

PERSONNEL MANUAL OF EMPLOYMENT REGULATIONS

INTRODUCTION

The general purpose of this Personnel Manual of Employment Regulations, hereinafter referred to as Manual, is to set forth terms and conditions of employment and to promote orderly employee relations for the mutual interest of the City, its residents and its employees. The rules and procedures hereinafter set forth, together with any future additions or amendments, shall govern the conditions of employment for all staff.

These rules and procedures have been promulgated by the City Administrator and approved by the City Council in order for you to better understand your duties, privileges, and responsibilities as a City employee. All personnel should be thoroughly knowledgeable of the contents of this document. It is important that employees be aware of the conduct which is expected of them and that the rules and procedures will be administered in a systematic, fair and impartial manner.

Any and all statements and policies in this Personnel Manual are subject to unilateral change, in whole or in part, by the City. The City will notify employees of changes and updates to this Personnel Manual in writing. Also, the City retains the right to, in its sole discretion, change, modify, suspend, interpret, or cancel, in whole or in part, any of the published or unpublished personnel policies or procedures without advance notice and without having to give cause, justification, or consideration to any employee. Recognition of these rights and prerogatives of the City is a term and condition of employment and of continued employment. In addition, nothing contained in this Personnel Manual, including any policies regarding termination, performance evaluation, or discipline, shall be construed to grant anything other than at-will employment. This is not a contract for employment or a collective bargaining agreement.

This manual makes reference to a number of City employment policies. If there is a discrepancy between the contents of this manual and the official policy documents (i.e. insurance policies and terms, Summary Plan Description, etc.) the official documents shall govern.

ADMINISTRATION

The City Administrator or his designee shall be Personnel Director of the City and shall enforce and administer all personnel rules, procedures and employee programs. Just as any employee may resign at any time for any reason or for no reason, the City reserves the right to release an employee, with or without cause and with or without notice, at any time. No employee, supervisor, or other representative of the City has the authority to enter into an employment agreement for any specified period of time or to make any agreement contrary to the provisions contained in this Personnel Manual, except as authorized by the City Administrator. Any such changes and/or agreements made by the City must be in writing and directed to you personally.

SCOPE OF COVERAGE

This Personnel Manual of Employment Regulations shall apply to employees of the City. In instances where an individual employee is covered by a collective bargaining agreement or an individual employment agreement, the terms of that agreement will supersede the terms of this Personnel Manual where there is a conflict.

(Amended: June 26, 2023)

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Article 1. **ELIGIBILITY AND PROCEDURES FOR EMPLOYMENT**

1.01 Citizenship

All employees of the City of Lathrup Village must be either United States citizens or aliens who are authorized by State and Federal laws to work in the United States.

1.02 Age

The minimum age for regular full-time employment in all departments is eighteen (18) years.

1.03 Recruitment

The primary objective of the City's recruitment and selection process is to employ the applicant best suited for each vacancy on the basis of his/her qualifications for the position without regard to race, color, creed, national origin, sex, sexual preference, sexual orientation, age, height, weight, marital status, religion or disability. The City of Lathrup Village is an Equal Opportunity Employer.

Hiring practices shall be in accord with federal and state law. Department Heads may hire employees for their departments as authorized by the City Administrator, provided:

- A. The position vacancy has been advertised and includes a statement that the City of Lathrup Village is an equal opportunity employer and does not discriminate on the basis of race, color, creed, national origin, sex, sexual preference, age, height, weight, marital status, religion or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
- B. Applications have been received.
- C. Personal interviews have been conducted.
- D. The employee takes a pre-employment physical and/or psychological examination done by a physician designated by the City at the request and expense of the City, as contained in the City's conditional offer of employment.

Falsification of information submitted to the City for purposes of application for City employment may result in disqualification or termination of the prospective employee.

1.04 Employment Relationship

Upon employment with the City, all non-union employees must sign as a condition of employment:

- A. A "Personnel Manual Statement and Acknowledgment" that he/she has received a copy of, understands, and agrees to work within the guidelines outlined in this Manual.
- B. An "Employment at Will" statement acknowledging that employment is at the total discretion of the City and can be terminated by either party at any time without notice and without cause.
- C. An "Information Systems Policy Acknowledgement" that outlines regulations and restrictions that govern use of City computer systems, software, internet use etc.

Article 2. **EMPLOYEE CLASSIFICATIONS**

2.01 Regular Full-Time

A regular full-time employee covered under this Manual is one who is filling a position established as part of the regular work force of the City by action of the City Council and where the regularly scheduled work periods of the position call for service of not less than 160 hours in each 4 consecutive weeks, exclusive of over-time, but including compensatory over-time, paid holidays, and paid leaves.

2.02 Part-time Employees

A part-time employee covered under this Manual is an individual who is hired for an indefinite period, but who works less than a regular full-time employee. If the City requires, or pursues, the use of part-time employees the hours will generally not exceed 128 hours in each 4 consecutive weeks. Employees hired under this section are not entitled to any benefits provided to full-time employees.

2.03 Introductory Period

It is the policy of the City that all new employees and all present employees transferred or promoted to a new job covered under this Manual are to be carefully monitored and evaluated for an initial introductory period of 6 months. This introductory period is intended to give new, transferred, and promoted employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine the new position meets their expectation. The City uses this period to evaluate employee capabilities, work habits, and overall performance. The employee is reminded that at all times, including after the successful completion of the introductory period, employment with the City is considered to be "at-will," and the employment may be terminated at any time without cause.

2.04 Special

Temporary, Seasonal, Student, and Specially-funded employees are those filling jobs which have not been established as regular full-time or part-time positions by action of the City Council or who fill-in for regular employees in temporarily vacant positions. Such employees are hired with the understanding that their service is for a particular program or service which is cyclical, collapsible, or intermittent as the needs of the City may dictate and are not considered to be part of the permanent work force of the City. They are, in this sense, irregular, impermanent, or casual labor and are termed "Special Employees".

2.05 FLSA Status

All employees are designated as either Non-Exempt or Exempt under Federal wage and hour laws.

Non-Exempt employees are employees NOT exempt from the Fair Labor Standard Act's ("FLSA") requirements concerning minimum wage and overtime.

Exempt employees are generally managers, professional, administrative, or technical staff who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs which meet the standards and criteria established under the FLSA by the US Department of Labor.

Article 3. **COMPENSATION POLICY**

3.01 Compensation Plan

The compensation plan for City employees consists of a base pay rate per set period for each non-union position falling under this Manual and provides for increases based on merit, time on the job, and other economic factors as determined by the City Administrator in accordance with the recommendations contained in the City of Lathrup Village Classification and Compensation Study, February 2017. In accordance with the recommendations found therein, a compensation philosophy is adopted that will strive to remain competitive with the market (salaries at or near the range midpoint), thus providing compensation at an average, competitive level. It is the City's desire to follow this policy to the extent allowed by budgetary constraints.

In addition to the compensation philosophy, a compensation structure is utilized that provides minimum to maximum ranges. The compensation ranges for selected positions, as attached to this Manual, will provide the starting point for all future reviews in accordance with Section 3.02.

3.02 Administering the Compensation Plan

The City Administrator shall administer the compensation plan in accordance with the provisions of this Manual and will conduct, or cause to be conducted, a periodic review and survey to ensure that the compensation structure and established ranges remain current recommend any changes to the compensation plan for the consideration of the City Council during the presentation of the annual budget or other times as deemed necessary. The City Administrator shall have the ability to establish compensation rates within the established compensation range based on the annual salary review/performance evaluation found in Section 3.05.

3.03 Classification Plan

The City Administrator shall prepare and maintain a written position classification plan setting forth the proper structure of position classification in accordance with Section 3.01 of this Article.

3.04 Merit Increases

Compensation adjustments may be provided after periodic salary and performance reviews. They are not automatic increases but, if warranted, will be based on performance and compensation reviews conducted by the City Administrator in accordance with established rules and guidelines.

3.05 Salary Review-Performance Evaluation

Prior to the submission of the annual fiscal year budget, the City Administrator shall meet with each employee covered under this Manual to discuss, review and agree upon goals and objectives to be sought and problems to be addressed during the upcoming fiscal year.

During such time, the City Administrator shall evaluate those operations which were subject to such an agreement during the past year which may be considered in the salary review process. The evaluation of departmental and administrative operations may include:

- Examination of past budget and spending plans.
- The delivery of new or improved services to the public.
- Cost reductions based upon reorganization and realignment of services.
- The maintenance of departmental capital.
- Response to service requests and problems of the public.
- Future planning.
- Other related criteria as determined through the review process.

It is fully recognized that certain administrative positions and operations are defined by law and have various other limitations relative to alterations of service. It is not the intent of this merit plan in any way to change such operations but to foster an atmosphere of management development where potential improvements are encouraged and are to the mutual benefit of employees. Goals and objectives shall at all times be reasonable, objective and subject to mutual review.

3.06 Method of Payment

- A. Paychecks for regular full-time employees covered under this Manual are issued semi-monthly (24 pay periods per year) on the 15th of each month and on the last day of each month (paydays) and are issued after 12:00 noon on each payday. If the scheduled payday falls on a recognized City holiday, employees will receive their paycheck the day before the regularly scheduled payday.
- B. The City Administrator establishes various other pay periods for part-time, seasonal and other special employees with cut-off times sufficiently in advance of pay day to enable the check to be processed.

3.07 Pay Advance

Payroll advances preceding vacations or other authorized leaves may be granted upon request of the employee. All requests must be submitted to the City Treasurer at least one week prior to the payroll period preceding the payroll period in which the employee will be on approved leave. For example, if an employee will be on approved leave on the last day of the month, the employee must submit the request for an advance payroll check one week before the 15th of the month payroll check.

Paychecks will not be issued before the regularly scheduled time unless approved by the City Administrator for a special emergency, and pursuant to the requirements of the City payroll contractor, currently ADP. The supervisor, when requested, should forward requests and his/her approval to the Treasurer for action.

3.08 Payroll Deductions

A. Certain payroll deductions are made on all paychecks. There are compulsory deductions for State and Federal income tax and social security. Covered employees also have mandatory deductions for retirement. Arrangements can be made with the Treasurer for a payroll deduction for United States Savings Bonds, the I.C.M.A. Retirement Corporation, or for other deductions such as insurance programs or alternative retirement programs.

