



# Benzie County

---

## *Staff Policy Manual*

*Approved by County Board of Commissioners on 4/26/2016*

---

## Table of Contents

Elected Officials Signature Page .....	4
Introduction to Employment .....	5
Section 1: Adoption and Administration .....	6
Section 2: Equal Employment Opportunity .....	6
<b>2.1 Equal Employment Opportunity .....</b>	<b>6</b>
<b>2.2 Sexual Harassment.....</b>	<b>7</b>
<b>2.3 Reporting Illegal Discrimination or Harassment.....</b>	<b>7</b>
Section 3: Safe Workplace Policy.....	8
<b>3.1 Safe Workplace .....</b>	<b>8</b>
<b>3.2 Reporting And Investigation.....</b>	<b>8</b>
Section 4: Social Security Number Privacy Policy.....	9
Section 5: Other Policies.....	10
<b>5.1 Tobacco/Smoke Free Workplace.....</b>	<b>10</b>
<b>5.2 Substance Abuse Policy .....</b>	<b>12</b>
<b>5.3 Outside Employment .....</b>	<b>13</b>
<b>5.4 Political Activity .....</b>	<b>13</b>
<b>5.5 Nepotism .....</b>	<b>14</b>
<b>5.6 Dating in the Workplace .....</b>	<b>14</b>
<b>5.7 Reporting Illegal and Unethical Activity .....</b>	<b>14</b>
<b>5.8 Information and Technology Policy .....</b>	<b>15</b>
<b>5.9 Fraud Policy .....</b>	<b>17</b>
<b>5.10 Credit Card Use Policy .....</b>	<b>17</b>
<b>5.11 Weapons in the Workplace Policy .....</b>	<b>18</b>
<b>5.12 Travel Policy.....</b>	<b>22</b>
<b>5.13 Vehicle Use Policy .....</b>	<b>23</b>
<b>5.14 Dress and Hygiene.....</b>	<b>25</b>
<b>5.15 Other Work Prohibitions .....</b>	<b>25</b>
<b>5.16 Break Time for Nursing Mothers Policy .....</b>	<b>27</b>
Section 6: Pre-Employ .....	28
<b>6.1 Employee Medical Examinations .....</b>	<b>28</b>
<b>6.2 Background Checks.....</b>	<b>28</b>
<b>6.3 Driver's Record.....</b>	<b>28</b>
Section 7: Classifications .....	29
<b>7.1 Regular Full-Time Employee.....</b>	<b>29</b>
<b>7.2 Part-Time Employees .....</b>	<b>29</b>
<b>7.3 Temporary Employees.....</b>	<b>29</b>
<b>7.4 Exempt and Non-Exempt Employees.....</b>	<b>29</b>
Section 8: Pay.....	30
<b>8.1 Pay Period.....</b>	<b>30</b>
<b>8.2 Overtime Pay .....</b>	<b>30</b>
<b>8.3 Salaried Employees.....</b>	<b>30</b>
<b>8.4 Time Sheets.....</b>	<b>30</b>
<b>8.5 Compensatory Time.....</b>	<b>30</b>

<b>8.6</b>	<b>Position Change.....</b>	<b>31</b>
<b>8.7</b>	<b>Per Diem .....</b>	<b>31</b>
Section 9:	Normal Workweek.....	31
<b>9.1</b>	<b>Workweek.....</b>	<b>31</b>
<b>9.2</b>	<b>Working Hours.....</b>	<b>31</b>
<b>9.3</b>	<b>Lunch Period .....</b>	<b>31</b>
Section 10:	Legal Holidays .....	31
<b>10.1</b>	<b>Holiday Pay.....</b>	<b>31</b>
<b>10.2</b>	<b>Recognized Holidays.....</b>	<b>32</b>
<b>10.3</b>	<b>Holiday Eligibility .....</b>	<b>32</b>
Section 11:	Vacation, Sick Leave and Other Leaves of Absence .....	32
<b>11.1</b>	<b>Vacation Time .....</b>	<b>32</b>
<b>11.2</b>	<b>Sick Leave .....</b>	<b>33</b>
<b>11.3</b>	<b>Family and Medical Leave .....</b>	<b>34</b>
<b>11.4</b>	<b>Personal Leave .....</b>	<b>34</b>
<b>11.5</b>	<b>Unpaid Personal Leave.....</b>	<b>34</b>
<b>11.6</b>	<b>Funeral Leave: .....</b>	<b>34</b>
<b>11.7</b>	<b>Military Leave .....</b>	<b>35</b>
<b>11.8</b>	<b>Leave for Jury or Court Duty.....</b>	<b>35</b>
Section 12:	Employee Benefits .....	35
<b>12.1</b>	<b>Health, Dental, and Vision Insurance .....</b>	<b>35</b>
<b>12.2</b>	<b>Retiree Insurance .....</b>	<b>35</b>
<b>12.3</b>	<b>Health Insurance Declination .....</b>	<b>35</b>
<b>12.4</b>	<b>Short/Long Term Disability .....</b>	<b>36</b>
<b>12.5</b>	<b>Life Insurance.....</b>	<b>37</b>
<b>12.6</b>	<b>Deferred Compensation.....</b>	<b>37</b>
<b>12.7</b>	<b>Workers Compensation.....</b>	<b>37</b>
<b>12.8</b>	<b>Retirement .....</b>	<b>37</b>
<b>12.9</b>	<b>Longevity Payments.....</b>	<b>38</b>
Section 13:	Educational Assistance .....	38
Section 14:	Complaint Procedure .....	39
<b>14.1</b>	<b>General.....</b>	<b>40</b>
<b>14.2</b>	<b>Procedure.....</b>	<b>40</b>
<b>14.3</b>	<b>Time and Procedural Limitations .....</b>	<b>40</b>
Section 15:	Termination/Separation.....	40
<b>15.1</b>	<b>Resignation .....</b>	<b>40</b>
<b>15.2</b>	<b>Layoff and Recall .....</b>	<b>40</b>
<b>15.3</b>	<b>Retirement .....</b>	<b>41</b>
<b>15.4</b>	<b>Return of Property.....</b>	<b>41</b>
<b>15.5</b>	<b>Final Paycheck .....</b>	<b>41</b>
Section 16:	Building Closure .....	41
Section 17:	Other Policies.....	42
	ACKNOWLEDGMENT.....	43



## Elected Officials Signature Page

\_\_\_\_\_ All policies contained herein, and as amended by the Board of Commissioners.

\_\_\_\_\_ All policies contained herein, with the following exceptions:

\_\_\_\_\_ Only economic policies and those listed below:

\_\_\_\_\_  
ELECTED OFFICIAL'S SIGNATURE

\_\_\_\_\_  
DATE

## **Introduction to Employment**

The Board of Commissioners wants Benzie County to be a good employer with progressive personnel policies and working conditions. The County wants to fully utilize the skills, abilities and efforts of employees.

Employees must conduct themselves as responsible business people engaged in an effort of great importance to the people they serve.

The County expects employees to take advantage of opportunities to become better informed about County business, keep up with professional developments, make constructive suggestions for increased productivity, seek self-improvement in their work, and perform duties in accordance with professional standards. The County expects employees to bring problems and suggestions to their department head's attention promptly in order to minimize their disruption.

**Employment with the County is at will. Either party may end the relationship at their discretion with or without cause or notice. Only the Board of Commissioners may enter into a written agreement for employment with the County or any of its departments.**

Staff whose jobs require a license (including driver's license), certification or registration must maintain that license, certification or registration, and must notify the Administrator's Office in writing immediately upon its loss. Failure to maintain these may result in improvement action, discipline and/or termination.

The policies contained herein apply to full-time and part-time staff in all departments and positions with the following exceptions:

- Employees of elected officials (other than commissioners) are only subject to economic policies unless the elected official has agreed in writing, in whole or part, to the remaining non-economic policies.
- Union employees are only subject to non-economic policies that are NOT covered by the union contract.
- Commissioners, elected department heads (Clerk, Treasurer, Register of Deeds, Prosecuting Attorney, Sheriff, Surveyor, Drain Commissioner) and Judges of the Circuit, District, and Probate Courts.
- Component units, such as Medical Care Facility, Benzie-Leelanau District Health Department, Frankfort/Benzie Airport Authority, Benzie Transportation Authority, and the Benzie County Road Commission.
- Where an elected official or department head has established a written (non-economic) policy more restrictive than the policies contained herein.



Policies referring to hours of work, sick, personal time, and funeral leave do not apply to salaried employees. Salaried personnel may take leave according to their position's requirements and their personal needs. The County shall decide who is salaried.

