

Subject to limits imposed by law, when it is deemed to be in the best interest of the City to close city facilities, or to curtail services as a result of inclement weather or emergencies, the City Manager after consultation with the Mayor may declare City Hall closed. If during normal working hours, employees may be dismissed from their duties for the remainder of the day and compensated as if worked for a normal day.

If a closing is declared, local radio stations will be notified, and employees will be notified as soon as possible of the closing. This policy does not apply to employees who are called in to work by their supervisors. If this should happen, an employee may be required to perform their duties if they are able to safely travel to the City building.

2. Inability to Report to Work

In the event that City buildings remain open, and an employee cannot safely get to work, they may be absent, provided they make reasonable efforts to contact their supervisor who must approve the absence. In this event, compensatory, vacation, or personal leave may be used by the individual if approved by their supervisor. If no compensatory, vacation, or personal leave is remaining, time will be unpaid.

K. REMOTE WORK POLICY

Remote work opportunities will be offered on a limited and restricted basis with the approval of the City Manager. The following expectations for employees are being provided for limited remote work and remote attendance participation when approved by the City Manager. The City Manager has the discretion to allow or terminate remote work participation on a case-by-case basis. For example, a request may be denied where direct interaction between the employee and other workers or customers is important or where the employer's standards of quality, quantity, efficiency, productivity or safety may be compromised if the employee does not work on the City's premises.

1. General Expectations

Remote work employees are expected to be available and communicative during scheduled work hours. City work rules and other policies continue to apply to offsite work locations. Consumption of alcohol and illegal drugs during work hours is never acceptable. Employees should seek a quiet and distraction-free working space, to the extent possible. Employees are expected to maintain their workspace in a safe and secure manner, free from safety hazards. The City will not reimburse employees for internet access fees associated with using home internet access networks. The City is not required to provide additional or specialized equipment and resources to support remote work.

2. Remote Attendance / Virtual Meetings

While distractions are often unavoidable, try to keep them to a minimum. No music or television in the background during meetings. Keep yourself muted during video or audio conferencing unless you are speaking. Turning on video may be required. Avoid eating during virtual meetings. Smoking or vaping is not permitted during a video conference. Wear appropriate work attire. No sleeveless tops, pajamas or other apparel that would not be appropriate to wear to a public meeting. Avoid multi-tasking. Give your full attention to the meeting as if you were face to face.

L. USE OF SOCIAL SECURITY INFORMATION

The City obtains and uses confidential information in the conduct of its business. This includes documents containing Social Security numbers. Such documents must be treated as confidential, which means they must be retained in secured areas or files, password protected when stored on computers, disclosed only to authorized persons, and destroyed at an appropriate time and in an appropriate manner.

Employees who obtain, use, or disclose Social Security numbers for improper, unauthorized or illegal reasons are subject to discipline or discharge, as well as potential criminal or civil prosecution.

1. Purpose

The City is required by the Michigan Social Security Privacy Act to control how it obtains, uses, disseminates, and disposes of records which contain Social Security Numbers.

2. Obtaining Social Security Numbers

Documents or other records containing Social Security Numbers are to be requested, obtained, or created only for legitimate business reasons. Such reasons include, but are not limited to:

- a.) Pre-employment background check
- b.) Verifying employee eligibility for employment in accordance with the Immigration Reform and Control Act
- c.) Tax reporting purposes (e.g. IRS Form W-4), new-hire reporting, or for purposes of enrollment in employee benefits plans
- d.) Social Security Numbers may be obtained from contractors or vendors for tax reporting purposes (e.g., IRS Form 1099)
- e.) Customers / clients may be asked to provide Social Security Numbers for tax reporting purposes or for purposes of establishing a customer-specific account or other record

3. Retention and Access to Social Security Numbers

- a.) All records containing Social Security Numbers (whether partial or complete) will be maintained in secured files
- b.) All paper records containing Social Security Numbers must be stamped "Confidential", "Controlled Document", or with some similar identifying mark.
- c.) Only personnel who have a legitimate business reason to know will have access to records containing Social Security Numbers