3.09 Direct Deposit

The City requires direct deposit of an employee's payroll check into their financial institution. Requests for such deposits should be made to the City Treasurer's Office.

3.10 Pay Corrections

The City takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. While great care is taken in this responsibility, mistakes sometimes occur and disputes may arise.

In the event that there is an error in the amount of pay and it is called to our attention, the City will promptly make any corrections necessary. All employees should review their paychecks when received to make sure they are correct. If a mistake has occurred, the paycheck is not accurate, or an employee has questions regarding their deductions, they should bring the concern to the attention of their immediate Supervisor as quickly as possible.

Article 4. HOURS AND WORK WEEK

4.01 Work Week and Hours

A normal work week for full-time employees shall constitute forty (40) hours, with normal hours of 8:00am-4:30pm with an unpaid one-half (.5) hour lunch. When required by operating needs, the City may change the regular work schedule for any employee covered by this Manual.

4.02 Flextime

The City reserves the option of establishing a flexible work week as directed and administered by the City Administrator. A flextime plan will provide that:

- A. Participating employees work forty (40) hours in every week, but such employee will be permitted flexibility of the hours to be worked on each day of each week.
- B. The schedule will make the most economical, efficient and effective use of the employee's time worked during the week considering the employee's job duties and function. In addition, necessary operational considerations will be given relative to the functions which each employee participating must perform in connection with such employee's job duties and function.

Article 5. OVERTIME

5.01 General Provisions

- A. All overtime work must receive prior authorization from the employee's immediate Supervisor.
- B. When operating requirements or needs cannot be met during regular working hours, employees may be scheduled to work overtime hours.
- C. Occasional meetings and duty functions where presence is required outside of normal duty hours in and out of the City are considered part of the duties of the job and are not separately compensated unless approved by the City Administrator in advance.

5.02 Non-Exempt Employees

- A. Overtime compensation is paid to all non-exempt employees in accordance with State and Federal wage and hour requirements.
- B. Overtime compensation shall be either in the form of compensatory time off, pay, or a combination of both, both at the rate of time and one-half, at the option of the employee.

- C. Employees shall be allowed to bank up to 40 hours of compensatory time in any given fiscal year. Unused compensatory time will be paid in the first pay period of each fiscal year unless the City Administrator approves a carry over into a subsequent fiscal year.
- D. Upon termination of employment, a non-exempt employee will be paid for all FLSA compensatory time.

5.03 Exempt Employees

- A. Exempt salaried employees fall under the provisions of the Fair Labor Standard Act and are exempt from the overtime provisions therein.
- B. Exempt employees may receive an allowance for overtime in the form of equal non-FLSA compensatory time off upon request and at the discretion of the City Administrator for approved overtime work **done outside of normal job duties**. All non-FLSA compensatory time shall be earned at the rate of one (1) hour of non-FLSA compensatory time earned for one (1) hour of overtime worked and approved for non-FLSA compensatory time. All overtime carried as a credit for non-FLSA compensatory time off may be taken upon request by the employee and approval of the City Administrator.
- ~~C. Employees shall **not** be allowed to bank up to 40 hours of non-FLSA compensatory time. **Compensatory time shall be used prior to vacation or sick time.** This amount may be extended with approval of the City Administrator. Unused non-FLSA compensatory time will be paid in the first pay period of each fiscal year, unless the City Administrator approves a carry over into a subsequent fiscal year.~~
- D. Non-FLSA compensatory time is not subject to payment upon termination of employment.

Article 6. **HOLIDAYS**

6.01 Paid Holidays

- A. Holidays at full pay are granted to all regular full-time employees including their introductory period based on the following schedule:
 1. New Year's Day- January 1
 2. Martin Luther King Day - Third Monday in January
 3. Presidents Birthday - Third Monday in February
 4. Good Friday
 5. Memorial Day- Fourth Monday in May
 6. Juneteenth – June 19th
 7. Independence Day- July 4th
 8. Labor Day- First Monday in September
 9. Indigenous Peoples' Day- Second Monday in October
 10. Veteran's Day – November 11
 11. Thanksgiving Day- Fourth Thursday in November
 12. Friday After Thanksgiving Day
 13. Christmas Eve Day- December 24th
 14. Christmas Day- December 25th
 15. New Year's Eve Day- December 31st
 16. Employee's Birthday (effective 01-01-2019)
- B. When a holiday falls on a Saturday, the preceding Friday will be observed as a holiday.
- C. When a holiday falls on a Sunday, the following Monday will be observed as a holiday.
- D. The Employee's Birthday holiday shall be taken within one month of the employee's birthday with supervisor/City Administrator approval

6.02 Eligibility

To be eligible for the holiday pay, the employee must work the regular working day before and the regular working day after the holiday except for the following occurrences:

- A. Sick and unable to work.
- B. On authorized leave.
- C. Leave without pay.
- D. Authorized compensatory time.

6.03 Personal Leave

Three (3) personal paid leave days shall be allowed for each regular full-time employee for personal business. Employees will be credited each January 1st. If not used, such personal leave days will be forfeited and not carried over to subsequent periods. Selection of the days by the employee shall be subject to approval of the employee's supervisor (if any) or the City Administrator.

6.04 Temporary, Part-time, and Seasonal Specially Funded Employees

Temporary, Part-time, Seasonal Specially Funded employees are not eligible to receive holiday pay.

Article 7. VACATION LEAVE

7.01 Vacations Defined

Annual vacation leave is authorized time off from employment duties, with pay. It is intended that the employee will use the time for rest and relaxation so that he/she may serve the City more effectively upon return to duty. Authorized leave days not taken within the applicable fiscal year will be canceled unless a carryover is expressly authorized in writing in advance by the City Administrator.

7.02 Eligible Employees

Vacation leave is granted to Regular Full-time employees only, including employees in their introductory period, pursuant to the provisions of Section 7.04.

7.03 Vacation Crediting - Administrative Employees

Annual Vacation Leave is administered on a fiscal year basis beginning each June 1st. On that date all eligible employees are credited with the number of days of vacation which may be taken during the following 12 months based on their period of service to the City starting with their first day worked. The following schedule applies to employees covered under this Manual:

Years of Service	Paid Days Off
1-4	10
5	15
6	16
7	17
8	18
9	19
10 or more	20

7.04 Vacation Accrual

Vacation days begin to accrue from the first day worked and will be credited the next June 1st, but the time off may not be taken during the first 6 months of employment unless specifically authorized by the City Administrator. If the initial 6 months of service is never completed, the employee will not be paid for the unused accrued time. Employees will not be entitled to take paid leave in advance of being credited on June 1st unless express prior authorization is given in writing by the City Administrator. In cases of re-employment after severance, credit will be allowed for the current period of service only.

An otherwise eligible employee with less than one full year, but more than six months of service prior to June 1st, will be allowed annual vacation leave in the proportion that his actual service bears to a full year of service (6.667 hours per month).

7.05 Vacation Payout

An employee who ends employment in good standing is entitled to pay at his/her then regular rate for credited and unused leave days and also accrued and un-credited leave days as of the date of separation. Employees shall not be considered in good standing and shall not be entitled to leave accrued beyond the applicable June 1st if any of the following applies:

- A. He/she is discharged, including being absent for 3 consecutive days without authorized leave
- B. He/she resigns/quits without at least two (2) weeks or four (4) weeks prior written notice pursuant to Section 17.21.

7.06 Exception to Accrual

An employee who does not work and is not entitled to his/her wages from the City shall not accrue leave during the period for which no pay is due.

7.07 Leave Schedules

Leave schedules shall be developed by the covered employee in consultation with and the advanced approval of the City Administrator. Reasonable care in scheduling the Leaves will be considered so as to maintain departmental services.

7.08 Leave Accruals and Payoff Calculations

The City Administrator may promulgate official calculation worksheets for use by the Treasurer in calculating vacation leave accruals and payoffs.

7.09 Emergency Suspension of Leave

The City Administrator may declare an emergency and temporarily suspend scheduled leaves during the period of such emergency. Such leaves will be rescheduled promptly after the emergency is over.

Article 8. SICK LEAVE

8.01 Sick Leave Accrual

A regular full-time employee shall accrue sick leave at the rate of one (1) working day per month of actual service, including vacation leaves, beginning with the first full month of service. Sick leave shall not accrue while an employee receives sick benefits or Worker's Compensation payments or is otherwise absent from the job. Sick leave may not be granted in anticipation of future service.

8.02 Notification of Sick Leave Usage

To be eligible for sick leave pay, the employee shall notify the immediate supervisor or City Administrator that he/she will not report for work that day, as soon as possible prior to the beginning of a scheduled shift. Failure to do so may be cause for denial of sick leave with pay.

8.03 Sick Leave Use

- A. Sick leave shall be taken only when the employee is actually disabled from working. Evidence of disability must be provided by medical certificate or other suitable proof for all sick leave granted beyond three (3) consecutive days, provided that the granting of all sick leave pay be subject to such verification as the supervisor and the City Administrator may see fit to require, including examination by a physician selected by the City.
- B. Sick leave may be allowed in case of total disability occurring during a vacation period. Evidence of such disability from the first day must, however, be provided to the satisfaction of the supervisor and the City Administrator in all such cases.
- C. Routine or special appointments with medical doctors, dentists, etc. will be chargeable to sick leave only when it is impossible for the employee to schedule an appointment at a time other than during his/her regularly scheduled working hours.
- D. Sick leave may be charged in cases of injury or illness in the employee's immediate family. For purposes of this section, "immediate family" shall be limited to the employee's spouse and children who reside in the employee's home. Exceptions to this rule may be granted by the City Administrator. The employee is encouraged to review Article 22, Family Medical Leave Act, for

further information on sick leave absences.

8.04 Termination of Employment

Sick leave shall be considered for most purposes as continuing, however, in the event of termination of employment all unused sick leave shall be canceled and not paid with the following exception:

A retiring employee (hired prior to July 1, 2008) who ends employment in good standing is entitled to pay at 50% of his/her then regular rate for credited and unused sick leave days. Each July, employees (hired prior to July 1, 2008) shall request and receive payout for up to one hundred (100) hours of sick time at 50% of his/her then regular rate of pay. There shall be no cap on the number of hours of unused sick leave days paid out at 50% for the retiring employee (hired prior to July 1, 2008).