This Manual shall not be construed as creating a contract between the County and any employees. The interpretation and operation of the benefits noted herein are within the sole discretion of the County Board of Commissioners. Benefits outlined in this document may be added to, expanded, reduced, deleted or otherwise modified by the County Board of Commissioners. Any modifications in the manual shall be solely within the discretion of the County Board. The Employer reserves and retains, solely and exclusively, all rights to manage and operate its affairs and neither the constitutional nor the statutory rights, duties and obligations of the Employer shall in any way whatsoever be abridged by the terms of this manual.

The fact that these policies may have been applied differently in the past does not affect their current or future applications. The policies included in this Staff Manual supersede, replace and control any prior staff manuals, policies, representations, contracts, or practices.

## **Section 1: Adoption and Administration**

- 1.1** The Board of Commissioners shall adopt Staff Policies and any amendments.
- 1.2** The H.R. Committee shall administer the Staff Policies.
- 1.3** Department heads shall be familiar with the Staff Policies, implement them, and make copies available to their staff.
- 1.4** The Board of Commissioners reserves the right to add to, modify and/or rescind policies at any time.
- 1.5** Every employee shall be provided a copy of this Manual and shall sign a receipt which will be kept in the official personnel record.
- 1.6** The policies contained herein supersede previous policies contained in the 8/16/11 version of the Personnel Policy. Updates will be issued as replacement pages and will be updated on the website.

## **Section 2: Equal Employment Opportunity**

### **2.1 Equal Employment Opportunity**

The County does not discriminate in recruitment, employment, training, promotion, wages, or discipline because of race, color, sex, age, religion, national origin, marital status, sexual orientation, height, weight, or disability, in accordance with all federal, state or local laws.

Handicapped employees who feel accommodation is needed to perform their job shall notify the County Administrator's Office and the elected official or department head in the office which the employee works in writing of the need for reasonable accommodation within 182 days after the date the employee knew or reasonably should have known that an accommodation was needed. Failure to properly notify the County will preclude any claim that the County failed to accommodate the handicapped employee. The County will make accommodations that do not pose an undue hardship to the County.

## **2.2 Sexual Harassment**

The County's Equal Employment Opportunity Policy against discrimination and harassment prohibited by law includes a prohibition against sexual harassment.

The law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when either:

1. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting the individual, for example the individual obtaining employment; OR
2. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or create an intimidating, hostile or offensive employment environment. This includes, but is not limited to:
  - a. Sexually-oriented jokes, gestures, noises, remarks or comments about a person's sexuality or sexual experience directed at or made in the presence of an employee;
  - b. Sexual or discriminatory displays or publications; and
  - c. Retaliation for sexual harassment complaints.

The foregoing policies require that each individual exhibit, in his or her conduct and communications, sound judgment and respect for the feelings and sensibilities of each employee.

## **2.3 Reporting Illegal Discrimination or Harassment**



It is the policy of the County that any employee who in good faith believes he or she has been subjected to illegal discrimination or harassment prohibited by law, or who believes in good faith he or she has observed discrimination or harassment prohibited by law, must report that fact immediately in writing to :

1. The Administrator's Office, elected official or the department head in the office in which the employee works; or
2. If the individual does not feel comfortable with the above, the individual should feel free to file a written complaint directly with the Board of Commissioners.

A report or complaint will be promptly investigated and remedial action, up to and including immediate discharge, will be undertaken as appropriate. To the extent possible, the investigation will be conducted in a manner calculated to protect the privacy of the individuals involved. If a report of discrimination or harassment prohibited by law is made in good faith, the County will protect the reporting individual from retaliation or any other detrimental impact on his or her employment.

## **Section 3: Safe Workplace Policy**

### **3.1 Safe Workplace**

The County is committed to providing a safe workplace for the public and its employees, customers, and contractors. Recent national studies report an increase in workplace violence. In an effort to prevent the possibility of violence in our workplace, the County has implemented this Safe Workplace Policy. Benzie County strictly prohibits and will not tolerate any threatened or actual workplace violence. This includes, but is not limited to, any of the following conduct in or around the work environment:

1. Threatening injury or damage against a person or property;
2. Fighting or threatening to fight with another person;
3. Threatening to use a firearm or any other weapon;
4. Having unauthorized possession of a firearm or any other weapon while on County premises or County business;
5. Abusing or injuring another person;
6. Abusing or damaging property;
7. Using obscene or abusive language or gestures in a threatening manner;
8. Raising voices in a threatening manner;
9. Harassing behavior inconsistent with normal work relationship or stalking.

Because of the potential for misunderstanding, joking about any of the above misconduct is also prohibited.

### **3.2 Reporting And Investigation**

Any person who exhibits unsafe behaviors will be removed from County's premises as quickly as safety permits, and shall remain off County premises pending the outcome of an investigation. Employees will cooperate in authorized investigations, and failure to cooperate may result in a disciplinary action, up to and including discharge. If the investigation substantiates that a violation has occurred, the County will take immediate corrective action. Corrective action may include immediate discipline, up to and including termination, at the County's sole discretion. Additionally, the County may, in its discretion, pursue criminal or civil remedies which may be available.

All employees, temporary employees, contractors and any other personnel are responsible for notifying the County of any threats which they have witnessed, received, or have been told that another person has witnessed or received. A report or complaint will be promptly investigated if a report is made in good faith from retaliation or any other detrimental impact on his or her employment.

In order to provide a safe workplace and protect our employees from threats to their safety, the County must know if a court has ordered an individual to stay away from County locations. Therefore, this policy requires all individuals who obtain a protective or restraining order which lists County locations as being protected areas, to provide the Administrator's Office or the elected official for whom the employee works a copy of such protective or restraining order.

## **Section 4: Social Security Number Privacy Policy**

Social Security numbers should be collected only where required by federal and state law or as otherwise permitted by federal and state law for legitimate employment reasons consistent with this Privacy Policy. It is the Policy of the County that the following acts are prohibited:

- A. Displaying more than four sequential digits of a Social Security number. This includes, but is not limited to display of such numbers on identification cards, badges, time cards, employee rosters, bulletin boards, permits, licenses or any other materials or documents designed for public display. Documents, materials or computer screens that display all or more than four sequential digits of a Social Security number shall be kept out of public view at all times.
- B. Utilizing more than four sequential digits of a Social Security number as a primary account number for an individual.
- C. Storing, using or transmitting more than four sequential digits of a Social Security number on the Internet or on a computer system or network unless the connection is secure or the transmission is encrypted.

- D. Mailing County documents containing more than four sequential digits of a Social Security number except in such cases where state or federal law, rule, regulation, or court order or rule authorizes permits or requires that a Social Security number appear in the document. Documents containing more than four sequential digits of a Social Security number that are sent through the mail shall not reveal the number through the envelope window or otherwise be visible from outside the envelope or package.
- E. Releasing any document under the Freedom of Information Act which contains more than four sequential digits of a Social Security number. The Social Security number shall be redacted or otherwise rendered unreadable before the document or copy of a document is disclosed.

All documents containing Social Security numbers shall be stored in a physically secure manner. Social Security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access. Only staff who have legitimate business reasons to know, will have access to records containing Social Security numbers.

Documents containing Social Security numbers will be retained in accordance with the requirements of state and federal laws. At such time as documents containing Social Security numbers may be disposed of, such disposal shall be accomplished in a manner that protects the confidentiality of the Social Security numbers, such as shredding or burning. Records awaiting disposal will be kept in a secured area, such as a locked file cabinet. Records containing Social Security numbers or confidential information should not be retained beyond their destruction date (unless a Freedom of Information Act (FOIA) request has been received for a particular record or the County's legal counsel directs otherwise.)

The County shall take reasonable measures to enforce this Privacy Policy and to correct and prevent the reoccurrence of any known violations. Any employee, who knowingly obtains, uses or discloses Social Security numbers for unlawful purposes or contrary to the requirements of this Privacy Policy shall be subject to discipline up to and including discharge. Additionally, certain violations of the Act carry criminal and/or civil sanctions. The County will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains uses or discloses Social Security numbers through the County for unlawful purposes.

## **Section 5: Other Policies**

### **5.1 Tobacco/Smoke Free Workplace**

Because we recognize the hazards caused by exposure to environmental tobacco smoke, as well as the life-threatening diseases linked to the use of all forms of tobacco, and in the interest of providing a safe and healthy environment for employees, vendors and visitors, and in accordance with the Michigan Clean Indoor Air Act, as amended, as well as other

public health policies, it shall be the policy of Benzie County, effective upon the date of adoption, to provide a tobacco-free environment for all employees and visitors. This policy covers the smoking of any tobacco product and the use of oral tobacco products or “spit” tobacco, and it applies to both employees and non-employee visitors to Benzie County facilities.