Employees whose job entails regular access to records containing Social Security Numbers will be trained in the legal requirements and the requirement of this Personnel Policy and Benefits Manual

- d.) Where a record containing a Social Security Number is to be disseminated to persons outside of the City, to persons within the City who are not authorized or trained in this Policy and Procedure, or where the number is not relevant to the purpose for which the record is being shared, the Social Security Number should be rendered unreadable
- e.) Employees using records containing Social Security Numbers will take appropriate steps to secure such records when not in immediate use. Such steps may include:
 - 1.) Placing such records in a locked desk or file drawer when not in use
 - 2.) Using password protection or screen savers on computers and computerized records to prevent unauthorized access to or viewing of such records by others.

M. TELEPHONE USAGE

1. Desk Phones

The City's telephone system is to be used for calls that are primarily City business. Personal calls should be from or to a cell phone, not the City phone system. Unavoidable personal calls or emergency calls are to be reimbursed to the City. If the City determines there is a pattern of non-City related calls, the City may take the necessary corrective action and/or discipline.

2. Cellular Telephone Use Policy

The City provided cellular telephones are for business purposes only, unless otherwise authorized by the supervisor. Cellular phones are not to be used for non-work-related communications. Unavoidable, emergency, personal phone calls are to be reimbursed by the employee if charges are incurred. Cellular telephones should not be used when a less costly alternative is safe, convenient, and readily available.

Employees shall adhere to current state law pertaining to use of cellular devices while operating any equipment and motor vehicle.

Employees in possession of City cellular phone are required to take appropriate precautions to prevent theft and vandalism of all City equipment.

The purpose of this policy is to promote fiscal responsibility in overseeing expenditures and resources while providing a resource to City staff to support the efficient operation of municipal government with relation to communication and cellular services. This policy provides general guidance for the issuance and use of cellular devices for business purposes and reimbursement of personal cellular devices.

3. Terms

Cellular device is defined as a mobile device with wireless voice and/or data capabilities that incur usage fees (i.e., cell phone, mobile hotspot, etc.)

Department cellular device is a cellular device issued within a specific department for the purposes of being assigned to a staff member in accordance with the tasks being assigned. Department cellular devices are issued for municipal business purposes only. Personal cellular device is a cellular device owned by an individual and all costs for usage, device, maintenance, repair and replacement is the responsibility of the individual.

Stipend reimbursement is set compensation paid by the organization for an out-of-pocket expense incurred or an overpayment made by an employee, customer, or another party.

Employees who are required by their supervisor to participate in communication functions as part of their job duties have the option of either utilizing a personal cellular device and receive a stipend reimbursement, purchasing a personal cellular device, and receive a stipend reimbursement, or may decide to use a department cellular device. Employees who choose to use a personal cellular device shall receive a stipend reimbursement based on their level of work within the organization. Supervisors must identify the permanent funding source for the stipend reimbursement in their request.

City employees whose job duties include the need for a cellular device may receive a stipend to cover business related use on their personal cellular device. The employee's supervisor may authorize the stipend reimbursement if one of the following criteria is met:

- a.) The job function of the employee requires considerable time outside of the assigned office work area
- b.) The job function of the employee requires the employee to be accessible outside of normal work hours
- c.) The job function of the employee requires wireless data and internet access
- d.) The employee is designated as a first responder to emergencies

Appropriate stipend levels will be determined by the employee's supervisor and the City Treasurer per the following levels. Stipend reimbursement amounts will be issued to the employee by automatic payroll deposit. Employees requesting reimbursement request for the following to reimburse employees who are regularly required to use their personal cell phones to perform their job duties:

Level 1 – General Employees: \$30 stipend reimbursement per month or as amended per the Fee Schedule

Level 2 – City Administration and Supervisors: \$40 stipend reimbursement per month or as amended per the Fee Schedule

N. TOBACCO FREE WORKPLACE

No tobacco use will be allowed anywhere in any City building. This includes smoking, vaping, e-cigarettes, and chewing tobacco. City buildings are a tobacco-free workplace for the health, safety and well-being of all of its employees and visitors. The success of this policy will depend upon the thoughtfulness, consideration and cooperation of everyone. All employees share in the responsibility for adhering to and enforcing the policy. Persons observing a violation of this policy should bring it to the attention of their supervisor or the City Manager. Supervisors or the City Manager receiving a complaint will investigate and take action to resolve the issue as soon as possible.