8.05 Excess Accumulation Buy-Back

The City will not buy back excess sick time on an annual basis. However, there shall be no cap on the accumulation of sick time in the employee's sick leave bank.

Article 9. EMERGENCY LEAVES

9.01 Bereavement Leave

- A. In the case of death in the "immediate family" a regular full-time employee may be granted a leave of absence with pay for a period not to exceed three (3) days. Such leave may be subject to verification of conditions by the City Administrator or supervisor as required. Up to an additional three (3) days may be taken, if necessary, and with approval of the City Administrator. The additional days will be paid from the employee's personal, vacation or sick bank, in that order. If the employee has no available paid time, the time may be taken as unpaid time subject to City Administrator approval.
- B. For purposes of this section, "immediate family" is defined as current spouse, children, brother, sister, parent or parent-in-law, grandparent and grandparent-in-law, and relatives living in the same household regardless of relationship.

9.02 Family and Medical Leave Act ("FMLA")

The City will comply with the provisions of the federal Family and Medical Leave Act (FMLA). Article 22 of this manual outlines the FMLA's requirements, including the rights and obligations of employees, notification requirements, and the City's requirements.

9.03 Emergency Leaves Charged to Sick Time

All emergency leave days, as determined by the City Administrator, shall be charged to sick leave, unless otherwise noted by this policy.

Article 10. MILITARY LEAVE

10.01 Military Leave Granted

Any employee who leaves the City's service for compulsory military duty shall be placed on military leave without pay for the period of service or duty required and for a period of up to ninety (90) calendar days, as applicable, following the period of actual required service or discharge from a hospital.

10.02 Reinstatement

An employee returning from military leave of thirty (30) days or less shall be entitled to restoration to his/her former position, returning to work on his/her next scheduled workday after his/her release from the military, provided the next scheduled workday permits the employee travel time home and eight hours for rest before return to duty.

An employee returning from military leave of thirty-one (31) to one hundred eighty (180) days shall be entitled to restoration to his/her former position, provided he/she makes application within 14 days following release from duty and the employee has not been separated from service with a disqualifying discharge or under other than honorable conditions.

An employee returning from military leave of one hundred and eighty-one (181) days or more shall be entitled to restoration to his/her former position, provided he/she makes application within 90 days after his release from duty and the employee has not been separated from service with a disqualifying discharge or under other than honorable conditions.

10.03 Former Position Non-Existent

In the event the employee's former position is non-existent, the employee will be restored to a comparable position within the City. This section should not be perceived as a guarantee of future employment.

10.04 National Guard or Other Military Reserve Service

All employees belonging to the National Guard are permitted to take leaves of absence without pay during the annual training period. This leave is generally two (2) weeks per fiscal year ending June 30.

Article 11. OTHER LEAVES

11.01 Jury Duty

When on jury duty the employees will be granted their full pay. Any jury pay or fees must be turned over to the City Treasurer. Jurors, when not assigned to cases, must report to their work for the remainder of the day.

11.02 Unpaid Leaves of Absence

Leaves of absence, including any leave for medical reasons which do not qualify for FMLA leave, may be granted at the discretion of the City Administrator when the employee requests such leave 30 days in advance of the proposed start of the leave unless the requirement for advance notice is waived by City Administrator. Such leaves, if granted, are unpaid and may be revoked by the City at any time for any reason. Any non-FMLA leave of absence must be approved in writing by the City Administrator. The City does not guarantee that it will hold a position open for an employee who has been granted a leave of absence. There is no guarantee that your job, or any job, will be available at the end of your leave of absence. This policy does not apply to military leaves, jury duty leaves and workers' compensation leaves.

Requests for personal leaves of absence will be reviewed on a case-by-case basis. The City Administrator will review the request and approve or disapprove each request based on the merits of the case. The demands of the workplace and the duties of the position will be reviewed to determine if approval of the leave request will allow the department to meet its objectives during the absence of the employee requesting the leave.

All accrued paid time off must be used before an unpaid leave of absence will be considered for approval. Employees may request unpaid personal leaves of absence in combination with paid time off, provided the paid time off is used first, followed by unpaid leave of absence.

The City's approval of a personal leave of absence does not alter the City's "at will" employment policy, nor does it imply that a position, whether the same position, a similar position, or indeed any position at all, will be available to an employee following a leave of absence. The City of Lathrup Village will make an effort to retain the position of the employee, but will not guarantee a return to work to the position or to a similar position as that held by the employee at the time the leave commenced. In the event of a change in the staffing needs of the City during the leave of absence, the City reserves the right to make staffing decisions consistent with effective management of business needs.

Benefits during a leave of absence may be suspended during the leave, and reinstated upon return to work, subject to the eligibility requirements in the City's benefit plans. At the City's discretion, employees may be allowed to continue to receive certain benefits if the employee pays 100% of the cost of the benefit. Vacation, sick time, and personal time will not accrue during the leave, and holidays will not be paid during the leave. Seniority and vesting do not accrue during an unpaid personal leave of absence.

Requests for a personal leave of absence must include the beginning and ending dates of the requested leave time, the reason for the leave, and the employee's signature. Leaves must be submitted to the City Administrator with as much advance notice as possible. If an employee fails to report to work promptly at the end of the leave, the City will assume that the employee has resigned, and will begin to process his/her termination of employment.

Article 12. **WORKER'S COMPENSATION**

12.01 Worker's Compensation Eligibility

Any employee who sustains a disabling injury in the performance of his/her regular duties may be eligible for Worker's Compensation benefits in accordance with applicable Worker's Compensation laws of the State of Michigan. To be eligible for benefits under Worker's Compensation all employees shall report all work-related illnesses, accidents and injuries immediately to their immediate supervisor. On-the-job injury must be reported, no matter how minor the injury may appear. Employees are expected to accept any first aid or other medical treatment tendered or waive the same in writing. Supervisors must complete an Injury Report as soon as possible after receiving a report of injury and send this report to the City Administrator. The City retains the right to require a physical examination, at any time, at the City's expense, of any employee who has suffered a work-related injury or illness.

12.02 Disability Leave

Regular full-time employees are eligible to apply for and receive a salary continuation benefit from the City if they suffer an illness, accident, or injury covered by Worker's Compensation under a program which is intended to relieve them of the adverse consequences of the statutory compensation scheme under the following procedures:

- A. Upon receiving a report of absence from work which appears to be the result of covered illness, accident or injury, the City shall pay the employee his/her basic weekly wage during the first seven days of disability as a charge against his/her sick leave bank.
- B. After the first seven days, an employee who is eligible for, and receives Worker's Compensation may reimburse the City for the first week of sick leave use and have his/her sick leave bank credited.
- C. Thereafter, the employee shall be entitled to receive a salary supplement equal to the difference between his/her full base pay and Worker's Compensation benefit rate until such time as he/she is able to return to work or his/her sick leave bank is exhausted.

Article 13. **UNEMPLOYMENT INSURANCE**

13.01 Unemployment Compensation

The City participates in the Michigan Municipal Worker's Unemployment Compensation Group Account established by the Michigan Municipal League. Questions regarding this benefit should be directed to the City Treasurer.

Article 14. **GROUP INSURANCE PROGRAMS**

14.01 Group Life and AD & D Insurance

The City provides group life and Accidental Death and Dismemberment insurance coverage for each regular full-time employee upon completion of six (6) months of continuous service. The current amount of insurance is based on a \$1,000 for \$1,000 of base compensation as long as the employee can qualify for such coverage.

14.02 Hospitalization Insurance - Regular Full-time Employees Only

Health care insurance benefits are provided for regular full-time employees only. Specific coverage for employees is defined below.

- A. Employee will be required to contribute 20% of premiums (deducted with each pay period).

- B. For employees hired before December 31, 2007 covered under this Manual the City provides Blue Care Network (or similar) coverage with a co-pay for prescription drug through the Blue Care Network of Southeast Michigan (or similar) **and shall be lifetime benefit for the employee only upon retirement from the City of Lathrup Village.**
- C. For full time employees (hired before December 31, 2007) the City shall continue hospitalization coverage after retirement for the retiree and spouse.
- D. For full time employees hired between January 1, 2008 and June 30, 2013, the City will provide coverage for up to two (2) persons with Healthy Blue Living Blue Cross Coverage or similar for the employee/spouse. In addition, the City will contribute 2% of the base salary into a Health Savings Account (MERS, ICMA or similar) account for retirement health care.
- E. For full time employees hired after July 1, 2013, the City will provide coverage for up to two (2) persons with Healthy Blue Living Blue Cross Coverage or similar for the employee/spouse. In addition, the City will contribute 2% of the base salary into a Health Savings Account (MERS, ICMA or similar) account for retirement health care.
- F. As of July 23, 2015, the City will provide coverage, upon request of the employee, for his/her spouse and/or dependent children under age twenty-seven (27), but shall not be required to provide coverage for additional persons.

14.03 Health Insurance Opt-Out

Each full-time employee who chooses not to join the City provided health care plan and has equivalent health care coverage from another source (such as a spouse's employer) shall be entitled to compensation during the period that he/she has no City provided coverage at the rate of \$3,000 per year. Payments of \$1,500 will be made semi-annually as of June 30 and December 31 of each year to each employee who has not been covered for the previous six (6) months. Payments will be prorated to meet the dates the employee first participates and/or ends participation in the program. Electing employees must show periodic proof of the existence of the alternate health care coverage in order to become and remain eligible to receive the semi-annual payments. Electing employees must notify the Employer promptly when the relevant alternate health care coverage ceases for any reason and will be added to the Employer's coverage as soon as permitted by carrier regulations and/or procedures and coverage will be afforded under the Plan then in effect for employees which has the least cost to the City.

14.04 Disability Insurance

The City will provide long term disability benefits through Standard Insurance Company (or substantially equivalent) benefits to those provided in prior years from any carrier for all full-time employees. The coverage includes compensation of up to 60% of the employee's base wage and begins 180 days after disability occurs. The employee should refer to the benefit booklet provided as a part of this Manual.

14.05 Dental/Optical Insurance Plan

For all regular full-time employees covered under this Manual the City will provide dental and optical plans through Blue Cross Blue Shield (or similar).