Smoking, as well as the use of any tobacco products, indoors is prohibited in all County buildings and facilities. An Individual shall not smoke or use any other tobacco product at a meeting of any County board, commission, or agency, or in any enclosed, indoor area owned or operated by the County, including County facilities not open to the public or available only to County staff. There is no exception for private functions held at County facilities or for County functions held at private facilities.

The County shall clearly and conspicuously post “no smoking or other tobacco use” signs or the international “no smoking” symbol at the entrances to, and in every County building, and shall remove ashtrays and other tobacco paraphernalia from indoor County facilities, and shall not permit the placement of ashtrays or tobacco paraphernalia inside any County facility.

**a. ENFORCEMENT**

The success of this policy will depend on the thoughtfulness, consideration and cooperation of tobacco users and non-users. All employees share in the responsibility for adhering to and enforcing this policy.

Persons observing a violation of this policy should bring it to the attention of their supervisor. All complaints received shall be investigated as soon as possible. All staff are expected to cooperate fully with any such investigation.

Employees who are found violating this policy will be considered to be in violation of the Benzie County staff policy and will be subject to discipline in the same manner and magnitude as violations of other staff policies.

Further, there shall be no smoking or use of other tobacco products in County owned vehicles or in personal vehicles when transporting persons on authorized Benzie County business.

In addition, per MCL 333.126-1 *et seq*, civil fines may be imposed for smoking in violation of the law.

Retaliation against individuals for reporting violations of this policy or for exercising their rights under the law will not be tolerated. If you believe you are being retaliated against, immediately report it to your immediate supervisor or his/her supervisor.

**b. PERMISSIONS**

Smoking and other tobacco use is only permitted in designated areas outside County buildings. For the Government Center, a smoking area is provided at the west end of the building and is identified with appropriate signage. Cigarette butts and tobacco packaging shall not be left on the grounds and shall be disposed of only in designated containers.

Receptacles for disposal of smoking/tobacco materials will be placed at least 50 feet from the entrance to any County facility, with signage that conveys the County's smoking/tobacco policy.

## **5.2 Substance Abuse Policy**

It is the intent of the County to provide a drug-free, safe and secure work environment for employees. To ensure a safe and efficient work place, the County will strictly enforce the following Rules:

1. No employee shall possess, distribute, use or be impaired by alcohol or illegal prohibited drugs on County property, while on County business, or during working hours, including rest and meal periods. "Illegal prohibited drugs" are those substances that are illegal to sell or possess.
2. Where management has reason to believe that an employee may be under the influence of drugs or alcohol, the County, at its discretion, may require the employee to submit to breath, urine or blood testing, at the County's expense, to determine the presence of drugs or alcohol. Refusal to submit to such testing may result in immediate dismissal.
3. Employees subject to the Drug-Free Work Place Act who are convicted of any criminal drug violation occurring in the workplace must report such conviction to their supervisor within five (5) days of the conviction.

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

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

### 5.3 Outside Employment

While outside or supplemental employment is discouraged, employees may engage in outside or supplemental employment in accordance with the following limitations. In no case shall outside or supplemental employment conflict with or impair responsibilities to the County.

Any employee desiring to participate in outside or supplemental employment must obtain permission of his/her department head in writing prior to engaging in outside or supplemental employment. In the case of outside or supplemental employment by a department head, the department head must receive written permission to engage in outside or supplemental employment in advance from the County Board of Commissioners. All employees engaged in outside or supplemental employment shall:

- a. not use County facilities as a source of referral for private customers or clients,
- b. not be engaged in outside employment during the employee's regularly scheduled working hours,
- c. not use the name of the County or any County agency as a reference or credential in advertising or soliciting customers or clients,
- d. not use County supplies, facilities, staff or equipment in conjunction with any outside or supplemental employment or private practice,
- e. maintain a clear separation of outside or supplemental employment from activities performed for the County, and
- f. not cause any incompatibility, conflict of interest, or any possible appearance of conflict of interest, or any impairment of the independent and impartial performance of employee's duties.

The County shall not be liable, either directly or indirectly for any activities performed during outside or supplemental employment.

If the County determines that an employee's outside or supplemental employment interferes with their County job, they may ask the employee to quit the other job if they want to keep working for the County. The County has sole discretion to decide if the other job interferes. Denials shall be sent to the County Administrator for review.

### 5.4 Political Activity

Every employee has the right to freely express his or her views as a citizen and to cast a vote as he or she may wish. Coercion for political purposes is strictly prohibited.



Employees of federally aided programs are, however, prohibited from participation in partisan political activity under the Federal Hatch Political Activities Act.

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

## 5.5 Nepotism

Members of the immediate family or those in a close personal relationship shall not be hired nor remain employed if:

- a. The individual would have the primary authority to supervise, hire, remove or discipline the other;
- b. The individual would have the responsibility of auditing the work of the other; or,
- c. The individual would have access to confidential material of the other.

A close personal relationship may be, but is not limited to, natural, adoptive, step, foster, or by marriage including spouse, child, parent, brother, sister, grandparent, grandchild, first cousin, aunt, uncle, niece, nephew, or other member of household.

If two employees are in such positions, one of the employees will be, where possible, transferred to another department. If such transfer cannot be accomplished due to the unavailability of an open position or a lack of qualifications, one of the employees must resign. The decision on which employee will transfer or resign will initially be left to the employees. However, if after thirty (30) days, no such decision is made, the employee with the least seniority will be transferred or will resign.

## 5.6 Dating in the Workplace

Supervisors may not retain their position while dating a subordinate employee.

In that event, the County will try to transfer one of the employees to another department. If that is not possible, the employees involved may choose which one will resign their employment. If they do not choose or do not agree, both employees shall be terminated. The employee in the higher-level position must disclose the relationship to the department head and to the Human Resources Committee.

## 5.7 Reporting Illegal and Unethical Activity

Any employee who, during the course of employment, believes that he or she has been **requested** or required to engage in an illegal or unethical act, or to engage in otherwise

improper activity, must report that fact immediately in writing. The Department Head will promptly investigate the allegations and take remedial action, if necessary. If the Department Head is the individual who is the subject of the complaint, the employee shall notify the Board Chair. If such a report is made in good faith, the County will protect the reporting employee from any retaliation or other detrimental impact upon his or her employment.

## **5.8 Information and Technology Policy**

This policy sets forth the County's policies with regards to information technology ("IT") resources (e.g., e-mail, electronic voice and video communication, facsimile, the Internet and future technologies), including County access to, review or disclosure of electronic files, electronic mail and electronic voice and video communications through or stored on any part of the IT resources systems. The Chief Judge or Prosecutor reserves the exclusive right to access, review or disclose electronic files for his/her respective employees and IT resources. This policy also sets forth the policies on the proper use of the IT resources systems. These policies do not constitute a contract. The County reserves the right to change them at any time.

### **5.8.1 General Policy**

The IT resources are intended to assist in the efficient and effective day to day operations of County departments and agencies, including collaboration and exchange of information within and between County departments/agencies, other branches of government and outside contacts. These resources also provide public access to certain public information.

The IT resources are to be used for County-related purposes only. The County treats all information transmitted through or stored in these systems including, but not limited to, voice communication and e-mail messages, as County information.

The County has the capability to access, review, copy, modify and delete any information transmitted or stored in the system, including voice and e-mail messages. The County Prosecutor or Chief Judge reserves the right to access, review, copy, modify or delete all such information for any purpose and to disclose it to any party if legally compelled to do so, or if the County otherwise deems it appropriate.

Voice and IT resources files containing personal information of an employee as a result of an employee's making incidental use of the IT resources system for personal purposes, including the transmission of personal voice and e-mail messages, will be treated no differently than other files, i.e., the County reserves the right to access, review, copy, modify, delete or disclose them for any purpose required by law, or which the County deems appropriate in its discretion. Accordingly, employees should not use the IT resources system to send, receive or store any information that they wish to keep private. Employees should treat the IT resources system like a shared file system -- the files or

messages sent, received or stored anywhere in the respective systems will be available for review by authorized representatives of the County and, may be disclosed to third parties.