O. POLITICAL ACTIVITY

Every employee has the right to freely express their views as a citizen and to cast a vote as they may wish. Coercion for political purposes is strictly prohibited. Employees of federally aided programs are, however, prohibited from participation in partisan political activity under the Federal Hatch Political Activities Act.

No employee shall engage in any partisan political activity or campaigning for a non-partisan elective office during scheduled working hours while on duty, or while off duty wearing a uniform or other identifying insignia of a City office or employment. Solicitation of signatures or contributions or nominating petitions is prohibited during working hours. No employee shall be required to engage in a campaign for election of any candidate.

P. DRESS AND HYGIENE

Because the City is in the service business, all employees are expected to look neat and professional during work hours, whether on the City premises or elsewhere. Your supervisor will inform you of what attire is appropriate. Some jobs may have additional restrictions for safety reasons. Exceptions will not be granted without written permission from your supervisor. For a first transgression, employees who appear for work inappropriately attired or without proper hygiene will be sent home without pay and directed as to the appropriate hygiene or attire. For subsequent occurrences, disciplinary action may result.

If you believe a certain manner of dress, personal appearance or hygiene is necessary because of religious beliefs, medical condition, or an otherwise legally protected reason, you must notify your supervisor of this reason, in writing, before you report to work. The City may require you to provide appropriate proof of this belief, condition or otherwise protected reason.

Q. OUTSIDE ACTIVITIES AND EMPLOYMENT

Employees may engage in outside activities unrelated to the performance of assigned City responsibilities, for compensation or otherwise, on a limited basis provided that such outside activities will not interfere with the performance of assigned duties, create a conflict, or the appearance of a conflict, with the City. Such outside activities should not exploit the employee's association with the City for commercial or personal purposes and should not be conducted during scheduled hours of work without disclosure and prior written approval from the supervisor. Any approval granted under this provision shall specify the terms upon which the approval is conditioned. The City shall not be liable, either directly or indirectly for any activities performed during outside or supplemental employment. Employees must understand that they may be called upon to work overtime or called in after hours. Such work is mandatory and outside employment is not an acceptable reason for failure to report for required City work.

No facilities, equipment, supplies, secretarial or other employee services furnished by the City may be used in pursuit of an outside activity.

R. REPORTING ILLEGAL / UNETHICAL ACTIVITY AND INVESTIGATIONS

Any employee who, during the course of employment, believes that they have been requested or required to engage in an illegal or unethical act, must report that fact immediately, in writing, to their supervisor who will promptly undertake to investigate the allegations and take remedial action if necessary. If the supervisor is the individual who is the subject of the complaint, the employee shall notify the City Manager. If such a report is made in good faith, the City will protect the reporting employee from any retaliation or other detrimental impact upon their employment.

S. EMPLOYMENT OF RELATIVES

The City may employ relatives of employees pursuant to this policy. Per the City Charter, unless the City Council shall determine that the best interest of the City shall be served, family members of any elected or appointed officer are disqualified from holding any appointive office or employment during the term of the said elected or appointed officer.

Relatives may not, however, work in the same department. Employees may not be supervised by anyone to whom they are related, nor shall an employee hold a position which has authority over a relative's hiring, discipline, promotion, salary, discharge, or other management or personnel considerations.

If one employee marries another employee, both may retain their positions providing that they are not in the same department, one is not supervised by the other, or neither holds a position which has authority over the other's employment, discipline, promotion, salary administration, or other management or personnel considerations.