Article 15. RETIREMENT

15.01(a) Defined Benefit Plan Designation

All full-time employees hired on or before June 30, 2013 are members of the Michigan Employee's Retirement System (MERS) defined benefit plan and will receive such benefits as are provided by Public Act 135 of 1945.

- A. Fulltime employees hired before December 31, 2007, receive benefit program B-4 with FAC-3. Voluntary retirement will be provided at age 55 after 15 years of service without reduction of pension benefits will be provided to Department Heads only with an effective date of January 1, 2000.
- B. Full-time employees hired between December 31, 2007 and June 30, 2013, receive benefit program B-2 with FAC 5. Normal retirement will be at age 60 with 10 years of service. For these employees, voluntary retirement will be provided at age 55 with 25 years of service.

15.01(b) Defined Contribution Plan Designation

All full-time employees hired after July 1, 2013, are members of the MERS Defined Contribution (DC) plan. Section 15.02 outlines employee contributions and vesting within the DC plan.

15.02 Member's Contributions

Each active member contributes to the Retirement System in the amount of 5% of annual compensation.

- A. If an employee (hired before July 1, 2013) leaves the employment of the City before the employee has become vested, the member's contributions to the retirement system will be returned, if living, or to the nominated beneficiary.
- B. If an employee who qualifies for a MERS DC plan (hired after July 1, 2013) leaves the employment of the City the member's contributions to the retirement system will be returned, if living, or to the nominated beneficiary along with the City's matching contributions according to the following scale:

Years of Service	City Contribution
1 – 2	0%
3	25%
4	50%
5	100%

15.03 Additional Plan Information

The City Treasurer can provide additional details regarding: Regular Retirement Allowance, Deferred Retirement Allowance, Non-duty Death Retirement Allowance, Duty Death Benefits, Disability Retirement Allowance, Scope of coverage, and other features of the plan.

15.04 Deferred Compensation Plan

All regular full-time employees covered under this Manual are eligible to enroll in the ICMA Retirement Corporation Plan if they so desire. The Plan allows employees to contribute a portion of their wages to the Plan on a tax deferred basis. The City Treasurer will make materials available to interested employees, but it must be understood that each affected employee must assume full responsibility for investigating all factors relating to whether enrollment would be beneficial to him/her without relying upon any advice or opinions of City representatives.

15.05 City Match Program

For employees covered under this Manual the City agrees to provide a program through the ICMA RC that will contribute up to 2% for Department Heads of the employee's annual compensation, provided that the employee matches or exceeds this contribution.

Article 16. **EXPENSE REIMBURSEMENT**

16.01 Mileage

Employees required to use their own vehicles for City business will be reimbursed by the City at the then current IRS mileage rate (this fee is intended to repay employees for expenses in operating the vehicle, including the cost of gas, oil, tires, maintenance and the cost of insurance), provided:

- A. The employee has the consent of the City Administrator prior to using his/her private vehicle.
- B. The employee is properly insured. The City requires that all employees who drive personal vehicles on City business carry at least \$300,000 liability protection and \$50,000 uninsured/underinsured motorist coverage. A Certificate of Insurance from your insurance agent or insurance company will be required if you utilize your personal vehicle. The purchase of "comprehensive" and collision insurance is your choice. The City's automobile insurance policy provides no physical damage coverage for your vehicle. It is your personal insurance policy which will protect you on or off City time. If you are using your personal vehicle on City business, it is your responsibility to provide the City with a Certificate of Insurance.

- C. All employees using their personal vehicle for approved business travel will be reimbursed for such use at the current IRS approved rate. This fee is intended to repay you for your expenses in operating the vehicle, including the cost of gas, oil, tires, maintenance and the cost of insurance.
- D. In the event of an accident, while you are driving on City business, you should notify your Supervisor immediately, as well as your own insurance company.
- E. The employee submits a properly filled out travel voucher to the City Administrator.

16.02 Parking

The cost of parking will be paid by the City. The City assumes no responsibility for any traffic violations incurred by the employee.

16.03 Meal Compensation

Reimbursement for meals will be determined by the City Administrator and shall not include alcoholic beverages. The maximum daily rate for meal reimbursements is \$55.00 per day. Meals are reimbursed based on actual cost, not to exceed the maximum daily reimbursement rate. Receipts are required. The maximum daily rate may be updated by the City Administrator.

16.04 Air Travel

Employees who fly to a destination must first receive prior authorization from the City Administrator. If approved, the air fare on a commercial airline will not exceed coach rates.

16.05 Lodging

Employees requiring overnight lodging must submit a receipt, and it must reflect the most economical rate available at that facility. In the event that the travel does not involve staying at a conference site, then the employee must make a conscientious attempt to obtain economical, yet comfortable lodging.

16.06 Ineligible Expenses

The City will not reimburse employee for any expenses relating to spouse or a travel companion. In addition, the City will not reimburse for expenses that are not directly related to City business, such as entertainment, travel insurance, alcoholic beverages and personal expenses such as laundry and valet services. Any expenses not clearly identified should be brought to the attention of the City Administrator for his/her decision.

16.07 Education/Tuition Expenses

The City will grant tuition reimbursement for enrollment and completion of continuing education in approved courses. Approved courses are those that are directly related to the employee's current job duties or duties associated with a promotional position. Employees are eligible for reimbursement in the amount of fifty percent (50%) of the actual cost of individual classes taken, including required books, up to a maximum of fifteen hundred dollars (\$1,500) in a fiscal year. To be eligible for this reimbursement, an employee must pass the course with a C or better and provide proof of the passing grade within four (4) weeks of the end of the semester. Employees must receive written approval from the City Manager prior to taking the course.

Article 17. GENERAL PERSONNEL RULES

17.01 Ethics and Code of Conduct

Each employee is required to conduct him/herself efficiently and in a professional manner at all times. No employee of the City shall:

1. Use their public office or employment for private gain;
2. Give preferential treatment to any organization or person except as expressly permitted by law, ordinance, resolution or policy;
3. Impede government efficiency or economy for personal gain or profit;

4. Engage in private or other public employment or render services for private or other public interests when such employment or service is incompatible with the proper discharge of his/her duties of the City;
5. Expend public funds unlawfully or without proper authorization;
6. Verbally, physically or psychologically abuse any citizen, elected official, supplier, vendor, guest or co-worker;
7. Be insubordinate, or refuse to carry out work assignments or day-to-day instructions pertaining to the job which are properly issued by the employee's immediate Supervisor;
8. Be excessively absent or tardy;
9. Work or report for work under the influence of alcohol or unlawful drugs, and/or possess alcohol or unlawful drugs on the premises of the City;
10. Falsify or misuse City forms, records or reports, including time sheets and employment applications;
11. Steal, misappropriate, remove, abuse, destruct, or misuse property belonging to the City or another employee. The City reserves the right to inspect all City offices, desks, files, vehicles and packages;
12. Fail to return from an authorized leave of absence or vacation at the designated time;
13. Discriminate against or harass others;
14. Possess weapons, firearms or explosives on City property (except for law enforcement officers);
15. Disclose or misuse confidential information;
16. Fail to maintain proper grooming, dress cleanliness and hygiene.
17. Misrepresent time worked;
18. Gamble on City property;
19. Engage in fraud, embezzlement, misrepresentation or any other act of dishonesty;
20. Engage in any conduct which reflects adversely on the City

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. These rules are not all-inclusive, and the City reserves the right to discipline employees for acts or omissions which are not listed above.

With regard to general work rules, it is impossible to create an exhaustive list of behaviors or potential infractions. The City expects that common sense, professionalism and general decency will govern personal conduct. Employees should at all times act as good stewards of the public's trust and resources.

The work place brings together many different types of people whose unique perspectives and individual skills and talents add tremendous value to the organization. We serve the public best when functioning enthusiastically as a coordinated team of professionals. All employees, at every level within the organization, are expected to treat each other as respected and valuable colleagues.

17.01 Time and Personnel Records

A record of time worked is kept by each employee on a weekly time card supplied by the City. Weekly Time Cards are to be turned in to the appropriate supervisor at the end of each week. The City Treasurer will collect and retain all time cards.

All requests for vacation, sick leave, bereavement leave, personal days and compensation time should be reported to the appropriate supervisor or City Administrator at least 48 hours in advance on the City's Absence Report. It is the responsibility of the supervisor to report granted requests to the City Administrator.

17.02 Absences

Employees are expected to maintain good attendance records. Excessive absences shall be cause for dismissal. Absences for 3 consecutive work days without notifying the supervisor is considered a voluntary termination.

An employee who is absent for any reason is required to notify his/her supervisor or City Administrator prior to starting time. All absences must be charged to accrued compensatory time, accrued vacation,

sick leave or personal time, whichever is appropriate. When no time is available, unpaid leave may be granted pursuant to Section 11.02.

17.03 Tardiness

Unless on an approved leave, employees are expected to be at work and to observe the working hours established by the City. All employees who report late may be penalized by the way of a pay deduction in multiples of 1/10 of an hour. Habitual tardiness shall be cause for discharge.

17.04 Personal Hygiene

Employees are expected to observe and practice good taste in dress and appearance. Although the City does not specify a dress code, employees are expected to dress to accommodate their daily responsibilities.

17.05 Safety

The City makes every effort to provide for the safety of all employees while on the job. Employees, in turn, are required to promote safe working conditions by following all safety rules. No employee shall in any way alter a safety device or interfere with the use of a safety device. Employees shall take no unnecessary chances, and must use all safeguards and safety equipment required.

Employees must immediately report any and all potentially dangerous work practices, unsafe work conditions, failure to follow safety rules, horseplay, negligence and carelessness to their supervisor or the City Administrator. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or where appropriate, remedy such situations, may be subject to disciplinary action.

In the cases where damage to, or an accident involving City equipment or property occurs, employees should immediately notify their supervisor, even if an injury did not take place.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their supervisor that an injury has taken place. Such notifications are necessary to safeguard life and health, comply with applicable laws, and initiate insurance and workers' compensation benefit procedures.

17.06 Political Activity

No employee shall participate in any personal political election activity on City property or in City vehicles during business hours.