### ***5.8.2 Prohibited Uses of IT Resources***

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

- a. Distribution of offensive or harassing statements.
- b. Transmission of defamatory, obscene, offensive messages that disclose personal information without authorization.
- c. Distribution of incendiary statements which may incite violence or describe or promote the use of weapons or devices associated with terrorist activities.
- d. Distribution or solicitation of sexually oriented messages or images.
- e. Use of County-provided IT resources for illegal purposes or in support of such activities.
- f. Use of IT resources for commercial purposes, product advertisement or “for-profit” personal activity.
- g. Duplicating, transmitting or using software which is not in compliance with software licensing agreements and/or unauthorized use of copyrighted materials or other person’s original writings.
- h. Wasting IT resources, for example:
  - i. Placing a program in an endless loop;
  - ii. Printing unnecessary amounts of paper;
  - iii. Disrupting the use or performance of County-authorized IT resources or any other computer system or network;
  - iv. Storing information or software on County-provided IT resources which are not authorized by the Information Services Department.
- i. Security violations including, but not limited to:
  - i. Accessing accounts within or outside the County’s computers and communication facilities for which you are not authorized;

- ii. Copying, disclosing, transferring, examining, renaming, or changing information or programs belonging to another user unless you are given express permission to do so by the person responsible for the information program;
- iii. Knowingly or inadvertently spreading computer viruses;
- iv. Distributing “junk mail” such as chain letters, advertisements or unauthorized solicitations;
- v. Transmitting confidential information without proper security and authority.

NO GAMES ARE PERMITTED TO BE LOADED UPON, OR UTILIZED ON COUNTY COMPUTERS

## 5.9 Fraud Policy

Benzie County hereby adopts a zero tolerance policy regarding fraud and misuse of County assets. No employee of Benzie County, contractor or sub-contractor working for the County or member of the public shall engage in fraud, embezzlement, misappropriation, theft or misuse of and County assets. An individual who violates this policy will be subject to any or all of the following: civil action, restitution, and/or criminal charges. In addition to the above listed remedies, employees who violate this policy will be subject to disciplinary action up to and including discharge.

## 5.10 Credit Card Use Policy

The use of credit cards will only be for the purchase of goods and services for official Benzie County business.

### A. Authorized Users:

- 1. Only County Commissioners, Elected Officials, County employees and committee members of the Government Credit cards will be limited to twelve budget managers: County Prosecutor, County Clerk, Registrar, County Treasurer, County Administrator, EMS Manager, 911/Dispatch Manager, Animal Control Manager, Equalization Manager, Emergency Operations Manager, Recycle/Solid Waste manager, and Probate Court Administrator.
- 2. Only employees and Reserve Officers of the Sheriff’s Office are authorized to use credit cards issued to the Benzie County Sheriff.

### B. Required Documentation:

- 1. Department Heads are responsible for all documentation which must be submitted for payment in a timely manner to avoid being charged late fees and penalties by the Credit Card Company.

2. For all credit card transactions, the authorized budget managers will submit to the Administrator's Office documentation sufficient to satisfy Internal Revenue Service requirements for employee business expenses. This documentation will include a receipt of invoice from the vendor that documents the goods or services purchased. Each receipt will also indicate the official County business for which the expense was incurred. Each receipt will be submitted with the credit card bill.
  3. Credit card statements or invoices will be subject to existing internal accounting controls related to purchasing and the disbursement of County funds.
- C. Payment Processing:
1. Credit card invoices will be processed for payment by the Administrator's Office upon receipt of proper documentation referenced in Section 5.10 D.
  2. Credit card balances, including interest due on an extension of credit, shall be paid when due as indicated per the statement.
  3. Delay in presenting proper documentation that results in interest charges incurred will be charged to the general ledger line number presented on the voucher.
  4. Credit card invoices must be approved by the Finance Committee prior to payment, and within 60 days of the initial statement date.
- D. Lost or Stolen Cards:
1. The official issued a County credit card is responsible for its protection and custody, and shall immediately notify the County Treasurer and issuing bank.
- E. Unauthorized Use or Failure to Comply with this Policy:
1. Unauthorized or duplication of credit card data or excessive use of a county credit card will subject the employee or official to disciplinary measures including termination consistent with County policy and applicable statutes. Failure to comply with the credit card policy will result in the immediate withdrawal of authorization to use a County credit card.

### **5.11 Weapons in the Workplace Policy**

The County of Benzie believes it is important to establish a clear policy that specifically addresses and prohibits weapons in the workplace.

- A. Policy: This policy applies to all County employees, contract and temporary employees, visitors on County property and customers and contractors on County

property, regardless of whether or not they are licensed to carry a concealed weapon. The only exceptions to this policy are law enforcement officers. This policy prohibits weapons at any County sponsored functions such as parties or picnics.

Prohibited weapons include any form of weapon or explosive restricted under local, state or federal regulation. This includes all firearms, knives or other weapons covered by the law. (Legal, chemical dispensing devices such as pepper sprays that are sold commercially for personal protection are not covered by this policy.) If you have a question about whether an item is covered by this policy, please call Human Resources. You are responsible for making sure that items you possess are not prohibited by this policy.

“County property” covered by this policy includes, without limitation, all County owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the County’s ownership or control. County vehicles are covered by this policy at all times regardless of whether they are on County property at the time.

- B. Searches: The County reserves the right to conduct searches of any person, vehicle or object that enters onto County property consistent with the law. No employee shall have an expectation of privacy in lockers, desks, agency vehicles, or other areas of County property where a weapon may be hidden.
- C. Violations: Failure to abide by all terms and conditions of the policies described above may result in discipline up to and including termination. Further, carrying a weapon onto County property in violation of the policy will be considered an act of criminal trespass and will be grounds for immediate removal from the County property, and may result in prosecution.

***THIS POLICY SHALL NOT BE CONSTRUED TO CREATE ANY DUTY OR OBLIGATION ON THE PART OF THE COUNTY TO TAKE ANY ACTIONS BEYOND THOSE REQUIRED OF AN EMPLOYER BY EXISTING LAW.***



## REPORT OF THREATS OR INCIDENTS OF VIOLENCE

Name of Victim: \_\_\_\_\_

Name of Perpetrator: \_\_\_\_\_

If Name not known, what was business with County? \_\_\_\_\_

\_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time: \_\_\_\_\_

Where Incident Occurred (Place): \_\_\_\_\_

What happened immediately prior to incident? \_\_\_\_\_

\_\_\_\_\_

Specific Language of Threat: \_\_\_\_\_

Specific Act of Violence (can include property damage) : \_\_\_\_\_

\_\_\_\_\_

Names of Others Directly Involved – Witnesses: \_\_\_\_\_

\_\_\_\_\_

Name of Supervisor Involved: \_\_\_\_\_

What Led up to Incident? \_\_\_\_\_

How Incident Ended: \_\_\_\_\_

Specific Actions Taken after Incident: \_\_\_\_\_

\_\_\_\_\_

Suggestions for Prevention of Violence in Future: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Employee**

**Date**

## 5.12 Travel Policy

- A. ***Out of State.*** All out of state travel must be approved by the Board of Commissioners, if reimbursement is expected.
- B. ***Lodging.*** Benzie County will pay the actual cost of lodging for employee traveling on County business. Reimbursement for lodging costs must be supported by receipts. A tax exempt form is required for all expenses and may be obtained for the County Administrator's office. Department Heads are to determine when overnight stays are necessary based on such factors as distance, travel time, length of stay, budget and weather conditions.
- C. ***Meals.*** Benzie County will reimburse employees for the actual cost of meals when traveling on County business, not to exceed the following amounts:

<u>Meals:</u> Breakfast:	\$8.75
Lunch:	\$8.75
Dinner:	\$21.00
<u>Group Meetings:</u>	
Breakfast:	\$5.75
Lunch: \$	11.50
Dinner:	\$14.50

### Out of State

<u>Meals:</u> Breakfast:	\$10.25
Lunch: \$	10.25
Dinner:	\$23.50

These costs will be reimbursed to employees upon submission of the itemized travel and meal expense receipts at the next scheduled accounts payable week. There will be times when employees are involved in group meetings where they are required to purchase lunch. They may not have a menu choice and the cost may exceed the \$11.50 lunch allocation. In these cases, the County will reimburse up to \$14.50 for lunch. In no case will any employee be reimbursed more than the \$14.50 and without documentation, they will be reimbursed at the \$11.50 rate.

### ***Allowable meal times for out of town travel:***

Employees will not be paid per diem, nor will they be reimbursed for meals based on the following time schedule:

<u>Departure Date:</u>	Breakfast –	Unless required to leave prior to 6:00 a.m.
	Lunch -	Unless required to leave prior to 11:30 a.m.
	Dinner -	Unless required to leave prior to 4:30 p.m.

<u>Return Date:</u>	Lunch -	Unless arriving back after 2:00 p.m.
---------------------	---------	--------------------------------------

Dinner - Unless arriving back after 7:00 p.m.

***Gratuities & Alcoholic Beverages:***

All meal rates above include gratuities.

Alcoholic beverages are not allowable costs.

