



EMMET COUNTY PERSONNEL MANUAL

EFFECTIVE: JANUARY 1, 2022

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OBJECTIVES AND SCOPE

1.1 Purpose:

The purpose of this Personnel Manual (the “Manual”) is to inform each Emmet County employee of the policies, procedures and fringe benefit programs applicable to employees of Emmet County.

1.2 Authority:

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 and any such 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 Administrator interprets and administers these policies in accordance with County Board policy. Human Resources will confer with the County Administrator who is solely authorized to grant exceptions.

The policies included in this Manual supersede, replace and control any prior personnel manuals, policies, representations, contracts, or practices. Employees violating policies in this Manual may be subject to disciplinary action, up to and including termination from employment.

1.3 Scope:

This Manual applies to full-time, part-time, and seasonal personnel in all departments and positions. The policies apply to employees of elected officials on economic issues and the Board of Commissioners encourages elected officials to adopt the non-economic policies and use this Manual for their respective offices. The policies in this Manual do not apply to union employees if addressed in a collective bargaining agreement. However, non-economic policies apply to union employees on issues not covered by union contracts (for example, the Equal Employment Opportunity policies and Information and Technology Policy). If Elected Officials or Department Heads have rules and regulations that are more restrictive, then those rules and regulations apply.

Individuals employed by the Courts are considered employees of the particular Court and not of Emmet County. Notwithstanding, the County encourages the Courts, whenever possible, to utilize the policies in this Manual and adhere to the provisions in Supreme Court Administrative Order 1998-5 as it relates to consistency with the funding unit's (Emmet County) policies.

Employment with Emmet County is **At Will**. This means that employees have not been hired for a specified duration, and that they can terminate their employment with the County or the County can terminate the employment relationship at any time, with or without cause, and with or without prior notice except as addressed in a collective bargaining agreement. This Manual is not to be construed as a contract of employment, express or implied, nor a guarantee of employment.

The County shall decide who is an Exempt employee based on the content of the position's approved job description.

Questions concerning the policies, procedures and fringe benefits in this Manual may be directed to the Department Head, Human Resources Director or to the County Administrator.

1.4 Collective Bargaining Agreements (“CBA”):

Unless specifically addressed in a CBA, the non-economic policies regarding illegal conduct or rules or standards of conduct will continue to be applicable to employees covered by a CBA. Where provisions of this Manual differ from the provisions of an existing collective bargaining agreement, the provisions of the CBA supersede the provisions of this Manual for bargaining unit employees.

1.5 Elected Officials:

This Manual does not affect the statutory powers of Elected Officials.

1.6 Distribution of Manual:

All employees and Department Heads are able to access this Manual via County intranet. Additionally, all employees and appointed Department Heads will receive the most current version of the Manual during onboarding and must sign a statement acknowledging receipt of the Manual.

EQUAL EMPLOYMENT OPPORTUNITY

2.1 The County is committed to providing equal employment opportunities to all employees and applicants for employment in compliance with all pertinent federal, state and local laws, rules and regulations. Employment selection and all other employment decisions will be made without regard to race, color, creed, religion, national origin, sex, (including pregnancy, childbirth, breastfeeding or related medical condition), disability, age, height, weight, military service or veteran status, marital status, familial status, genetic information, gender identity, sexual orientation, or any other reason prohibited by law. This commitment and prohibition of unlawful discrimination and retaliation applies to all terms and conditions of employment, including advertising, recruiting, hiring, training, placement, transfer, promotion, termination, layoff and recall.

2.2 It is the policy and practice of Emmet County to comply fully with all relevant and applicable provisions of the Americans with Disabilities Act (ADA), the Americans with Disabilities Amendments Act (ADAAA) and the Pregnancy Discrimination Act (PDA), as well as state and local laws concerning the hiring and employment of individuals with temporary and ongoing disabilities. Emmet County specifically recognizes its obligation under the Michigan Disability Civil Rights Act. Further, Emmet County hereby informs all employees that the Act requires that the employee notify the Employer within one hundred eighty-two (182) days of becoming aware of the need for an accommodation, that the employee does need such an accommodation. This policy is neither exhaustive nor exclusive. Emmet County will not discriminate against any employee or job applicant because of a person’s physical or mental disability with respect to any terms, privileges or conditions of employment, including, but not limited to hiring, advancement, discharge, compensation, benefits and training.