17.07 Solicitation and Gifts

No employee or individual shall solicit for an organization's product or service during regular hours unless specifically authorized by the City Administrator. City employees shall provide service to its citizens and receive service from its suppliers for the wages they are paid, and should not expect other favors. Therefore, the policy is established under which an employee may not accept any gift or consideration of any kind or nature if its acceptance might reasonably be construed as tending to prevent him/her from acting solely in the best interests of Lathrup Village. The acceptance of gifts of more than nominal value (below \$30.00) is considered to be a direct violation of the intent of this policy.

17.08 Telephone Use

Telephones are provided for business purposes. Telephones should not be used for personal reasons, except for emergencies or absolute necessity. Employees should discourage persons from calling them at work. At no time is an employee permitted to charge a personal call to the City.

Each employee is to pay for personal calls, except when an employee must stay over at work in which case the employee may notify the family of the stay over.

17.09 INFORMATION SYSTEMS POLICY

The purpose of this policy is to inform all City employees about the legal requirements and restrictions concerning the acquisition and use of software programs on the City's computer equipment, the responsibilities of each employee to protect the security and integrity of the City Information System's programs and data, the City's investment in that system, and restrictions regarding the use of email and the Internet.

17.10 Copyright Protected Software

Unauthorized duplication of copyrighted software is a violation of the Federal Copyright Law, and can be subject to civil damages of as much as \$100,000 per copyright violation, and criminal penalties including fines and imprisonment. Both the City as an organization and the City's employees as individuals are responsible for compliance with this Law.

Compliance with software copyright requirements is in the City's best interests. In addition to protecting the City from possible legal prosecution, it helps support the development of new and improved software products, which make the City's operations more efficient, and it entitles the City to receive technical support and discounted product upgrades.

It is the City's policy to comply fully with the Federal Copyright Law, and the specific terms and conditions in the licenses for all software which is used on the City's computer equipment. Specifically, every employee shall be responsible for complying with the following policies:

- A. Every employee shall use the City's Information Systems only in a manner, which does not violate the Federal Copyright Law, or the terms of the license related to the software being used.
- B. No software program shall be used by more employees at any one time than are allowed under the program's licensing agreement. The use of programs on the network is controlled to avoid such a violation. No employee shall transfer any software from the City's Information Systems to any personal computer's hard disk, directly or indirectly, without the specific permission of the City Administrator.
- C. No employee shall make a copy of any software on the City's Information Systems or any City personal computer, except for the City's own backup purposes.
- D. No employee shall take any original or duplicated copy of any software owned by the City for the employee's personal use. No employee shall give any original or duplicated copy of any software owned by the City to any outside third party.
- E. No employee shall use any program on the City's Information Systems or any City personal computer for personal gain, nor for the advantage of any outside third party, nor in any other way except in accordance with the policies of the City.
- F. No software shall be loaded onto the City's Information Systems or any City personal computer, unless the original copy and proper license is owned by the City and is on file at City Hall. No employee shall load any software onto the City's network file server or any City personal computer without the specific permission of the City Administrator. The City shall conduct periodic audits on all computer equipment to verify compliance with this policy.

17.11 Network Data Use and Security

In order to maintain the security and integrity of the data on the City's Information Systems, all employees shall comply with the following policies:

- A. No employee shall make a copy of any data record or file which resides on the City's network file server or any City personal computer, except for the City's own backup purposes, or in accordance with other specific written policy of the City.
- B. No employee shall use any data or other information on the City's Information Systems or any City personal computer for personal gain, nor for the advantage of any outside third party, nor in any other way except in accordance with the policies of the City.
- C. Employees of the City have an ongoing opportunity to access confidential information or records that are only available to the general public on a limited review or purchase basis. Employees must not divulge information contained in the records and files of the City, except to other employees who may need such information in connection with their duties and to authorized

parties in accordance with proper procedures such as requests under the Freedom of Information Act.

- D. If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information in accordance with applicable procedures, or refer the requestor to the employee's immediate supervisor.
- E. It is a very serious offense (with a penalty as severe as dismissal), for an employee to release or use for personal purposes, confidential information obtained in the course of employment. Any employee who inappropriately releases information, or uses confidential information for personal reasons, will be disciplined in accordance with established policies and procedures.

17.12 Network Access Security

In order to maintain the security and integrity of the City's network computer system, all employees shall comply with the following policies:

- A. Every employee shall keep his or her personal network access passwords strictly secret. No employee shall reveal those passwords to any other person, including any other employee. If the network system is accessed in an unauthorized manner using an employee's password, that employee will be held personally accountable regardless of the circumstances. If any employee is uncertain about the security of any personal password, it should be changed immediately.
- B. No employee shall permit any unauthorized person to gain access to the City's information systems system.
- C. No employee shall furnish any information to any unauthorized person about the hardware or the software used by the City, nor the method of accessing the City's Information Systems, without the expressed written consent of the City Administrator.

17.13 Software Specification Policy

The goal of the City is to establish an Information System, which is efficient and effective for both the employees and the public, and at the same time, is economical to operate and maintain. To this end, the following standards for purchasing and developing City software shall be observed:

- A. To the greatest extent possible, the City departments shall purchase software applications which are expected to have long-term publisher support available, and which do not require extensive in-house technical knowledge and support to operate. To achieve this, departments shall attempt to modify internal operations to conform to the software selected, to the greatest extent possible, and shall not contract for custom modifications to any City software without the specific approval of the City Administrator.
- B. The City shall standardize on one database management system, and shall develop all in-house programs on the basis of a standard well-documented procedure for using that system, so that the City will not be dependent on the knowledge or presence of any individual employee in order to operate and maintain such programs.
- C. If any program or application is proposed to be acquired or developed which does not meet the above standards, the City Administrator shall advise the City Council of such intention at a regular meeting of the Council, along with the reason for that decision, before proceeding with such purchase.

17.14 Electronic Data Created by City Employees

All electronic data, including software programs, created by City employees, using the City's equipment and licensed software, are the property of the City of Lathrup Village, and shall be subject to the same restrictions as provided for licensed software in Section 17.10, except as provided otherwise in any agreement between the City and such employee which has been approved by the City Council.

17.15 E-mail

It is the intent of the City to provide a structure in which electronic mail can be used effectively by the City while not being abused. Electronic mail messages are official records when they are created or received in the transaction of public business and retained as documentation of official policies, actions, decisions

or transactions. It is the responsibility of the users of the electronic mail system to use the system for legitimate City business purposes.

Access to electronic files including email and information which you send or receive over the Internet and data contained in City computers and the computer network may also be provided to third parties, such as law enforcement, or under the FOIA when requested.

17.16 Monitoring of Electronic Mail

All electronic mail messages are the property of the City. As a matter of general policy, the City **will not** monitor electronic mail messages. However, the City reserves the right to access messages under the following circumstances or whenever it is determined by the City Administrator that the reasons for doing so are consistent with the City's need for supervision, control and efficiency in the workplace:

- Upon leaving employment with the City for any reason, a user's mail may be accessed for the purpose of saving those messages that pertain to City business
- If required by law to do so
- When necessary to investigate a possible violation of a City policy
- In the event there is reasonable suspicion that a user has committed or is committing a crime against the City or for which the City could be held liable
- In the event there is reasonable suspicion that a user has violated any of the prohibited uses listed in this policy

No City employee will conduct monitoring of electronic mail messages unless directed by the City Administrator to do so.

17.17 Internet

This policy applies to use of the Internet utilizing the City authorized user ID thereby covering the employees' representation of the City. In general, City employees have an obligation to use their access to the Internet in a responsible and informed way, conforming to Internet etiquette, customs and courtesies, and representing the City in a positive manner. Use of the Internet by City employees constitutes acknowledgment of this policy.

Employees are further required to sign a copy of the "City of Lathrup Village's Information Systems Policy Acknowledgment" prior to Internet access and comply with the provisions included in this policy, as well as those in other policies that relate to the topics included. Prohibited use of the Internet includes, but is not limited to, the following:

- Illegal activities
- Threats
- Harassment
- Slander
- Defamation
- Sexually obscene/offense messages, materials, or images
- Racially offensive or derogatory material/messages
- Political endorsements
- Commercial activities
- To send chain letters
- To send copies of documents in clear violation of copyright laws
- Using non-business software including games or entertainment software
- Activities resulting in, or relating to, personal gain or for-profit enterprise
- Activities that compromise the integrity of the City in any way

17.18 Social Media

The City expects that staff participation in personal social networking sites will not be disruptive or subversive to the City's interest in maintaining an efficient and effective workplace.

Any information provided on a personal social networking site with regard to the City or your employment with the City is expected to conform to established policies regarding access to and release of information and communications procedures. The City's logo or other proprietary information or images are not to be used.

Further, employees should be thoughtful in how they present themselves and how their online presence may reflect on them as employees of the City. Social networking that includes your status as an employee of the City must be done in good taste and reflect sound judgment. Social networking that adversely affects the City or is disruptive or subversive to the City's interest in maintaining an efficient and effective workplace, is subject to corrective and disciplinary action, up to and including discharge.

The City has an overriding interest and expectation in deciding what is "spoken" on behalf of the City on its social media sites, and therefore has established a social media policy detailed in the attached Appendix D. All employees shall abide by the guidelines contained in the City's Social Media Use Policy when using the City's social media sites.

17.19 Sexual and Other Unlawful Harassment

It is the policy of the City that harassment in the workplace will not be allowed or tolerated. Each employee has a right to work in an environment free from all forms of discrimination, intimidation, and conduct that can be considered harassing, coercive, or disruptive. This policy applies equally to all unlawful forms of harassment in the work place, including: sexual harassment and harassment or discrimination based on race, color, sex, sexual orientation, age, religion, national origin, marital or veteran status, height, weight, disability, political affiliation, or any other legally protected status or characteristic.

Harassment may include: joking remarks; stories; nicknames; abusive conduct or speech; epithets; slurs; negative stereotyping; threatening, intimidating or hostile acts; and written or graphic materials that denigrate or show hostility or aversion toward an individual or group.

The City will not tolerate or condone harassment of its employees by their supervisors, co-workers, or third parties on City premises or at City functions over which the City has control. The City will not permit any situation where an employee's submission to or rejection of harassment is used as a basis for employment decisions, or where harassment has the purpose or effect of unreasonably interfering with an individual's work performance, creating an intimidating, hostile, or offensive work environment or otherwise adversely affecting an individual's employment opportunities.