***Mileage:***

Benzie County will reimburse employees for actual mileage at a rate that complies with the State of Michigan mandated rates. See: [http://www.michigan.gov/documents/dtmb/Travel\\_Rates\\_Jan\\_2016\\_509155\\_7.pdf](http://www.michigan.gov/documents/dtmb/Travel_Rates_Jan_2016_509155_7.pdf).

Mileage will only be paid for approved county and court business. Mileage will not be paid for driving to or from work. When you are requested to report to work at a location other than your normal work location the difference between where you work and where you have to go will be payable.. The county will not honor requests for advanced mileage reimbursement.

All employees requesting reimbursement for travel-related expenses must submit a travel expense statement. Travel expense statements must be filled out properly and signed by the employee and their supervisor. Travel expense statements will be processed on a timely basis as a part of the normal accounts payable process. Approval of the Board of Commissioners is required.

This policy and all of the above rates are consistent with the Federal Office of Management and Budget Circular A-87 Cost Principals for State and Local Governments and the Michigan Department of Management and Budget Schedule of Travel Rates. The rates included in the policy will be reviewed on an annual basis to remain consistent with state schedules.

### **5.13 Vehicle Use Policy**

- A. Purpose: Benzie County owns and maintains vehicles which are available solely for the purpose of assisting employees in the day to day functions of performing County business. This policy has been developed to ensure the appropriate use of County owned vehicles. This policy does not cover vehicles used by the Sheriff's Office or Jail. Use of those vehicles is under the sole discretion of the Elected Official. ALS/EMS staff may have additional responsibilities.
- B. Use of Vehicles: Driver Responsibilities include the following:
  - Perform a pre-start inspection of the vehicle. Note any problems or concerns and report these to the department head;
  - Report any mechanical defects that arise during the use of the vehicle to the department head:

- Ensure that all safety devices, including seat belts, are used by all vehicle occupants;
- Maintain a valid U.S. driver's license, and notify the County Administrator promptly of any changes in the license status;
- Operate vehicles in accordance with Federal, state and local regulations, traffic laws, and ordinances;
- Use safe driving practices at all times. Drivers must not exceed the posted speed limit;
- Report unsafe vehicle conditions or concerns promptly to the department head;
- Report all accidents, license suspensions, and traffic violations (including parking violations) to the driver's direct supervisor as well as to the County Administrator;
- Maintain the interior of the vehicle in a clean and orderly manner; do not leave trash, etc., in the vehicle;
- Return the vehicle to its designated parking area on County property at the end of each business day or when use of the vehicle is finished;
- Purchase of fuel within the County will always be from the County Road Commission. Fuel cards issued by the Road Commission have been assigned to each vehicle. These fuel cards are for County use only. When outside of the County, fuel purchases may be placed on the County credit card. Drivers will be responsible for the purchase of fuel from their own budgets.
- Drivers are personally responsible for the payment of all fines or traffic violations (including parking violations) associated with the use of County vehicles. County funds may not be used for payment. Use of a county vehicle may be denied to a person who has outstanding traffic or parking fines.

Use of vehicles includes the following:

- County vehicles are to be used to conduct official County business only;
- County vehicles are not to be used for personal errands or social activities;
- Damage/restoration cost resulting from unauthorized or illegal use of County vehicles will be the complete personal responsibility of the driver
- The use of alcohol or drugs in the vehicles is strictly prohibited at all times;

- No smoking in County vehicles;
- No weapons may be unlawfully transported or carried in the vehicle;
- No eating while driving;
- No unauthorized passengers. No picking up hitchhikers;
- No use of cell phones and/or texting while driving the vehicles. Drivers are required to pull off the road to accept or make phone calls.

#### **5.14 Dress and Hygiene**

All employees are expected to look neat and professional while at their work area during normal work periods. Your supervisor will inform you of what attire is appropriate. Some jobs may have additional restrictions for safety reasons. Exceptions will not be granted without written permission from your supervisor. For a first offense, employees who appear for work inappropriately attired or without proper hygiene will be sent home and directed as to the appropriate hygiene or attire. Under such circumstances, employees will not be compensated for time away from work. For subsequent occurrences, disciplinary action may result.

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

#### **5.15 Other Work Prohibitions**

All County employees are expected to adhere to the following prohibition of conduct as well as the rules and policies previously mentioned. The list is not intended to be an all-inclusive list of rules of conduct expected of employees. Further, the list may be added to, modified or supplemented by the County Board of Commissioners or your department head. The purpose of the work rules is to set forth some guidelines for conduct, violation of which will result in disciplinary action, including possible discharge. Other types of behavior can subject an employee to disciplinary action including discharge. Further, all employees serve at will and may be terminated at any time with or without cause. The following are some of the County's work rules:

1. Unexcused absence from work or from your working station. In addition, absences of three (3) working days without notifying management will be considered a voluntary quit.



2. Repeated tardiness, not at work station and ready to work promptly at starting time.
3. Failure of an employee to report to work upon expiration of a leave of absence or layoff.
4. Engaging in gainful employment while on any authorized leave of absence unless the Employer has granted the employee, in writing, permission to engage in employment while on a leave of absence.
5. Improper use of leaves of absences or falsification of information to secure a leave.
6. Failing to be professional and helpful when dealing with the public and co-workers.
7. Accepting gifts or gratuity from any person or agency that may appear to influence an employee. Employees may not use their position of employment for personal gain or to receive income for anything produced while doing County work.
8. Unauthorized disclosure of personal or confidential information. Some positions give employees access to personal information about employees or the public. Employees shall treat such information confidentially and discuss it only when required for business.
9. The County is not responsible for loss or damage to personal items, valuables, or vehicles.
- 10. Employees may only use County phones for personal long-distance calls in emergencies. Department heads may require employees to log phone calls. Personal calls shall be short, local only, and kept to a minimum. **Personal cell phones shall be turned off or on no sound during working hours.****
11. Possession of or consuming any alcoholic beverage on County property or in a County vehicle at any time.
12. Reporting to work under the influence of alcohol, or in an unsafe condition.
13. Verbally abusing or threatening, intimidating, coercing, physically attacking, other improper treatment or interfering with customers, clients, inmates, visitors or County personnel.
14. Illegal activity on County premises (misdemeanor or felony) (including gambling) during work or non-work hours.

15. Conduct disruptive to the work of other employees.
16. Theft, misappropriation or negligent use of property or funds including property or funds of the County, inmates, patients, or client of any County Department.
17. Abuse, misuse and negligent or deliberate destruction of County property, equipment, or the property of others on County premises.
18. Personal or unauthorized use of County property including telephones for toll calls or charge calls; paid postage for personal correspondence; use of tools, vehicles or equipment,
19. Insubordination, including abusive language to a co-employee or supervisor.
20. Refusal or failure to do a job assignment, or refusal to obey orders of your supervisor.
21. Inefficiency, incompetency, neglect of duty or failure to satisfactorily perform job functions.
22. Falsifying records, including personnel records, time cards, or other records.
23. Unlawful discrimination, harassment, or sexual harassment.
24. Carelessness, negligence or disregard of safety rules or safety procedures.
25. Instigating, aiding, or participating in illegal strikes or work stoppages or slowdowns at the County.

As stated above, these rules are not all inclusive. The County reserves the right to change, modify, add to, or delete from such rules and will provide reasonable notice of these changes to their employees; to apply other standards of conduct; or to impose disciplinary action for other matters not specifically listed above. The inclusion of these rules is not meant to either create an employment contract or alter the employees' status. Non-union employees and/or union employees who have negotiated at will status, are at will employees and may be terminated at any time, with or without cause.

#### **5.16 Break Time for Nursing Mothers Policy**

In compliance with federal law which requires the provision of unpaid, reasonable break time for a non-exempt employee to express breast milk, the County subscribes to the following policy:

- A non-exempt employee who intends to express breast milk during the work day must submit her notice to department head in writing.

- A non-exempt employee will be provided a reasonable break time to express breast milk for her nursing child for the first year of the child's life. These break periods will be given each time the employee has need to express breast milk. Break periods for expressing milk are paid.
- Upon receipt of notice, the department head will confer with the employee to designate a suitable, private location, other than a bathroom, which is located in close proximity to the employee's work area for such breaks. An employee may use her private office area for milk expression if she prefers.
- An employee may use her own cooler packs to store expressed breast milk, or may store milk in a designated refrigerator/freezer. Employees are expected to appropriately maintain the refrigerator and clearly label expressed milk.
- Management and staff are expected to provide an atmosphere of support for breastfeeding employees.