Upon request, applications will be available in alternative, accessible formats, as will assistance in completing the application. Pre-employment inquiries will be made regarding only an applicant's ability to perform the duties of the position, not any disabling condition.

Physical examinations will be required only after conditional job offers are made.

NONDISCRIMINATION/ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE

3.1 Objective:

Emmet County is committed to a work environment in which all employees are treated with respect and dignity. All employees have the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, the County expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment. Emmet County has developed this policy to ensure that all employees can work in an environment free from unlawful harassment, discrimination and retaliation. The County will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Any employee who has questions or concerns about these policies should talk with their Department Head, the Director of Human Resources or the County Administrator. These policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of the County prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

3.2 Equal Employment Opportunity is Exclusive of Harassment:

It is the policy of the County to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, weight, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law. The County prohibits any such discrimination or harassment.

3.3 Non-retaliation:

Emmet County encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of the County to promptly and thoroughly investigate such reports. Emmet County prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

3.4 Sexual Harassment:

Emmet County's equal employment opportunity policy against discrimination and harassment prohibited by law includes a prohibition against sexual harassment. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. 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 such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
2. Submission to, or rejection of, such conduct by an individual is used as a basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment, or has an ethnic, racial, religious, or sexual basis.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

3.5 Harassment on the Basis of Other Protected Characteristics:

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the Employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

3.6 Individuals and Conduct Covered:

These policies apply to all applicants, employees, elected officials, volunteers, and committee members, whether related to conduct engaged in by fellow staff or by someone not directly connected to the County (e.g., an outside vendor or consultant). Emmet County encourages employees to immediately report any discriminatory or harassing conduct by vendors or consultants to the employees' supervisors, Department Heads, Human Resources, or to the County Administrator. An investigation will be conducted as set forth in Section 3.8 below.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related events.

3.7 Reporting an Incident of Harassment, Discrimination or Retaliation:

Emmet County encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct, or who witness such conduct should file a written report as described in Section 3.8 below.

Supervisors have a responsibility to maintain a work environment that is free from unlawful harassment and must report, in writing, any observed or reported incident of harassment involving other employees immediately to their Department Head or the Human Resources Director.

You may, but are not required to, speak with the offending individual directly. You may inform the offending individual that the behavior in question is unwelcome and must be stopped.

3.8 Complaint Procedure:

1. Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should file a written complaint with:
 - a. their immediate supervisor,
 - b. human resources,
 - c. union representative, or
 - d. the County Administrator.

The written complaint will be forwarded to the Human Resources Director.

If the complaint is against the Human Resources Director, the complaint should be forwarded to the Administrator. If Complaint is against the Administrator, the complaint should be filed with the Human Resources Director. In either of these situations, the Human Resources Director or the Administrator will inform the Chairperson of the Board of Commissioners

2. Emmet County encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.
3. Upon receipt of a complaint, Emmet County will conduct a prompt and impartial investigation. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.
4. To the extent possible, the investigation will be conducted in a manner calculated to protect the privacy of the individuals involved, and the confidentiality of the complainant. However, no employee is promised strict or absolute confidentiality.

5. Employees who become aware of complaints or investigations of harassment are expected to refrain from unnecessary and unprofessional discussions with coworkers concerning the individuals involved as such discussions may themselves be a form of retaliation or harassment.
6. Retaliation against an individual for reporting in good faith harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately to the Human Resources Director or the Administrator and will be timely investigated and addressed.

If the investigation reveals that harassment or discrimination in violation of this policy has occurred, disciplinary action, up to and including discharge, will be taken. The nature of the discipline will depend upon the circumstances of each case.

If an investigation of the complaint of harassment or unlawful discrimination reveals that the complaint was frivolous or not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information.