Any violation of this policy may subject the violator to disciplinary action including immediate discharge, at the sole discretion of the City.

Sexual Harassment

All of the above provisions also apply to conduct or communication constituting sexual harassment. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and visual, verbal, or physical conduct or communication of a sexual nature.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when any of the following occur:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment.
- Submission to or rejection of such conduct is used as a factor in decisions affecting the person's employment.

- The conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile or offensive work environment, or otherwise adversely affects a person's employment opportunities.

The following is a partial list of examples of sexual harassment: unwanted sexual advances; offering employment benefits in exchange for sexual favors (quid pro quo); making or threatening reprisals after a negative response to sexual advances; verbal conduct that includes making or using derogatory comments, epithets, slurs, jokes, kidding, teasing, foul or obscene language; visual conduct that includes leering, making sexual gestures, or the display of foul, suggestive, or obscene printed or visual material; and physical contact that includes touching, assaulting, impeding or blocking movements, suggestive gestures, patting, pinching, groping or rubbing against another's body.

Reporting potential violations

Any employee who believes that he or she has been harassed or who has witnessed another employee who has been harassed in violation of this policy shall immediately report the conduct or communication to any supervisor, a supervisor or the City Administrator. If the employee does not feel he or she can report to these persons, the employee shall report the incident to the City Attorney.

An employee is not required to make a determination of whether the conduct or communication is a violation of this policy. For that reason, an employee shall report any offensive conduct or communication which occurs while the employee is conducting City business or as a result of the employee's employment with the City, whether on or off City premises.

It is stressed that the employee may choose to report the conduct or communication to any of the above-named persons. An employee is under no obligation to report the conduct or communication to any person who is the subject of or perpetrator of the conduct or communication.

Supervisory personnel are expressly obligated to educate employees on this policy; manage staff in a way that proactively prevents harassment; and report any incidences of harassment to the City Administrator or the City Attorney if the City Administrator is the subject of the complaint. Failure to do so renders the supervisor complicit in the harassment and subject to corresponding disciplinary action related to harassment and dereliction of duty.

Investigations

All complaints and reports shall be referred immediately to the City Administrator for review, or to the City Council or City Attorney if the City Administrator is the subject of complaint.

A prompt and thorough investigation of the alleged harassment will be initiated, with concern for the principles of due process and fairness. Outside experts, consultants, or attorneys may be enlisted to assist with the investigation.

Every effort will be made to keep all complaints (and their details) as confidential as possible; however, it is understood that in the course of an investigation, some information may become known to others. A typical investigation includes one or more meetings with the person making the complaint, the accused, and any witness(es) to the alleged occurrence(s) of harassment.

If the complaint involves a direct supervisory relationship, the City may suspend the reporting relationship between the employee and the supervisor and designate another supervisor to whom the employee shall report during the period of investigation. During the investigation, the City may take other measures to limit contact between employees involved in the investigation to prevent retaliation and limit any potential for ongoing hostility.

Following completion of the investigation, if the report has merit, disciplinary action up to and including dismissal will be taken against the perpetrator to remedy the situation. It is the City's intent that remedies in no way disadvantage the victim of harassment.

Retaliation

There will be no retaliation against an employee for reporting harassment or for cooperating with the investigation of a complaint of harassment. Retaliatory action or conduct of any kind is strictly prohibited and shall be regarded as a separate and distinct violation of the City's policies and procedures, also subject to disciplinary action up to and including immediate discharge.

Any questions, concerns, or other inquiries regarding the conduct that is prohibited by this policy or the procedures contained herein shall be directed immediately to the City Administrator or City Attorney.

17.20 Drug-Free Workplace

The City is committed to providing a safe drug- and alcohol-free working environment. Substance abuse and the use of alcohol/drugs in the workplace jeopardizes safety, lowers productivity, and undermines public confidence.

As such, all City premises, including work sites, and all City vehicles are declared to be drug/alcohol-free work places. City employees are prohibited from unlawfully manufacturing, distributing, dispensing, possessing, selling, using, or testing positive for controlled substances and/or alcohol in the workplace.

Employees who are taking prescription medication that may affect their performance or impair their ability to drive and/or operate equipment/machinery shall notify their supervisor prior to beginning work. It is a violation of this policy to use prescription drugs illegally.

The City considers medical marihuana to be illegal under federal law, 21 USC § 801 *et seq.*, therefore the use of medical and recreational marihuana is prohibited.

Employees found to be in violation of this policy will be subject to appropriate personnel/disciplinary action up to and including immediate discharge. The City reserves the right to require drug or alcohol testing at any time for safety sensitive positions and in the case of reasonable suspicion for other job categories.

Employees and contractors required to maintain a Commercial Driver's License as a condition of their employment are subject to much stricter state and federal provisions regarding Department of Transportation (DOT) random drug testing.

17.21 Resignations

Any employee in good standing intending to resign from City service shall give the City reasonable notice, of at least two (2) weeks. Department Heads, Supervisors and Managers shall give at least four (4) weeks' notice. In some instances, due to complexity of the employee's position or difficulty on the part of the City in finding a replacement a longer period may be reasonable. Pursuant to Section 7.05, no vacation time shall be paid out if the employee fails to give proper notice of resignation.

Prior to leaving the employment of the city, an exit interview will be conducted to determine the reasons the employee is leaving the city, to provide an opportunity for the airing of unresolved grievances, and to solicit constructive feedback to improve the city. The exit interview form is attached to this Manual as Appendix A.

17.22 Accident Reports

Any employee involved in any accident involving personal injury or property damage while in the service of the City, shall promptly report said accident and any property damage and physical injury sustained by said employee or others. An employee, within 48 hours, shall make out an accident report in writing

on forms furnished by the city and shall turn in all available names and addresses of witnesses to the occurrence.

Article 18. **GRIEVANCE PROCEDURE**

18.01 Resolving Grievances

Should a dispute arise between the City and one or more employees as to whether the City has breached or violated any of the provisions of this Manual, an earnest effort shall be made to resolve such dispute promptly and the following procedure shall be adhered to:

- A. Step 1. Any employee having a grievance shall first take up the matter with his/her immediate supervisor. If not settled it shall be reduced to writing and signed by the grievant within 10 days of an alleged violation. The written form shall contain all the facts in detail; shall define the alleged violation of a specific article of this Manual; shall state the date of occurrence of the alleged violation; and shall state a correction or solution to the alleged regulation violation.
- B. Step 2. The written grievance shall be discussed between the employee or his/her designated representative and the department head. The department head shall give his/her written response within 5 working days (excluding Saturdays, Sundays, and Holidays) of the receipt of the written grievance. Acceptance or rejection of the receipt of the department head's response will be promptly written on the grievance form by the employee and delivered to the City Administrator.
- C. Step 3. In the event the grievance is not settled in Step 2, the Grievant shall submit grievance to the City Administrator within 5 working days. The City Administrator and his/her representative(s) and the employee and his/her representative(s) shall meet to discuss and attempt to resolve said grievance. This meeting shall be scheduled at a mutually agreeable time, which time shall not exceed, however, five (5) working days from the time the grievance form is filed with the City Administrator unless a longer time is mutually agreed upon. If the parties in this meeting are unable to resolve the grievance and reduce their agreement to writing, the matter may be submitted to the City Council.

All claims for back wages shall be limited to the amount of wage that the employee would otherwise have earned less, any unemployment compensation or compensation for personal services that he/she may have received, or could have received from any source during the period in question.

Article 19. **TRAINING AND PROMOTIONS**

19.01 In-Service Training

The City may authorize in-service training programs with pay, for employees to take schooling directly related to the job of the employee, the interests of the City, and improvement of job effectiveness.

19.02 Outside Training

An employee may be authorized to attend outside job-related training courses. In such cases, the City shall reimburse the employee for tuition and necessary supplies upon satisfactory completion of the course or training specified and approved in advance, provided that said tuition and supply allowance is not reimbursed or cannot be reimbursed from any other source outside the City. The employee shall be expected to arrange to attend such courses on his/her own time without additional compensation from the City.

19.03 Promotions

It is the policy of the City to fill vacancies whenever possible by promotion from within. It is sometimes necessary to employ persons from outside the City staff for positions that require special experiences or skills. Promotions are based on many factors, including previous performance and the ability to do the work. All applications will be given due consideration.

Article 20. **EMERGENCY AUTHORITY**

In the event a set of circumstances should arise such that the powers and authority of the City Administrator should be exercised when the City Administrator is unable to perform the necessary duties of his/her office, such powers may be exercised by a Temporary Acting City Administrator who shall be the person holding the following position (in order of descending priority) who is available and able to perform the duties of the office.

1. Acting City Administrator (see Charter Section 3.9)
2. Assistant City Administrator.
3. Police Chief
4. City Clerk.
5. The Department Head who has the longest period of service to the City as a Department Head.

The powers and authority of a Temporary Acting City Administrator shall continue until such time as the person of higher ranking authority is in fact available to perform the duties necessary to exercise the powers and authority of the City Administrator. For example; (a) An absent or disabled City Clerk or a more senior Department Head may become available; (b) the Council may meet and appoint a new City Administrator or Acting City Administrator.

Within 24 hours of undertaking to act as a Temporary Acting City Administrator, the person shall give notice either through e-mail or other method of communication to all members of Council.

Article 21. **FAMILY MEDICAL LEAVE ACT**

Notice to employees regarding the Family and Medical Leave Act of 1993. The City will comply with all applicable requirements of the Family and Medical Leave Act of 1993 ("FMLA").

The FMLA requires private employers with 50 or more employees and all public agencies, including state, local, and federal employers, and local education agencies (schools), to provide eligible employees up to 12 weeks of unpaid, job-protected leave in any 12-month period for certain family and medical reasons.

22.01 Employee Eligibility

The FMLA defines eligible employees as employees who: (1) have worked for the employer for at least 12 months; and (2) have worked for at least 1250 hours in the previous 12 months. Employees returning from military leave who are entitled to protection under USERRA may count the time which they would have worked had they not been called to military service toward these requirements.