## **Section 6: Pre-Employ**

### **6.1 Employee Medical Examinations**

After making a conditional offer of employment, the County may require the prospective employee to get a medical exam (which may include a drug test) at the County's expense by a health professional of the County's choice. The offer of employment or assignment to duties may be withdrawn based on the results of the exam. The County alone decides whether the results of the exam disqualify the person for employment.

### **6.2 Background Checks**

Background record checks may be required of all personnel, including but not limited to employees, students, volunteers, interns, independent contractors, candidates, and other providers. The County may take action based on the results, including withdrawal of the job offer. The County decides what action is appropriate and their decision is final.

In addition, the County may conduct background checks and act on the results at any time during an individual's employment, contract, or professional relationship with the County.

### **6.3 Driver's Record**

Any staff member whose responsibilities include driving must provide a copy of a valid driver's license to the County Administrator's Office, and must provide updated copies upon request of the County Administrator or the person's department head. No one may drive a county vehicle without a valid driver's license.

Anyone whose responsibilities include driving may be subject to corrective action, discipline or termination if they commit driving violations, driving violations appear on their MVR, if they are not insurable or the cost of such insurance is prohibitive, or if they are no longer able to drive. The County has sole discretion to determine if and what action is appropriate.

## **Section 7: Classifications**

### **7.1 Regular Full-Time Employee**

Employees who are budgeted to work and regularly work thirty-five (35) hours or more per week, who are not Temporary Employees are Regular Full-Time employees. Regular Full-Time employees are currently eligible for fringe benefits except when indicated otherwise.

### **7.2 Part-Time Employees**

Part-Time Employees regularly scheduled to work less than thirty (30) hours per week are not entitled to any fringe benefits, unless required by law.

Part-Time Employees working thirty (30) regularly scheduled hours or more per week (up to 35 hours), including salaried employees, earn pro-rated sick and vacation time. Such Part-Time Employees (30 to 35 hours) are eligible for employee single subscriber health insurance only and shall pay 20% above of the premium paid by regular full time employee.

### **7.3 Temporary Employees**

Temporary employees have appointments of definite, limited duration or who are hired to fill in for an employee on leave. Continuation beyond the end date of such appointments shall be only by written action of the County. Temporary Employees are covered only by social security and workers' compensation. They are not eligible for any fringe benefits, including, but not limited to, pension, health, life, or disability insurance as governed by their part-time /full-time status noted above.

### **7.4 Exempt and Non-Exempt Employees**

Positions will be classified as "exempt", or "non-exempt". The determination as to exempt or non-exempt status will be made by the County Administrator based upon the actual duties of the position as applied to the standards set forth in the Fair Labor Standards Act. Full-time employees who are considered executive, administrative and professional, and are in classifications exempt from the overtime provisions of the Federal Fair Labor Standards Act are not entitled to overtime or compensatory time. Non-exempt employees are entitled to overtime or, in the discretion of the Employer and under the terms and conditions set forth in this manual, compensatory time.

## **Section 8: Pay**

### **8.1 Pay Period**

The County payroll shall be prepared bi-weekly and payroll checks issued by 4:00 p.m. on the Thursday following the close of the payroll period, unless it is a holiday. When an emergency makes this impossible or impracticable, the paycheck shall be issued as soon as possible.

### **8.2 Overtime Pay**

The County will compensate employees eligible for overtime pay under the Fair Labor Standards Act (FLSA) as follows: Work in excess of forty (40) hours in one week is overtime work. It shall be compensated at a rate of one and one-half (1 ½) times the employee's base hourly rate. It shall be paid in the payroll period in which it is earned.

*Overtime must be approved by the employee's department head in advance. Employees who do not receive advance approval will be subject to discipline, up to and including discharge.*

### **8.3 Salaried Employees**

Salaried employees shall not receive overtime pay.

### **8.4 Time Sheets**

All employees (except elected officials) will sign a time recording which shall be used as the basis for payroll and deductions from leave. Each time recording shall be reviewed, approved by the employee's department head and submitted by 10:00 a.m. the first work day following the pay period.

The payroll administrator and supervisor shall reconcile discrepancies and irregularities on time recordings with the employee. If reconciliation is unsuccessful, the department head and/or Human Resources Committee shall assist in reconciliation and shall make a determination as to what is recorded on the time record.

### **8.5 Compensatory Time**

The Department Head or Elected Official may designate compensatory time instead of overtime pay. Such time off shall be earned and paid at overtime rates. Department Heads shall document employee compensatory time on the time sheets. Compensatory time may be accumulated up to a maximum of forty (40) hours. The use of compensatory time is to be determined by department supervisor. An employee, who has requested the use of such compensatory time, shall be permitted to use such time within a reasonable period after making the request if the use of the compensatory time is approved by the department supervisor and does not unduly disrupt the operations of the County. However, all earned compensatory time must be used within 60 days after it is earned.

An employee who has accrued compensatory time shall upon termination of employment, be paid for the unused compensatory time at the regular rate earned by the employee at the time the employee receives such payment.

Payment of overtime rates shall not be duplicated for the same hours worked. Hours compensated for at overtime rate shall not be counted further for any purpose in determining overtime liability under the same or any other provision.

***Hours paid for but not worked (vacation, sick leave, holidays) shall not be counted in determining overtime or compensatory time liability.***

## **8.6 Position Change**

Hourly employees who terminate their position to accept a salaried position with the County will be paid for accumulated sick time and personal time at their hourly rate at the next regular payday.

## **8.7 Per Diem**

Employees serving on County boards or committees, whether pursuant to statute or by appointment by the Board of Commissioners, shall not receive per diem compensation, unless they are non-exempt and outside normal working hours.

# **Section 9: Normal Workweek**

## **9.1 Workweek**

The normal workweek shall be set by the Board of Commissioners from Monday 12:00 a.m. through Sunday 11:59 p.m., inclusive. However, nothing contained herein shall constitute a guarantee of forty (40) hours a week.

## **9.2 Working Hours**

Department Heads/Elected Officials will advise employees of their individual work schedules. Staffing and operational needs may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

## **9.3 Lunch Period**

Non-exempt employees have an unpaid lunch break as determined by the Department Head.

# **Section 10: Legal Holidays**

## **10.1 Holiday Pay**



All regular full-time employees shall receive one (1) day of pay at their regular rate of pay, exclusive of all premium pay, for each recognized holiday, if eligible under the rules established in this policy.

## **10.2 Recognized Holidays**

The following holidays are observed as legal holidays by all departments except the Sheriff's Office:

New Year's Day	Martin Luther King Day	President's Day
Memorial Day	Independence Day	Labor Day
Veterans Day	Thanksgiving Day	Day after Thanksgiving
Day before Christmas	Christmas Day	Day before New Year's

Should any of the above-noted holidays fall on a Saturday, it shall be recognized on the preceding Friday. Should a holiday fall on a Sunday, it shall be recognized on the following Monday.

If New Year's and Christmas Eve are on Friday, they shall be recognized on the Thursday before. If they are on Sunday, they shall be recognized on the Friday before.

Non-exempt employees working on a holiday will be paid straight time for all hours worked in addition to regular pay for the holiday.

## **10.3 Holiday Eligibility**

- a. To qualify for holiday pay, the employee must be a regular full-time employee on the date of the holiday.
- b. The employee must ordinarily work on such a day if it were not a holiday.
- c. The employee must be in a paid status (working, vacation, sick leave, etc.) the day before and the day after the holiday.
- d. An employee who is scheduled to work on a holiday, or who otherwise agrees to work on such holiday, but fails to report for work unless otherwise excused for a reason satisfactory to the Department Head, shall not be entitled to holiday pay.

## **Section 11: Vacation, Sick Leave and Other Leaves of Absence**

### **11.1 Vacation Time**

1. Eligibility: An employee must work at least 1,800 hours in the year before their anniversary date in order to be eligible for a full vacation benefit. If the employee

works less than 1,800 hours in that period, he/she shall only be entitled to prorated vacation. For purposes of this section only, hours not worked due to recognized holidays, vacations, personal or sick leave count as hours worked.

2. Vacations: Currently, employees employed before 01/01/92 accumulate vacation time according to the following schedule:

Years of Service	Days of Vacation
After one (1) year	10 Days
After four (4) years	15 Days
After ten (10) years	20 Days

Employees employed after 12/31/91 currently accumulate vacation time according to the following schedule:

After one (1) year	10 Days
After five (5) years	15 Days
After fifteen (15) years	20 Days

3. Scheduling: The employee's department head must approve all vacation leave in writing. Vacation leave shall be scheduled as far in advance as possible.
4. Accumulation: The vacation year is a twelve (12) month period, beginning with the employee's last hire date. Vacation time shall not accumulate from year to year but shall be taken or lost. Max accrual extensions will only be granted by the Human Resource Committee with a signed plan to use the within six month. Vacation time shall not accumulate during an unpaid leave of absence. Vacation time may not be taken before it is earned. Legal holidays occurring while an employee is on vacation shall not be deducted from their vacation time.