SAFE WORKPLACE POLICY

4.1 Purpose:

Emmet County is committed to providing a safe workplace for its employees, customers, contractors, and the public. Emmet 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:

- Threatening injury or damage against a person or property;
- Fighting or threatening to fight with another person;
- Threatening to use a firearm or any other weapon;
- Having unauthorized possession of a firearm or any other weapon while on County premises or County business;
- Abusing or injuring another person;
- Abusing or damaging property;
- Using obscene or abusive language or gestures in a threatening manner;
- Harassing behavior inconsistent with a normal work relationship or stalking.

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

4.2 Enforcement:

Any employee who exhibits unsafe workplace conduct will be required to leave County property and shall remain off County property pending the outcome of an investigation. Employees will cooperate in all investigations, and a 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. Additionally, the County may, in its discretion, pursue any criminal or civil remedies which may be available.

4.3 Notification and Reporting:

All employees, temporary employees, seasonal employees, and volunteers 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. Any individual who reasonably believes that a situation with any employee or any other party may become violent, should immediately leave the area.

Any violations of this policy should be immediately reported in writing to the Department Head or Elected Official. If the individual does not feel comfortable reporting to the Department Director or Elected Official, or if the Department Director or Elected Official is not available, the report should be made to the Human Resources Director or the County Administrator.

A report or complaint will be promptly investigated and if a report is made in good faith the employee will be protected from retaliation or any other detrimental impact on their 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 also requires all individuals who obtain a protective or restraining order which lists County locations as being protected areas, to provide the Human Resources Director a copy of any protective or restraining order. This information will be kept confidential to the extent possible.

4.4 Firearms:

Except as otherwise provided below, employees are prohibited from possessing any type of firearm in the course of employment with the County or while on County property, irrespective of whether the employee has a concealed weapon permit or is otherwise authorized by law to possess the item. For purposes of this section, “in the course of employment” means that staff shall not bring weapons of any kind into a County facility or onto a County owned property, grounds or facility for any reason at any time.

This prohibition includes weapons locked inside of a personal vehicle or any other type of mobile or mobile storage unit

This prohibition shall not apply to:

1. Law enforcement personnel, including employees of the Sheriff’s Office acting in accordance with rules and regulations applicable to their Office; and
2. Members of the armed services while in uniform in connection with a public ceremony.

EMPLOYMENT IN GENERAL

5.1 Size of Work Force:

The Emmet County Board of Commissioners, based on the recommendation of the Administrator, authorizes the number of positions within each Department, and approves layoff and recall actions as necessary.

5.2 Immigration Law Compliance:

All County employees will be required to establish and certify their identity, right to work in the United States and will complete a Form I-9 for this purpose as applicable law requires with regular updates.

5.3 Internal Transfers:

Open positions will first be posted internally to give qualified County employees the opportunity to apply. Employees are responsible for monitoring job postings, as well as completing and submitting a job application for positions they are interested in applying for. Job openings will be posted on the County's internal job boards for five (5) workdays. Qualified external candidates will not be considered until the internal posting period has expired.

To qualify for a posted position, the employee must be capable of meeting the essential functions as described in the approved job description for the position with or without accommodation

An employee is not required to notify their Department Head when submitting an application for a posted position. However, if an employee is a finalist for a position, their Department Head will be notified. Both the incoming and out-going supervisors will complete forms acknowledging the transfer. The incoming supervisor will be notified of any documented performance issues within the 12 months preceding the transfer.

Although Emmet County will give consideration to current employees who meet the qualifications of the position to be filled, the County reserves all rights to select and hire persons for vacant positions. Criteria for selection and hiring shall also be in the sole discretion of the County.

5.4 Hiring Process:

All candidates seeking employment with Emmet County must complete an Emmet County job application form. These forms are available either from the Human Resources department or online on the County's website. If you have a disability and require reasonable accommodations in the application process, call Human Resources at (231) 348-0676.

Offers of employment are contingent upon satisfying certain County criteria. Interested candidates will authorize the conduction of a background check and an employment physical to include a drug test and other relevant health screens consistent with the Americans with Disabilities Act. Employees requiring a physical exam will not be added to the payroll until medical clearance is received. Temporary employees may also be required to submit to a medical examination. Depending on the physical requirements indicated as required in the job description, other pre-employment criteria may be required.