If the marriage of two (2) employees results in violation of this policy, an attempt will be made to transfer one of them to another department, provided a position is available and the individual to be transferred is qualified for the position. If such a transfer cannot be accomplished within thirty (30) days, one of the married employees must resign. If a resignation is not submitted, one or both of the employees will be released. For the purpose of this policy, the term "relative" is defined as follows:

- Spouse
- Child (natural, adopted, step or foster)
- Parent (natural, step or in-law)
- Sibling (natural, step or in-law)
- Grandparent (natural, step or in-law)
- Grandchild (natural, step or in-law)
- Uncle or Aunt
- Nephew or Niece

T. CHANGE OF NAME, ADDRESS, OR TELEPHONE NUMBER

If employees change their name or marital status, have children, change their phone number or address, they must inform the City Clerk as soon as possible so that their records and insurances can be adjusted. It is their responsibility to keep the City Clerk up to date regarding these matters.

ARTICLE XI: ALCOHOL AND SUBSTANCE ABUSE POLICY

It is the intent of the City to provide a drug and alcohol-free, safe, and secure work environment for employees. Employees have the right to work in an alcohol & drug-free environment and to work with persons free from the effects of alcohol and drugs. Employees who abuse alcohol and drugs are a danger to themselves and to others, including customers and visitors.

For purposes of this policy, "alcohol" means any alcohol or intoxicating liquid containing alcohol or other fermented or distilled liquors. "Illegal drug" means drugs and controlled substances, the possession or use of which is unlawful, pursuant to any federal, state, or local law or regulation in the United States. Examples include street drugs such as cocaine, heroin, and phencyclidine and controlled substances such as amphetamine, methamphetamine, and barbiturates. Drugs and controlled substances that are not legally obtainable, or that are legally obtainable but have not been legally obtained, are also considered to be "illegal drugs." Marijuana is also an illegal drug under federal law and is strictly prohibited under this policy regardless of whether an employee has a medical marijuana registration card or prescription.

The goal of this policy is to balance our respect for an individual's privacy and rights with our mutual need to maintain a safe, productive, drug- and alcohol-free working environment. To ensure a safe and efficient workplace, the City will strictly enforce the following Rules:

A. PROHIBITED CONDUCT

1. Possessing, using, selling, distributing, preparing to distribute, or offering to sell illegal drugs or alcohol while on City time or property.
2. Using a prescribed drug for purposes other than those for which the drug was prescribed or not in the prescribed manner while on City time or property. If employee is using prescription and/or over-the-counter drugs/medications that may affect their ability to safely perform their job, they must report such use to their immediate supervisor (or their designee) prior to starting their shift.
3. Reporting to work, or otherwise being on City time or property while having illegal or non-prescribed drugs and/or alcohol in employee's bodily system.

B. DRUG / ALCOHOL TESTING

1. Reasonable Suspicion

The City will require an employee who is reasonably suspected of being impaired by and/or under the influence of alcohol, or who it reasonably suspects of having illegal (or non-prescribed) drugs in their bodily system while on City time or property to submit to an appropriate City-paid test for alcohol and drugs. "Reasonable suspicion" will be based on factors such as, but not limited to, personal observations of the employee's appearance, behavior or performance, a decline in the employee's productivity, a change in the employee's attendance patterns, etc. The test must be requested by the supervisor or City Manager.

2. Post Accident / Injury

The City will require a drug and alcohol test of any employee involved in an accident, injured on the job, or whose actions cause injury to another person or property damage.

C. RELEASE FROM DUTY

Any time an employee has been ordered to submit to a test under this policy, the employee will not drive a vehicle or perform any further duties or functions as an employee. The test will be performed immediately. Whenever possible, such testing process will be conducted during the employee's scheduled on-duty time.

Hourly employees required to take drug and/or alcohol tests will be paid for time away from work necessary to complete the sample collection and testing process. If an hourly employee, in order to complete the collection process, is required to expend time beyond their scheduled work assignment, the employee will be paid for such time.

To ensure the safety of all employees, the City reserves the right to send an employee home after a drug and/or alcohol test until the results are known. Time spent at home during regular working hours will be paid, unless the test result comes back positive.

D. LABORATORY TESTS

Arrangements will be made to transport the person taking the test to the hospital, medical office, clinic, or independent laboratory to perform the test. A proper chain of custody will be maintained on all test samples.