## 11.2 Sick Leave

1. Eligible regular full time employees currently are eligible to accrue sick leave at the rate of two-thirds (2/3) of one (1) day for each full month of employment for a maximum of 64 hours earned a year. Employees with more than one hundred twenty-eight (128) hours of sick time to their credit may not accumulate more sick time. Eligible regular full time employees may elect annually to cash in at their then effective rate of up to eighty (80) hours of sick leave providing that a minimum balance of sixty-four (64) accumulated sick hours are maintained. The election shall be made each December 1<sup>st</sup> and shall be paid that month.
2. Sick leave days may be used for temporary absence due to sickness or medical appointments in the employee's immediate family or household.
3. Employees using sick leave should notify their department head as soon as possible. The department head must be contacted on each day of absence.

4. The department head may require a physician's statement verifying eligibility for sick leave as a condition to receiving sick leave.
5. An employee who terminates employment with at least two (2) weeks written notice shall be paid for accumulated sick leave up to 128 hours at 100% of regular pay, as described in this Policy.
6. An employee who retires or dies shall be paid for accumulated sick leave up to fifteen days (15) 100% of regular pay, as described in this Policy.

### **11.3 Family and Medical Leave**

The County shall comply with the Family and Medical Leave Act of 1993 (FMLA) as amended. An eligible employee who has completed twelve (12) months of employment and worked at least 1250 hours in the past twelve (12) months may request a leave of absence for a period not to exceed twelve (12) weeks in any twelve (12) month period measured forward from the date the employee's FMLA leave first begins.

### **11.4 Personal Leave**

Non-exempt regular full time employees currently are eligible for two (2) days personal leave each year. Personal days shall be scheduled as far in advance as possible and approved by the department head. Employees are eligible on January 1<sup>st</sup> of each year. Non-exempt regular full time employees will be paid for personal time not used in the calendar year in January of the following year.

### **11.5 Unpaid Personal Leave:**

For reasons other than illness, all regular full-time and part-time employees may request an unpaid personal leave of absence. Requests must be in writing, state the reason for the request, and state the expected duration of the leave. If the absence is for thirty (30) calendar days or less, the absence must be approved by the department head. If the absence is for more than thirty (30) calendar days, it must be approved by the Board of Commissioners. Personal leaves of absence shall be without pay or benefits.

### **11.6 Funeral Leave:**

1. Funeral leave is a paid absence from work due to death of the Employee's relative or member of the employee's immediate household.
2. An employee must notify their department head immediately if they want funeral leave.
3. Employees shall be paid for up to three (3) consecutive days of funeral leave.
4. If the funeral is held five hundred (500) miles or more away from Beulah, Michigan, one (1) additional day will be granted.

5. Additional days that are needed will be charged to the employee's sick leave bank.
6. Funeral leave will not be deducted from sick leave and/or personal leave.
7. The department head may require verification of death before the employee receives funeral leave pay.

### **11.7 Military Leave**

The County shall comply with all laws pertaining to military leaves of absence.

### **11.8 Leave for Jury or Court Duty**

An employee serving on a jury or appearing in court by subpoena for a County related matter shall receive their regular pay and benefits. If they get paid for such service, the employee shall surrender those fees to the County. The employee shall return to work if one (1) or more hours remain in the work day. An employee missing work to appear in court as a private party shall not receive regular pay or benefits under this section, but must take vacation, personal leave, or request an unpaid leave of absence.

## **Section 12: Employee Benefits**

### **12.1 Health, Dental, and Vision Insurance**

Non Exempt/Exempt and elected officials, and regular full-time employees currently receive health, dental, and vision insurance. The employee shall pay the difference by payroll deduction if they choose higher coverage than the County provides. The terms of the insurance policies control the benefits provided thereunder and the employee's eligibility for benefits. The County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer contribution or benefit plan. In the event any conflict between this summary and the plan documents, the plan documents control.

### **12.2 Retiree Insurance**

Upon retirement from the County, former Regular, Full-Time employees are currently eligible to purchase health insurance under programs offered by the County. The terms of the insurance policies control the benefits provided thereunder and the employee's eligibility for benefits. The County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer contribution or benefit plan. In the event any conflict between this summary and the plan documents, the plan documents control.

### **12.3 Health Insurance Declination**

Employees currently eligible to receive health insurance but who have coverage under some other policy (such as a spouse's policy) may decline health insurance. They must provide proof of other coverage to the County Administrator's Office. A monthly

payment as established by the Board of Commissioners, may be paid in lieu of health coverage. The County is not responsible for restrictions the insurance companies may place on re-entry into any plan, or for losses that result because the employee's insurance does not cover what the County's insurance covers.

If a married couple are both employed by the County, neither may receive a payment under this subsection.

## **12.4 Short/Long Term Disability**

The County currently provides short and long term sickness and accident disability insurance to eligible employees. The terms of the insurance policies control the benefits provided thereunder and the employee's eligibility for benefits. The County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer contribution or benefit plan. In the event any conflict between this summary and the plan documents, the plan documents control. The County currently pays the premiums.

1. **Short Term:** The employee who is eligible for short-term disability currently receives sixty-six and two-thirds percent (66 2/3%) of their normal weekly wages for the first ninety (90) days after becoming eligible. Employees must pay any applicable taxes. Employees must use accrued leave time for the first 7 days while Short Term disability is established.
2. **Long Term:** The employee who is eligible for long-term disability currently is eligible to receive sixty percent (60%) of their normal weekly wages starting on the ninety-first (91<sup>st</sup>) day after becoming eligible under paragraph three (3) of this subsection to age sixty-five (65), pursuant to County policy with the Long Term Disability carrier. Employees must pay any applicable taxes.
3. **Eligibility:** Sickness and accident benefits are currently payable from the first (1<sup>st</sup>) day of disability due to accident and from the eighth (8<sup>th</sup>) day of disability due to illness. Determination as to eligibility for benefits shall be governed by the terms of the applicable insurance policies and the insurance carriers' determination shall be controlling. Employees shall not be eligible for disability benefits for any periods for which they are eligible for benefits under a retirement plan, the Social Security Act or Workers' Compensation.
4. **Benefits:** The County currently pays its portion of health insurance premium for up to twelve (12) months if an employee is on disability. The employee must continue to pay their portion of coverage after the (12) months to keep insurance enforced. The twelve (12) month maximum includes FMLA leave time.
5. **Continuation of Benefits:** The employee will continue to receive all benefits while on short-term disability (90 days) the same as if the employee were still working, including, but not limited to, sick time, vacation time, and retirement contributions.

6. **Employment Relationship:** The employee's seniority freezes and the employment relationship continues for twenty-four (24) months from the start of an employee receiving disability benefits or Worker's Compensation. After that, the County may end the employment relationship.
7. **Bridge:** Employees must use accumulated sick, holiday, vacation, personal, or other leave before taking short-term disability. The employee may not get both leave and disability benefits for the same missed work.

## **12.5 Life Insurance**

The County currently provides a twenty-five thousand (\$25,000) group term life insurance coverage for eligible full-time employees. Full-time employees may purchase additional life insurance at their own cost through payroll deduction if the County's group term life carrier offers it. The terms of the insurance policies control the benefits provided thereunder and the employee's eligibility for benefits. The County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer contribution or benefit plan. In the event any conflict between this summary and the plan documents, the plan documents control.

## **12.6 Deferred Compensation**

Regular Full Time Employees may be eligible to participate in a Deferred Compensation Plan as offered by the County.

## **12.7 Workers Compensation**

Any employee suffering a work-related accident or injury must report it to their department head and the Administrator's Office as soon as possible and fill out the necessary paperwork. Failure to properly report may disqualify an employee for Workers' Compensation benefits.

An employee receiving Workers' Compensation shall not earn vacation, personal, sick or holiday leave. The County shall pay the premiums on health, dental, vision and life insurance for up to three hundred and sixty-five (365) days from the date of injury. This time shall count toward FMLA. Thereafter, the employee may pay the premiums to continue those insurances, if the insurance carrier allows it. All other benefits shall cease. The above benefits are supplemental and are not intended to supersede or adjust any primary coverage.