The Human Resources Department will conduct criminal background checks on all prospective employees offered positions within Emmet County. Criminal background checks may include fingerprinting, as required by state or federal law, contract requirements, or other regulatory considerations. Only those employees deemed acceptable based on the results of the criminal background check will be added to the payroll system. Subsequent criminal background checks may occur on a regular basis.

If a criminal record does exist, the information will be forwarded to the Human Resources Director and the Administrator for review. The Administrator will make the final determination regarding the addition of the prospective employee with a criminal history to the payroll system.

All inquiries for employment with Emmet County will conform to the requirements of the Americans with Disabilities Act, as amended, the Equal Employment Opportunity Commission, and other applicable federal, state and local laws, rules, and regulations.

Written communications with applicants shall be handled solely through the Human Resources Department.

5.5 Categories of Employment:

For purposes of wage administration, eligibility for overtime payments and employee benefits, employees are classified as follows:

1. Full-time regular employees. Full-time regular employees are generally hired to work the County's normal, full-time, forty (40) hour workweek on a regular basis. (Note: Full-time employment may be defined differently for purposes of determining eligibility for particular fringe benefits.) Such employees may be "exempt" or "nonexempt" as defined in paragraphs 6 and 7 below.
2. Part-time regular employees. Part-time regular employees are generally hired to work less than 30 hours per week on a regular basis. Such employees may be "exempt" or "nonexempt" as defined in paragraphs 6 and 7 below.
3. Temporary. Temporary employees are hired to work full-time or part-time on the County's payroll with the understanding that their employment will terminate upon the completion of a specific assignment. A temporary may, however, be offered and may accept a new temporary assignment and retain temporary status. Such employees may be exempt or nonexempt as defined below. Employees hired from a temporary employment agency for specific assignments are employees of the agencies and not of the County and as such are not entitled to any County benefits.
4. Paid Internships. Emmet County may offer paid internships when funding is available. Paid interns will receive compensation in accordance with the internship program and IRS guidelines. Paid interns are not eligible for any benefits outlined in this policy manual.
5. Unpaid Students/Interns/Volunteers. Students/interns/volunteers serving internships, field placements or practicum training in a County department are not eligible for any compensation or benefits outlined in this policy manual. All unpaid internships must be in accordance with IRS Guidelines.

Volunteers may also be used in certain circumstances. The County will abide by the legal requirements relative to any program providing such workers, the provisions of applicable collective bargaining agreements, and the statutory powers of elected Department Heads.

6. Seasonal employees. Seasonal employees may be hired to work full-time or part-time for the County into positions that are determined to be seasonal because: by the nature of the position an employee works for a period of six months or less; and, the period of employment begins each calendar year in approximately the same part of the year, such as summer or winter.
7. Nonexempt employees. Nonexempt employees are required to be paid overtime pay as indicated by applicable wage and hours provisions in the Fair Labor Standards Act. Vacations, holidays, general and personal leave days, and other time not actually worked, except as addressed by applicable federal law or bargaining unit contract, is not counted in determining whether overtime pay is owed.
8. Exempt employees. Exempt employees, including certain executive, administrative and professional team employees, are not required to be paid overtime pay for hours worked in excess of forty (40) hours in a workweek, in accordance with applicable wage and hour provisions in the Fair Labor Standards Act.

Any questions concerning an employee's category or exemption status may be directed to the Human Resources Department.

5.6 Specially (e.g., Grant) Funded Employees:

The County may occasionally receive funding for full-time, temporary and/or part-time employees through grant awards. Human Resources will be notified of the creation of any grant-funded positions and will coordinate the hiring process in the same manner as with non-grant-funded positions. The eligibility of specially funded employees for bargaining unit membership and the attendant benefits will be determined at the time the position is created based on applicable laws. Specially funded team employees who are not eligible for bargaining unit membership may receive benefits available to non-bargaining unit employees.

When specially funded employees are to be utilized, the County will make a good faith effort to meet and discuss the same with the appropriate collective bargaining unit at least thirty (30) days in advance, but in no case less than ten (10) days prior to utilizing such employees.