E. DISCIPLINARY ACTION – GROUNDS FOR IMMEDIATE DISCHARGE

Employees will be subject to immediate discharge for the first offense in any of the following circumstances:

- 1.) Refusal to take a drug or alcohol test required under this policy, including any delay or refusal to execute any required consent forms, refusal to cooperate regarding collection of samples, or tampering with the testing process in any way.
- 2.) Drinking alcoholic beverages or ingesting illegal drugs during working hours, during breaks, or lunch, or between shifts prior to scheduled assignments or assignments where an employee has notification, they may be called in.
- 3.) Testing positive in a drug or alcohol test administered under this Policy.
- 4.) Possessing, concealing, manufacturing, distributing, dispensing, or selling alcoholic beverages or illegal drugs while on duty or on the City's premises.
- 5.) Conviction of any criminal drug statute.

F. VIOLATION OF REHABILITATION AND LAST CHANCE AGREEMENT

Depending upon the circumstances involved, including, but not limited to, the employee's work record, whether illegal activity took place, and any other relevant factors, the City may offer the employee a last chance agreement in lieu of discharge that, if accepted by the employee, would allow the employee's employment to continue subject to certain terms and conditions, which could include successful completion of a rehabilitation program, at the employee's expense, and periodic unannounced future testing. If the employee violates the terms of the last chance agreement it will result in immediate discharge.

G. CONFIDENTIALITY

All testing records will be considered confidential and will be available only to those people involved in decisions concerning the affected employee or others with a legitimate "need to know".

H. SEEKING VOLUNTARY ASSISTANCE

The City sincerely desires to help employees who have alcohol or drug-related problems. It is the employee's responsibility to seek assistance. Requests for such assistance will be considered confidential. However, seeking assistance after disciplinary action has begun or is imminent will not preclude disciplinary action.

Employees with drug or alcohol problems which have not resulted in, or are not the immediate subject of disciplinary action, may request approval to take unpaid leave of absence to participate in an approved rehabilitation or treatment program. Requests for such a leave of absence will be considered confidential. The cost of participating in the program may be covered by the health insurance provided by the City, as outlined in the summary plan description (SPD). If not, it is at the employee's expense. The City will require the employee to demonstrate satisfactory completion of the program before they return to work.

ARTICLE XII: DISCIPLINE AND DISCHARGE

The City may take disciplinary measures including, but not limited to, verbal warnings, written warnings, suspension, and discharge. Verbal warnings will be documented in writing in the personnel file. Though the City wishes to operate its disciplinary procedures based on a progressive basis, actions by an employee may result in immediate discharge. Under those circumstances, the fact that the progressive discipline has not occurred shall not affect the appropriateness of immediate discharge.

A. GENERAL

Discipline is primarily the responsibility of the supervisor subject to review and revision by the City Manager. As applicable, the supervisor shall draft suitable rules and regulations as guidelines and a framework within which the department can effectively function. It is understood that this list of rules is not intended to be exhaustive or be the only basis for discipline or discharge.

B. PROCEDURES

When an employee is to be suspended or discharged a meeting shall first be held, and the employee shall be informed by the supervisor why they are being disciplined. The employee will be provided an opportunity to respond.

C. DISPUTING A DISCHARGE OR SUSPENSION

In the event an employee shall be suspended from work for disciplinary reasons or is discharged from their employment and they believe they has been unjustly suspended or discharged, such suspension or discharge shall constitute a case arising under the grievance procedure, provided a written grievance with respect thereto is presented to the City Manager or designee within three (3) regularly scheduled working days after the employee receives written notification of such discharge or suspension.

ARTICLE XIII: GRIEVANCE PROCEDURE

A. INFORMAL RESOLUTION

The most effective accomplishment of work requires prompt consideration for equitable adjustment of employee grievances. Therefore, City employees covered by this manual may avail themselves of the procedure listed below. It is the desire of all parties to handle problems informally. Both supervisors and employees are expected to make every effort to resolve problems informally as they arise. However, where such informal resolution is impossible, a grievance procedure has been established.

B. DEFINITION OF GRIEVANCE

A grievance is defined as a dispute over discipline or discharge.