22.02 Leave Entitlement

Eligible employees may take leave for the following reasons:

- (1) the birth of a child and to care for the newborn child within one year of birth or upon placement for adoption or foster care and to care for the newly placed child within one year of placement;
- (2) to care for the employee's parent, spouse, or child with a serious health condition;
- (3) when an employee is unable to work because of the employee's own serious health condition.
- (4) for qualifying exigencies arising out of the fact that the employee's spouse, child, or parent is on covered active duty or called to covered active duty status as a member of the National Guard, Reserves, or Regular Armed Forces.

Eligible employees may take leave of up to 26 unpaid, job-protected workweeks during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave).

According to the FMLA, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves; (1) inpatient care (i.e., an overnight stay), including any period of incapacity or any subsequent treatment in connection with the inpatient care; or (2) "continuing treatment"

by a health care provider. For further information on what is considered "continuing treatment," contact the City Administrator.

Spouses employed by the same employer are limited to a combined leave of 12 workweeks of family leave for the birth and bonding with a newborn, placement and bonding with a child for adoption or foster care, and to care for a parent who has a serious health condition.

Eligible employees may take FMLA leave immediately (for example, in blocks of time) or by reducing a work schedule in certain circumstances. If FMLA leave is to care for a child after the birth or placement for adoption or foster care, employees may take their FMLA leave intermittently or on a reduced work schedule only with the employer's permission. If the FMLA leave is because of the employee's serious illness or to care for a seriously ill family member, the employee may take the leave intermittently or on a reduced work schedule if it is medically necessary.

22.03 Notice and Certification

Employees who want to take FMLA leave ordinarily must provide the employer at least 30 days notice of the need to leave, if the leave is foreseeable. If the employee's need is not foreseeable, the employee should give as much notice as is practicable. When leave is needed to care for an immediate family member or for the employee's own illness and is for planned medical treatment, the employee must try to schedule treatment in order to prevent disruptions of the employer's operations.

In addition, employees who need leave for their own or a family member's serious health condition must provide medical certification from a health care provider of the serious health condition. The employer also may require a second or third opinion (at the employer's expense), periodic recertification's of the serious health condition, and, when the leave is a result of the employee's own serious health condition, a fitness for duty report to return to work. The employer may deny leave to employees who do not provide proper advance leave notice or medical certification.

22.04 Benefits During FMLA Leave

Employees taking leave under FMLA are entitled to receive health benefits during the leave at the same level and terms of coverage as if they had been working throughout the leave. All other benefits, including vacation, sick time, personal time, longevity, pension calculation may be suspended dependent on the duration of the leave. If applicable, arrangements will be made for employees to pay their share of health insurance premiums while on leave. If the employee fails to return to work after his/her FMLA leave entitlement has expired, the City may recover premiums it paid to maintain health coverage during any period of unpaid FMLA leave. If the reason that the employee does not work is due to (a) continuation, recurrence, or onset of a serious health condition that would entitle the employee to FMLA leave or (b) "other circumstances beyond the control of the employee" as defined in the FMLA, the City will not recover the premiums paid during your unpaid FMLA leave.

22.05 Paid Leave Time and FMLA Leave

The employee's use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave.

The City requires that an employee must use any accrued paid vacation, personal, and sick days during an unpaid FMLA leave for the employee's own serious health condition or for a seriously ill family member.

The City requires that an employee must use any accrued paid vacation or personal days (but not sick days) during FMLA leave for the birth/placement and bond with a newborn or newly placed child.

22.06 Job Restoration After FMLA Leave

The employer will reinstate an employee returning from FMLA leave to the same or equivalent position with equivalent pay benefits, and other employment terms and conditions. However, an employee on an FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

22.07 Other Provisions

The FMLA does not affect any federal or state law prohibiting discrimination or supersede and state or local law or collective bargaining agreement which provides greater family or medical leave rights.

Salaried executive, administrative, and professional employees of the employer who meet the Fair Labor Standards Act ("FLSA") criteria for exemption from minimum wage and overtime do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for the FLSA's exemptions extends only to eligible employee' use of leave required by FMLA.

Certain highly compensated key employees also may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the employer's operation. A "key" employee is a salaried eligible employee who is among the highest paid ten percent of employees within 75 miles of the worksite. Employees will be notified of their status as a key employee, when applicable, after they request FMLA leave.

Appendix A: **EXIT INTERVIEWS**

It is the policy of the City of Lathrup Village to conduct exit interviews to determine and document the reasons employees leave the City, to provide an opportunity for the airing of unresolved grievances, and to solicit constructive feedback to improve the City. All exit interviews will be conducted by the City Administrator or his/her designee.

City supervisors will refer separating employees to the City Administrator for an exit interview as soon as possible after the separation decision has been communicated. The City Administrator will use the exit interview form (copy following) to cover the following points:

- Job duties and work load: understanding of the job, match with interests and abilities, quality of training.
- City policies and practices: working environment, opportunities for advancement, salary and benefits.
- Quality of supervision: fairness, supportiveness.
- Reasons for leaving.

If it is felt the information covered during the interview might become a point of contention in the future, the City Administrator should ask the employee to sign the exit interview form. The employee may be given a copy upon request.

EXIT INTERVIEW

JOB CONTENT

1. What factors contributed to you accepting a job with the City? Have your feelings changed?
2. Did you understand the job expectations when you were hired?
3. Did you receive sufficient training to meet those expectations? Did you know how or where to get information you needed to succeed in your job?
4. How would you rate your own contribution or performance on the job?

THE CITY AS A PLACE TO WORK

5. How would you rate the following aspects of your employment here?

	Excellent	Good	Fair	Poor	Comments
Opportunity For Advancement					
Physical Working Conditions					
Your Salary					
Vacation/Holiday					
Other City Benefits					
Feeling of Belonging					

6. If you were leading the City, what would you do differently?
7. What made your employment enjoyable?
8. What would make you interested in returning to work for the City?

QUALITY OF SUPERVISION

9. How would you rate your supervisor in the following areas?

	Excellent	Good	Fair	Poor	Comments
Demonstrates Fair & Equal Treatment					
Provides Appropriate Recognition					
Resolves Complaints/ Difficulties in a Timely Fashion					
Follows Policy & Procedures					
Informs Employee of Matters Relating to Work					
Encourages Feedback					
Is Knowledgeable in Own Job					
Expresses instructions Clearly					
Develops Cooperation					

10. If you came back to work for the City, would you work for the same supervisor?

11. Are you leaving for a similar job?

12. How is your new job different from your old one? Are you staying in the same industry?

13. What part does salary play in your decision to leave?

14. What made you begin looking for another position, or, if appropriate, what made you listen to the offer to interview for another position?

15. What could the City have done to prevent you from leaving?

16. If you are going to another job, what does that job offer you that your job here did not?

ADDITIONAL COMMENTS

Are there any other comments that you would like to make about your employment with the City?

Appendix B: **PERSONNEL MANUAL STATEMENT AND ACKNOWLEDGMENT**

Property of the City of Lathrup Village

Employee Copy

I, _____, the undersigned employee of the City of Lathrup Village ("City"), acknowledge receipt of this Manual and that I am responsible for knowing its contents and keeping it updated. I also understand that this Manual is City property that must be returned when I leave this organization.

I understand that the contents of the Personnel Manual I have received today supersede all prior versions of the Personnel Manual. I also understand that this Personnel Manual Statement Acknowledgment supersedes any prior written or oral communications to me concerning my job and employment status.

I understand that only the City Administrator or designee of the City has the authority to enter into an agreement, regarding my employment, beyond the terms set forth in this Manual.

I acknowledge and accept all the terms set forth in the Personnel Manual.

I acknowledge that my employment with the City is terminable "at-will" by the City or myself unless covered by a bargaining unit agreement. This means that the City has the right to terminate my employment at any time, with or without cause, or for any reason whatsoever in accordance with the terms of this Manual. I understand that I have the same right.

I understand that if the City must notify me of any employment-related matter that it will do so by hand delivery or regular mail to the last address known by the City. After the third business day from the mailing post-date, the City considers me to have been officially notified and to have fulfilled its obligation to do so.

I acknowledge that if any portion of this Personnel Manual Statement and Acknowledgment is determined to be unenforceable, the remaining part or parts of the document shall remain in full force and effect.

Please print and then sign your name below:

Acknowledged by (Employee):

Print Name: _____

Signature: _____ Date: _____

Witnessed by (City Representative):

Print Name: _____

Signature: _____ Date: _____

Appendix B: **PERSONNEL MANUAL STATEMENT AND ACKNOWLEDGMENT**
Property of the City of Lathrup Village

City Copy

I, _____, the undersigned employee of the City of Lathrup Village ("City"), acknowledge receipt of this Manual and that I am responsible for knowing its contents and keeping it updated. I also understand that this Manual is City property that must be returned when I leave this organization.

I understand that the contents of the Personnel Manual I have received today supersede all prior versions of the Personnel Manual. I also understand that this Personnel Manual Statement Acknowledgment supersedes any prior written or oral communications to me concerning my job and employment status.

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I understand that if the City must notify me of any employment-related matter that it will do so by hand delivery or regular mail to the last address known by the City. After the third business day from the mailing post-date, the City considers me to have been officially notified and to have fulfilled its obligation to do so.

I acknowledge that if any portion of this Personnel Manual Statement and Acknowledgment is determined to be unenforceable, the remaining part or parts of the document shall remain in full force and effect.

Please print and then sign your name below:

Acknowledged by (Employee):

Print Name: _____

Signature: _____ Date: _____

Witnessed by (City Representative):

Print Name: _____

Signature: _____ Date: _____

Appendix C: **AUTHORIZATION TO RELEASE INFORMATION**

I, _____ (applicant for employment), hereby authorize any duly empowered representative of the City of Lathrup Village bearing this release, or copy thereof, within one year of its date, to obtain any information in your files or other sources pertaining to my employment, military, credit or educational records and personal background including, but not limited to, academic, achievement, attendance, driver's license records, athletic, personal history, disciplinary actions and records, medical records, and credit reports or any other records you may have regarding me.

I understand that my Rights under Title 5, United States Code, Section 552a, the Privacy Act of 1974, with regard to access and to disclosure of records, and I waive those Rights with the understanding that information furnished will be used by the City of Lathrup Village in conjunction with employment procedures.