5.7 Introductory Period:

Except for employees of the Sheriff's Office, the first ninety (90) days of service of new (or rehired) employees will constitute an introductory period. Absence of more than three (3) days may automatically extend the introductory period by the length of the absence. The County reserves the right to extend the introductory period for a specified period up to an additional ninety (90) days.

For staff covered under a collective bargaining contract, current contract language regarding introductory or probationary periods will apply.

The introductory period is intended to give a new employee the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The County will use this period to evaluate the employee's work habits and overall performance.

During the introductory period, new employees are eligible for those benefits that are required by law, including workers' disability compensation insurance and Social Security. They may also be eligible for other County-provided benefits subject to the terms and conditions of each benefits program.

Completion of the introductory period does not entitle an employee to continued employment for any length of time as employment with the County is At Will, except in accordance with a collective bargaining agreement or separate employment contract which only the County Board of Commissioners is authorized to enter into with an employee.

5.8 Lay Off and Furloughs:

It may become necessary for the County Board to order budget reductions. Such reductions will be recommended to the County Board for approval by the Administrator with input from Department Heads.

Furlough. In the event that the budget reduction causes furloughs, the affected Department Head may recommend to the Administrator the positions that will be furloughed within their department. Furloughed employees will retain seniority. Benefits will continue but the furloughed employee is responsible for paying the employee contribution each pay period. Retirement contributions for first year employees will be pushed back by the length of the furlough.

Leave accruals will be prorated during furlough.

Furloughed employees may use available leave time, understanding the use of available leave time will delay eligibility for unemployment.

If any position to be eliminated is within a bargaining unit, the procedure for furlough and recall set forth in the applicable collective bargaining agreement will be followed.

Layoff. In the event that the budget reduction causes layoffs, the affected Department Head may recommend to the Administrator the positions that will be eliminated within their Department.

If any position to be eliminated is within a bargaining unit, the procedure for layoff and recall set forth in the applicable collective bargaining agreement will be followed.

If any position to be eliminated is non-bargaining, the Department Head may reassign non-bargaining unit employees to other non-bargaining unit positions to assure maintenance of the best qualified workforce.

5.9 Recall – Non-Bargaining Unit Employees:

Recall of non-bargaining unit employees is done solely at the discretion of the County Administrator and the Department Head, provided the recalled employee meets the minimum qualifications for the position as set out in the approved job description. The County is not required to recall non-bargaining unit employees from furlough or layoff status.

5.10 Shift Assignment:

Department Heads have the sole discretion to assign employees shift work within any confines set out in a collective bargaining agreement.

PERSONNEL RECORDS

- 6.1 Personnel records for all employees are maintained in Human Resources. These records include information on initial employment or re-employment, professional credentials, salary increases, promotion, demotions, disciplinary actions and other pertinent employment information. You may have access to review and have a copy made of your personnel file provided a representative of Human Resources, or their designee, is present during the review. Each page designated to be copied will be done so for a per page fee to be paid prior to releasing the copies.
- 6.2 The Human Resources Department is responsible for the care, custody and control of all personnel records. Personnel files may not be removed from the Human Resources Department. Except as otherwise provided by law, reasonable access to a personnel file will be granted to the employee or former employee as described above, the Administrator and designated staff, the employee's Department Head. An employee's Department Head must request access to a personnel file through the Human Resources Department.
- 6.3 To the extent allowed by law, individual privacy will be protected. Information from an employee's personnel file may be released to persons other than those listed above upon the signed authorization of the employee or as required by law or court order.
- 6.4 All requests by employees, former employees and third parties for employment verification information concerning employees and former employees, must be directed to the Human Resources Department. The Human Resources Department will provide verification of date of hire, date of termination and final salary only. The County will not be responsible for the release of information or references given outside of this policy.

SOCIAL SECURITY NUMBER PRIVACY POLICY

- 7.1 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 reasons consistent with this Privacy Policy. When the County obtains a social security number, the individual shall be entitled to know the purpose, intended use, whether the number is required to be provided by law, and the consequence of not providing the number.
- 7.2 The County shall take reasonable measures to enforce this Privacy Policy and to correct and prevent the reoccurrence of any known violations. Any employees, 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 Social Security Number Privacy 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.