1. Grievance Procedure

Basic steps in the formal grievance procedure are as follows:

a) Step 1- Immediate Supervisor

Within three (3) working days, except as otherwise provided, from the event or knowledge which caused the grievance, an employee shall discuss the grievance with their supervisor. If, after discussion, the parties fail to resolve the dispute, the employee may reduce the dispute to writing on a grievance form provided by the City and present it to the supervisor. A written grievance must be presented to the supervisor within five (5) working days after discussion. The supervisor shall give a written answer to the grievance within five (5) working days after receipt of the written grievance, unless the supervisor is unavailable (vacation, sick, etc.).

b) Step 2 – City Manager

If the dispute is not settled in Step 1, the employee may escalate the grievance to Step 2 by providing a written appeal to the City Manager. The appeal to the City Manager must be submitted within five (5) working days following the reply in Step 1. The written notice shall state the specifics of the grievance and the outcome of the employee meeting with their immediate supervisor. A Step 2 meeting shall be held within ten (10) working days following receipt of the grievance by the City Manager. The City Manager shall give a written reply to the employee within five (5) working days following the meeting. The decision of the City Manager shall be final and binding on the City and the grievant.

C. GRIEVANCE FORM

The grievances shall be filed promptly, and in order to be processed, shall be reduced to writing on a form provided by the City. The written grievance form shall be signed by the aggrieved employee and, at a minimum, shall include the date the grievance arose, the specific facts involved, the section of the employee manual and/or policy allegedly violated, and the relief sought.

D. TIME LIMITS

Any grievance not answered within the time limits by the City shall be automatically advanced to the next step of the grievance procedure. Any grievance not appealed by the employee within the time limits shall be permanently barred. By mutual agreement, the time limits may be extended by the parties. If such time limits are extended, such extensions shall be in writing and signed by the City and the employee.

DOUGLAS PERSONNEL POLICY AND BENEFITS MANUAL
RECEIPT AND ACKNOWLEDGMENT

The Personnel Policy and Benefits Manual (Manual) is an important document intended to help you become acquainted with the City of the Village of Douglas. The Manual will serve as a guide; it is not always the final word. Individual circumstances may call for individual attention.

Because policies and economic conditions are always changing, the contents of the Manual may change any time at the discretion of the City. No changes in any benefit, policy, or rule will be made without due consideration of the mutual advantages, disadvantages, benefits, and responsibilities on you as an employee and the City as an employer.

Please read the following statements and sign below to show your receipt and acknowledgment of the Personnel Policy and Benefits Manual.

I have received and read a copy of the Personnel Policy and Benefits Manual. I understand that the policies, rules, and benefits described in it are subject to change at the sole discretion of the City at any time.

I further understand that unless I am a member of a bargaining unit subject to a collective bargaining agreement that says otherwise, my employment is terminable "AT WILL" either by myself or the City, regardless of my length of employment or the granting of benefits of any kind.

I understand that no contract of employment other than "AT WILL" has been expressed or implied, and that no circumstances arising out of my employment will alter my "AT WILL" employment relationship unless expressed in writing, with the understanding specifically set forth, and signed by myself and the Mayor of the City Council.

I understand that should the content of this Personnel Policy and Benefits Manual change in any way, the City may require an additional signature from me to show that I am aware of and understand any new policies or benefit changes.

I understand that my signature below says that I have read and understand the above statements and have received a copy of the City's Personnel Policy and Benefits Manual.

Employee's Printed Name

Position / Title

Employee's Signature

Date

Supervisor's Signature

Date

THE SIGNED ORIGINAL COPY OF THIS AGREEMENT MUST BE GIVEN TO YOUR SUPERVISOR TO BE FILED IN YOUR PERSONNEL FILE IN THE CITY CLERK'S OFFICE.

DISCRIMINATION, HARASSMENT OR RETALIATION COMPLAINT FORM

I. PLEASE PROVIDE THE FOLLOWING: (Attach additional sheets if necessary.)

a. The facts, events or circumstances that caused you to file this complaint.

b. The names of the people who engaged in the alleged discrimination, harassment or retaliation.

c. The dates the incident(s) occurred.

d. The names of any witnesses to the incident(s).

e. Please describe what you did or said in response to the conduct or statements.