I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information is for the official use of the City of Lathrup Village. Consent is for the City of Lathrup Village to furnish such information as described above, to third parties in the course of fulfilling its official responsibilities.

I hereby indemnify and hold harmless you, as the custodian of such records, and any agency, institution or establishment which you represent including its officers, employees and related personnel, or business, both collectively or individually, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it.

A photocopy or FAX copy of this release form will be valid as an original thereof, even though the said photocopy or FAX copy does not contain any original writing of my signature. This waiver is valid for a period of 180 days from the date of my signature. Should there be any question as to the validity of this release, you may contact me as indicated below on this form.

I have carefully read this authorization and consent form and affirm that I fully understand its contents. I also affirm that I voluntarily consent to any background check the City of Lathrup Village may wish to conduct in connection with my application for employment. I also acknowledge that I have received a copy of the Summary of Rights under the Fair Credit Reporting Act.

By signing below, I hereby authorize all entities having information about me, including present and former employers, personal references, criminal justice agencies, departments of motor vehicles, schools, licensing agencies, and credit reporting agencies, to release such information to the City or any of its affiliates or carriers. I acknowledge and agree that this Release and Authorization shall remain valid and in effect during the term of my contract.

Applicant Signature

Date

Witness Signature

Date

APPENDIX D: SOCIAL MEDIA POLICY

Purpose

To establish a policy concerning personal web pages or internet sites when referencing the City of Lathrup Village and to ensure that City employees use appropriate discretion and do not discredit the City. This Policy does not apply to non-employee elected officials or members of boards or commissions of the City of Lathrup Village.

The City believes that social media provides a valuable means of assisting in meeting community education, community information and other related organizational and community objectives. The City endorses the use of social media to enhance communication and information exchange, streamline processes and to foster productivity.

The City acknowledges an employee's right to have personal web pages or sites and encourages employees to exercise that right to the extent possible without causing a decline in public confidence or respect for the City of Lathrup Village, any Department of the City, or any employee of the City. The City understands that social media can be a fun and rewarding way to share your life and opinions with family, friends and coworkers around the world. However, use of social media also present certain risk and carries with its certain responsibilities. As such, the City shall impose restrictions and oversight, when direct or indirect reference to the City, a Department or its employees is made within these forums.

Guidelines

Social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or chat room, whether or not associated with the City of Lathrup Village, as well as any form of electronic communication. This includes communication via "temporary" social media, where the media is only available for a short period of time.

The same principles and guidelines found in other City policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance or the performance of fellow coworkers or otherwise adversely affects members of the public, contractors, people who work on behalf of the City or the City's legitimate interests may result in disciplinary action up to and including termination.

Know and Follow the Rules

Carefully read these guidelines and related policies, including, but not limited to the City's policies concerning harassment, discrimination, work rules, etc., to ensure your postings are consistent with these policies. Inappropriate posting that may include discriminatory remarks, harassment and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

General Rules

Be Respectful

Be fair and courteous to fellow coworkers, persons who serve on boards or commissions/committees, elected and appointed officials, members of the public, contractors or people who work for the City of Lathrup Village.

Generally, you are more likely to resolve issues by speaking directly with your coworkers or by speaking with your supervisors than by posting complaints to a social media outlet. If you decide to post complaints

or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages members of the public, coworkers, contractors or that might constitute bullying or harassment. Examples of this conduct include posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile environment on the basis of race, sex, disability, age, national origin, religion or any other status protected by law or City of Lathrup Village policy.

Be Honest and Accurate

Honesty and accuracy are essential when posting information or news. If you make a mistake, correct it quickly. Be open about any previous posts you altered. Remember, the internet archives almost everything, therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the City, fellow coworkers, members of the public, contractors, people working on behalf of the City, or others.

Post Only Appropriate and Respectful Content

Maintain the confidentiality of City of Lathrup Village private or confidential information. This may include information regarding the development of systems, processes, technology or products. Do not post internal reports, policies, procedures or other internal business-related confidential communication.

You may learn of confidential or embarrassing information about our residents, property owners and business people through your work at the City. Do not disclose this information on social media or in personal conversations—respect the privacy of others as you would expect others to respect yours.

Do not create a link from your blog, website or other social networking site to the City of Lathrup Village website without express permission from the City Administrator or his/her designee.

Express only your personal opinions. Do not represent yourself as a spokesperson for the City of Lathrup Village. If the City is subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the City of Lathrup Village, fellow coworkers, citizens, contractors or those who work on behalf of the City. It is best to include a disclaimer "The postings on this site are my own and do not necessarily reflect the view of the City of Lathrup Village."

Using Social Media at Work

Refrain from using social media while on work time or on equipment provided by the City of Lathrup Village unless it is work-related and authorized by your supervisor. Do not use the City email addresses to register on social network blogs, or any other online tools utilized for personal use. Any conduct pertaining to this policy that adversely affects job performance, the performance of a coworker or otherwise adversely affects members of the public or those who work on behalf of or represent the City of Lathrup Village may result in disciplinary action.

Retaliation is Prohibited

Any employee becoming aware of or having knowledge of a posting or any website or web page in violation of the provisions of this policy may notify his or her supervisor immediately for follow-up action. The City of Lathrup Village prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another coworker for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action up to and including termination.

Media Contact

Employees should not speak to the media on behalf of the City of Lathrup Village without first obtaining permission from a supervisor.

Internet Privacy and FOIA

All workplace computer activity, Internet usage and e-mail messages are for the intended use of the City, therefore, the City reserves the right to monitor, read and inspect any electronic data, files and/or e-mail

messages stored, distributed, viewed, printed, edited or recorded using the City's network or computing resources. Furthermore, the City reserves the right to require an employee to disclose access information (user name, password, login information, etc.) to operate any computer, phone or other electronic device paid for in whole or in part by the City, or for access to any account or service provided by the City, obtained as a result of your employment relationship with the City, or used for the City's business purpose. The City will not request access to an employee's personal internet account or private phone or electronic device.

Any emails or messages sent using a City email address, City phone or City computer are subject to FOIA (Freedom of Information Act) and may be released as a result of a FOIA request.

Personal Use/Precautions and Prohibitions

City of Lathrup Village employees shall abide by the following when using social media:

- A. City employees are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of the City for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among co-workers, discuss the home addresses of City personnel or negatively affect the public perception of the City.
- B. City employees should be aware that there is a distinction between the extent of the protections of the freedoms of expression they have as citizens and as public employees. Specifically, public employees have freedom of expression as to statements they make as a citizen on matters of public concern. As such, statements not made as a public citizen (i.e. in their official capacity as a City employee), and/or that are not matters of public concern (e.g. derogatory, inflammatory or other speech that has no value to the public) are not constitutionally protected. Further, some statements are not protected because the statements affect the efficient operation of the City and its various departments, even though they involve a matter of public concerns. As such, City employees are cautioned that speech on or off duty, made pursuant to their official duties is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the City. City employees should be aware that their speech and related activity on social media sites may reflect upon their positions and the City and may be a cause for discipline if deemed detrimental to the City or in violation of this policy.
- C. City employees shall not post, transmit or otherwise disseminate any information to which they have access as a result of their employment without written permission from the City Administrator or his/her designee.
- D. For safety and security reasons, City employees shall not post information pertaining to any other employee of the City without their permission. As such, City employees are cautioned not to do the following whether it be about themselves or other City employees:
 1. Display City logos, uniforms or similar identifying items on personal web pages, except in connection with a labor dispute with the City.
 2. Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a City employee.
- E. When using social media, City employees should be mindful that their speech becomes part of the worldwide electronic domain. As such, City employees are prohibited from the following:
 - a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparages, or otherwise express bias against any race, any religion or any protected class of individuals.

- b. Speech involving themselves or other City employees reflecting behavior that would reasonably be considered reckless or irresponsible.
 - c. Employees shall not publicly criticize or ridicule the City, its guidelines, or other employees by speech, writing, or other expression, where such speech, writing or other expression undermines the effectiveness of the City, interferes with the maintenance of discipline, or is made with reckless disregard for the truth.
- F. City employees may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or public materials that could reasonably be considered to represent the views or positions of the City or any of its Departments without express authorization of the City Administrator or his/her designee. Employees shall not post blogs or other messages on social media, address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge information, or any other matters of the City while holding themselves out as representing the City in such matters without prior approval of the City Administrator or his/her designee.
- G. When providing any speech outside of their official duties, employees should make it clear that the speech is not that of the City or the Department to which they are assigned, but rather, that of the employee.
- H. City employees should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.
- I. City employees should expect that any information created, transmitted, downloaded, exchanged or discussed in a public online forum may be accessed by the City at any time without prior notice.

For More Information

Inquiries regarding this policy should be directed to the City Administrator.

Appendix E: **INFORMATION SYSTEMS POLICY ACKNOWLEDGMENT**
(AMENDED 4-15-2019)

The purpose of this acknowledgment is to inform you of the City's Information systems Policy. Employers are liable under Federal Law for violations of copyright restrictions by their employees, and are also legally responsible for the proper use and distribution of the information stored on their computers.

The City has adopted this Information Systems Policy to inform you about your obligations as a City Information Systems Operator, and to let you know that the City views this policy very seriously. Your access to the City's Information Systems is a valuable opportunity, in terms of learning technical job skills, obtaining information, communicating with fellow employees and citizens, and being a more productive worker. Along with this opportunity, you have important legal responsibilities, which are outlined in the attached policy. The policy includes the following topics:

- (17.10) Copyright Protected Software
- (17.11) Network Data Use and Security
- (17.12) Network Access Security
- (17.13) Software Specification Policy
- (17.14) Electronic Data Created by City Employees
- (17.15) Email Policy
- (17.16) Monitoring of Email
- (17.17) Internet Policy
- (17.18 and Appendix D) Social Media Policy

The City expects all employees to comply fully with this policy. Any employee found to be violating the Information Systems Policy will be subject to reprimand or termination, on the same basis which would apply to misuse or misappropriation of any other City property, or for violations of other City policies.

Sheryl Mitchell
City Administrator

Acknowledgment: I hereby acknowledge that I have received a copy of the City Information Systems Policy, that I understand the policy, and that I will comply fully with it.

Date: _____ Signed: _____