- 7.3 No County employee, official or agent shall unlawfully disclose or use a social security number of any other employee or individual. Department Heads shall limit access to social security numbers on a need-to-know basis.
- 7.4 Departments (such as the Friend of the Court, Sheriff's Office, Courts, and Prosecutor's Office) that conduct certain activities that are exempt from provisions of the Michigan Social Security Number Privacy Act are expected to familiarize themselves with the Act to ensure compliance.
- 7.5 When a unique identifier is required, no more than four sequential digits of the social security number, or a substitute for the social security, shall be used to the extent possible.
- 7.6 Social security numbers shall not be placed on identification cards or badges, rosters, bulletin boards, permits or licenses, or any other documents or materials designed for public display. Documents, materials or computer screens that display social security numbers shall be kept from public view at all times.
- 7.7 Documents or materials with social security numbers shall not be mailed unless authorized by the Michigan Social Security Number Privacy Act or other state or federal law, rule, regulation, or by court order or rule, or pursuant to legal discovery or process. Documents or materials that are authorized by law to be mailed shall not reveal the social security number from outside of the envelope or packaging.
- Social security numbers shall not be transmitted, or required to be transmitted, by e-mail.
- 7.8 All records with social security numbers shall be stored in a physically secure manner. All electronic records with social security numbers shall be secured against unauthorized access.
- 7.9 Social security numbers shall be redacted from records disclosed under the Michigan Freedom of Information Act.
- 7.10 Documents, materials or records with social security numbers shall be discarded or destroyed in a manner, such as shredding, which protects the confidentiality of the numbers.

PAY PLAN AND COMPENSATION

8.1 Pay Practices:

All employees are paid on a bi-weekly basis. Pay periods begin at 12:00 am on Sunday and end at 12:00 pm on Saturday.

Pay day is the Thursday after the close of the pay period. Employees should review their paychecks and immediately report any discrepancy to their supervisor and Human Resources. No pay will be advanced.

8.2 Direct Deposit:

Employees will receive wages through direct deposit. The County will provide each employee with a written form to select direct deposit and to provide account information necessary for the direct deposit.

8.3 Pay Plan:

The County Board of Commissioners has established a wage and salary table for County employee positions. The table is comprised of salary grades. Each position is assigned a salary grade which is comprised of several pay steps. The rates of pay established in the wage and salary table are established based on the required criteria outlined in the job description for each County position and represent the total of wages available for each County position.

8.4 Compensation Practices - Non-Bargaining Unit Employees:

1. Each position on the Non-Bargained, Non-Management pay grid has been placed in a job grade based on the knowledge, skills, abilities, education and experience as required in the approved job description. In addition to the job description requirements, market demands, and internal equity are also considered.
2. Each new employee will be placed in the pay grade assigned to their position at the step that matches the new employee's knowledge, skills, abilities, education and experience.
3. There are four step increases available beyond the Start rate for each grade. Those step increases occur at 6-months, 12-months, 18-months and two years.
4. A beginning wage at a step beyond Start requires agreement from the Human Resources Director and Administrator and must be within the approved budget.
5. If a new employee is initially advanced to a step beyond the Start rate, they are eligible for the steps remaining. Example: an employee started at the 12-month step would have two steps remaining.
6. Additionally, an employee moving through step increases is also eligible for any annual increase approved by the Board of Commissioners.
7. Each position on the Non-Bargained Management salary grid has been placed in a job grade and level based on the knowledge, skills, abilities, education and experience as required in the approved job description.
8. The Non-Bargained Management salary grid does not provide step increases. The positions on this grid are eligible for any annual increase approved by the Board of Commissioners.
9. The salary table will be evaluated each year to ensure it retains market competitiveness, the availability of resources, and the grid continues to meet the objectives the County wishes to maintain.
10. Any pay rate change must be initiated by completion of a Personnel Action Form (PAF) signed by the Department Head and Human Resources and approved by the Administrator.
11. Exempt (from the Fair Labor Standards Act) employees are expected to work as many hours as required to complete the work requirements of the job. The County does not

have a comp time policy and does not recognize the accumulation of comp time hours for the purposes of subsidizing paid time off.