## **12.8 Retirement**

The County currently provides a pension plan for eligible regular full time employees covered by this Staff Manual. The plans are described in detail in the plan statement which is available from MERS (Michigan Employee's Retirement System). The terms of the plan statement control the benefits provided thereunder and the employee's eligibility for benefits. The County reserves and retains the unilateral right to amend or terminate

any benefit, benefit level, employer contribution or benefit plan. An employee's benefits are governed by the plan description and plan documents. In the event any conflict between this summary and the plan documents, the plan documents control.

Employees with a history of part-time employment with the County of Benzie will be given consideration for part-time retirement credit if the part-time service qualifies under MERS guidelines. When an employee enters (or re-enters) MERS creditable service, the County Administrator's office will contact MERS and supply them with the necessary information for MERS for consideration of the part-time service credit. If qualified, MERS will provide employer and employee costs. The employee will be notified with regard to his/her cost and asked to accept or reject the service credit. If accepted, the employer portion will then be considered in the normal budget process for the upcoming fiscal year.

If there is no budget approval for the employer's portion of the part-time credit cost, consideration will automatically roll over into the next year's budget process. It is NOT possible for the employee to pay both the employee and employer portions.

In the budget process, should the Finance Committee approve the funding request, it would be included in the recommendation to the Board of Commissioners for the regular budget cycle approval. Such approval typically occurs in August or September, in advance of the new fiscal year which begins October 1. Once the final budget is approved by the Board, the employee and employer costs may be submitted to MERS anytime on or after October 1<sup>st</sup>.

Assuming the employee accepts the service credit and is willing to pay their portion, the employee will be notified by the County Administrator's Office when the Board acts to approve the budget for the upcoming fiscal year. The employee may then contact the County Administrator's office to arrange payment for transmittal to MERS.

## **12.9 Longevity Payments**

This only applies to employees hired on or before July 1, 2011. Full-time employees who work a minimum of 1820 hours within the preceding twelve months are currently eligible to receive longevity payments in the first pay period following the employee's anniversary date as follows:

After five (5) years - \$300.00

After eight (8) years - \$500.00

Starting the ninth (9<sup>th</sup>) year of service, \$500.00 plus \$30.00 for each year of service over eight (8) years.

## **Section 13: Educational Assistance**



The County may, if budgeted by the Board of Commissioners, provide educational assistance to all otherwise eligible, Regular Full-Time employees who have completed twelve (12) months of employment in an eligible employment classification. Employees must remain on the active payroll and perform their job satisfactorily during their education.

Study must be at a fully accredited institution and be related to the employee's current job duties, or a foreseeable-future position with the County. The County has the sole discretion to determine whether study relates to an employee's current job duties or a foreseeable-future position. Educational assistance must be preapproved by the employee's department head and the Board of Commissioners.

Prior to being reimbursed for tuition expenses, the employee must present to the department a receipt for payment and proof of a grade B (its equivalent) or higher.

Employees eligible for education compensation under a scholarship, the Veterans G.I. Bill or other government sponsored programs, i.e. Pell Grant, Michigan Tuition Grant, and any other form of financial aid, will have to exhaust their other benefits prior to being eligible for County education benefits.

Reimbursement is for tuition only and shall not include registration, books, lab fees, etc.

Reimbursement is subject to and conditioned upon money being appropriated in the employee's Department budget for this specific purpose.

Tuition reimbursement is subject to all IRS required tax withholdings.

Repayment to the County in one lump sum will be required by an employee who voluntarily resigns or is discharged from employment within three (3) years following completion of course work. In the event the employee does not continue employment for the prescribed period, the employee will be required to reimburse the County on a prorated basis for tuition reimbursement received as follows:

1. Return 100% of tuition reimbursement if **ceases employment** within 1 year
2. Return 67% of tuition reimbursement if **ceases employment** within 2 years
3. Return 33% of tuition reimbursement if **ceases employment** within 3 years

The County cannot guarantee that formal education will lead to advancement.

## Section 14: Complaint Procedure



### **14.1 General**

Complaints of employees who are not covered by a collective bargaining agreement may be considered under this procedure if such elected official requests it in writing to the Board. This complaint procedure is not applicable to elected officials or County employees who receive direct appointments by the Board of Commissioners, such as appointed department heads.

### **14.2 Procedure**

Step 1: An employee with a complaint shall submit the complaint in writing to the appropriate department head. It shall state the facts giving rise to the complaint, the sections of this policy allegedly violated, the remedy requested, and must be signed by the employee.

Complaints must be made within seven (7) working days from the date of the situation giving rise to the complaint, or within seven (7) working days after the employee should have known of the situation.

Step 2: Any complaint not resolved in Step 1 may be submitted to the appropriate committee of the Board of Commissioners within three (3) working days after receipt of the disposition in Step 1. The committee may investigate and shall make recommendations to the Board of Commissioners. The Board of Commissioner's decision shall be final and binding.

### **14.3 Time and Procedural Limitations**

If the time limits and procedures are not followed by the employee, the complaint shall be dropped.

## **Section 15: Termination/Separation**

### **15.1 Resignation**

Any employee resigning from the County shall submit their resignation at least two weeks in advance in writing to their department head, with a copy to the County Administrator. They must state the effective date and the reason for leaving. Failure to comply may bar the person from future employment with the County.

### **15.2 Layoff and Recall**

A layoff is a reduction in personnel. When layoffs are necessary, the employee with the least service in the affected department and classification affected shall be laid off first, provided the senior employee is qualified to do the work. Recall of an employee to his/her former department and classification shall be made first to the employee with the greatest service provided they are qualified to do the work. The period of recall eligibility shall be twelve (12) months or length of individual service, whichever is less. Notice of recall shall be sent to the employee at his/her last known address by certified

mail. If the employee does not reply within ten (10) working days, it will be assumed that they declined the recall and they shall have no further recall rights.

### **15.3 Retirement**

Employees who want to retire under the Municipal Employees' Retirement System must notify their department head in writing, with a copy to the County Administrator, at least thirty (30) calendar days before their last day of work.

### **15.4 Return of Property**

Employees are responsible for property, materials, or information issued to them or in their possession or control. All County property must be returned as required or by the employee's last day of work. If permitted by law, the County may deduct the cost of unreturned items from the employee's final paycheck. The County may take action to recover or protect its property.

### **15.5 Final Paycheck**

The final paycheck will be paid on the normal pay date, and shall contain all pay due the employee, including leave, personal leave, prorated longevity bonus if eligible, and 100% of sick leave for the number of days eligible. For FLSA-exempt employees, the annual salary shall be pro-rated based on the final day at work, and any balance owed shall be paid on the final check. Any funds owed to the County will be deducted from final pay.

## **Section 16: Building Closure**

This section shall not apply to employees who provide emergency service or who are called in to work by their supervisor. Conditions may occur that affect the ability of Benzie County Government Center to be open for business during regularly scheduled hours of operation. The primary reason will usually be weather conditions that prevent or delay employees traveling to and from work. Power outages, climate threats, bomb threats, active shooter threats, or other stated emergencies may also affect whether the Government Center can be opened or can remain open.

This policy does NOT apply to staff who are considered emergency responders or corrections staff (EMS, 911/Dispatch, Emergency Operations Manager, Sheriff's Department, and Jail).

1. When closing conditions materialize (regardless of time of day), the County Administrator or the County Clerk will be notified, usually by one of the following: the State Police, the Benzie County Sheriff's Department, the Emergency Operations Manager, the Government Center Maintenance Coordinator, a Benzie County Elected Official, or a Benzie County management member.
2. The County Administrator (or Clerk in the Administrator's absence) will contact the Benzie County Sheriff, the Chief Judge, the Emergency Operations Manager, the Benzie

County Road Commission and any other knowledgeable source to gain as much information as possible about potential closing conditions.

3. The County Administrator will then contact the Chair of the Benzie County Board of Commissioners (or vice-chair in his/her absence) to make a recommendation. The chair or vice-chair will make a decision whether to delay the opening of the Government Center or close the Center for the day or remaining part of the day.
4. If the decision is to delay opening or to close the Government Center, the County Administrator will contact the County Clerk and relay the decision from the chair/vice-chair. The Clerk and Administrator will notify the appropriate persons/organizations, as determined by a separate call list which is updated annually.

This procedure shall be reviewed annually by the County Administrator in January for personnel changes and contact updates.

Once notified, it is the responsibility of each Elected Official and department head to notify their staff members of any closing actions being taken.

## **Section 17: Other Policies**

The County may adopt other policies. This manual and any additional policies will be posted on the County's website and will be maintained at the most current set of applicable policies. Employees will be notified of new or revised policies and are required to read and abide by all posted policies. Employees must be familiar with all policies. Failure to abide by County policies could result in discipline or termination.

## ACKNOWLEDGMENT

I received a copy of the **Staff Policy Manual**:

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date