II. WHAT ACTION OR CHANGE ARE YOU SEEKING TO RESOLVE THIS COMPLAINT?

Date: _____

Employee's Signature

City of the Village of Douglas

RIEMBURSEMENT REQUEST FORM

Employees Name: _____ Date: _____

Employees Signature: _____

Approved By Signature: _____

Itemized Expense:

Description	Cost
Tax:	
Total:	-

Office Use Only

Initial Balance:

Account Number: _____

Current Balance: _____

Ending Balance: _____

Tuition Assistance Reimbursement Request and Agreement

Employee Name:	
Date of Request:	
Description of the Education Requested including: (a) name of the provider; (b) title of course; (c) subject matter of the course; and (d) beginning and ending dates of the course.	
Cost of the Education:	

Pursuant to the City of the Village of Douglas' ("the City") Tuition Reimbursement Policy, I understand and agree that if the City provides financial assistance to me for this education and my employment with the City ends for any reason within one (1) year after receiving a payment from the City for reimbursement of education costs, I will be obligated to reimburse the City for all payments received by me.

I hereby agree to reimburse the City for any and all amounts owed under this Agreement and further authorize the City to deduct any amounts owed by me under this Agreement from my final paycheck to the maximum extent allowed by law. If my final paycheck is insufficient to cover the amount I owe under this Agreement, I agree that I will pay the City the balance of the amount due within fourteen (14) days after my last day of work. I understand that if I fail to timely pay the City the full amount owed as set forth above, the City may pursue all legal means necessary to recover the balance of the amount owed and I agree to pay any costs or attorney's fees incurred by the City in such pursuit.

Employee Signature & Date:	
Employer Approval Signature & Date:	

PAYROLL DEDUCTION AUTHORIZATION AND
REIMBURSEMENT AGREEMENT – EQUIPMENT/PROPERTY

I acknowledge that as a part of my employment with the City of the Village of Douglas (the "City") I have received the items identified below. I agree that upon termination of my employment with the City, for whatever reason, I will return all City equipment and property to the City within five (5) business days. If these items are not returned to the City on time as required by this Agreement, I agree to reimburse the City for the cost of the item(s), as seen below, and further authorize the City to deduct the cost from my final paycheck up to the maximum extent allowed by law. I further agree that if I lose or damage, beyond normal wear and tear, any City property, during my employment, I will inform my supervisor immediately and I authorize the City to deduct the cost for a replacement from my next paycheck up to the maximum extent allowed by law. In addition, if my paycheck(s) is not sufficient to cover amounts owed under this Agreement and the City is forced to initiate legal proceedings against me to recover remaining amounts, I agree to pay any costs and expenses, including attorneys' fees, incurred by the City in recovering the amounts owed.

Item	Quantity	Cost Per Item	Date Issued

Total Items			
Total Cost			

Signed: _____

Print Name: _____



EMPLOYEE GRIEVANCE FORM

GRIEVANT INFORMATION	
EMPLOYEE NAME	DATE FORM SUBMITTED
EMPLOYEE DEPARTMENT	EMPLOYEE JOB TITLE
EMPLOYEE HOME MAILING ADDRESS	WORKPLACE MAILING ADDRESS

DETAILS OF EVENT LEADING TO GRIEVANCE	
DATE, TIME, AND LOCATION OF EVENT	WITNESSES if applicable
ACCOUNT OF EVENT	VIOLATIONS
Provide a detailed account of the occurrence. Include the names of any additional persons involved.	Provide a list of any policies, procedures, or guidelines you believe have been violated in the event described.

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PROPOSED SOLUTION	

Please retain a copy of this form for your own records. As the grievant, please provide your signature below, as it indicates that the information you've included on this form is truthful.

SIGNATURES	
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EMPLOYEE SIGNATURE	DATE

RECEIVED BY: PRINTED NAME AND SIGNATURE	DATE