8.5 Pay Plan – Employees in a Bargaining Unit:

Employees covered by approved bargaining agreements will be placed in and move through their wage tables as negotiated. Any deviations must be requested through Human Resources via a completed Personnel Action Form (PAF) and approved by the Administrator and must also be approved by the parties to the bargaining unit.

8.6 Promotion and Transfer:

When promoted to a new position, either within the Department or to a different Department, the employee will be placed in the salary grade associated with the new position.

8.7 Overtime:

1. FLSA Non-Exempt. Non-exempt employees of the County that are subject to the overtime provisions of the Fair Labor Standards Act (“FLSA”) shall be paid overtime compensation at the rate of time and one-half (1-1/2) of regular rate of pay for all hours worked in excess of forty (40) hours worked in a work week. (Workweek is defined as seven (7) consecutive twenty-four hour periods from Sunday through Saturday). If General Leave or paid holidays are included in the payroll week during which overtime is worked, General Leave will be adjusted and may be banked. For all employees, except where contract language is different overtime pay is only authorized for hours actually worked in excess of forty (40) per week County employees are required to work overtime upon the request of the Department Head. Department Heads should attempt to accommodate reasonable requests by employees to be excused from overtime work.

All overtime work must receive prior authorization by the appropriate supervisor. All emergencies or unforeseen problems resulting in overtime must be reported to the appropriate supervisor for approval on the following workday.

2. FLSA Exempt. Salary basis exempt employees are not entitled to overtime pay. Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work. Subject to exceptions listed below, an FLSA exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked.

If Emmet County were to make deductions from an employee’s predetermined salary, i.e., because of the operating requirements of the business, that employee may be deemed not paid on a “salary basis.” If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Deductions from pay are permissible when an exempt employee:

- a. Does not perform any work during a workweek;
- b. Is absent from work for one or more full days for personal reasons other than sickness or disability; or for absences of one or more full days due to sickness or

- disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- c. For unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions of major significance, including but not limited to theft or violations of Emmet County's harassment, drug and alcohol, safe workplace and workplace violence policies (or such other work rule of major significance). This does not include merely performance issues such as absenteeism and tardiness;
 - d. An employer is not required to pay the full salary in the initial or terminal week of employment;
 - e. For penalties imposed in good faith for infractions of safety rules of major significance; or
 - f. For weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.

In these circumstances, either partial day or full day deductions may be made.

It is Emmet County's policy to comply with the salary basis requirements of the FLSA. Therefore, Emmet County prohibits all Emmet County supervisors, managers and directors from making any improper deductions from the salaries of exempt employees. Employees need be aware of this policy and that Emmet County does not allow deductions that violate the FLSA.

If a FLSA Exempt employees believes that an improper deduction has been made to their salary, the employee must immediately report this information to the Human Resources Director. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be reimbursed for any improper deduction made in your next paycheck.

8.8 Payroll Procedures:

Mandatory deductions from pay will be made in accordance with applicable law. Employees may request voluntary deductions, if eligible. Requests for voluntary deductions and questions concerning an employee's pay should be directed to Human Resources.

HOURS OF WORK

9.1 Work Week:

Normal work week for most County employees is Monday through Friday 8:00 am – 5:00 pm. Regular full-time team employees, unless department work functions dictate differently (EMS, DPW, Law Enforcement, etc.), are expected to work 40 hours per week not including lunch breaks.

A Department Head may direct that employees within the Department have staggered starting and quitting times.

Non-exempt (hourly) employees are required to use the County time-keeping system to track and record all hours worked. Those employees must clock-in and out themselves. No other employee including Department Heads should clock in or out for any other County team employee.

To assure timely authorization of leave and payment for paid leave, employees must submit leave requests electronically through the County timekeeping system.

9.2 Breaks:

Regular full-time employees may take one fifteen (15) minute break in the first half of the shift, and one fifteen (15) minute break in the second half of the shift. These breaks are paid, may not be accumulated, nor used to report late, leave early, or extend the lunch hour.

Department Heads may schedule breaks to assure the continuous operation of their Departments.

9.3 Break Time for Nursing Mothers:

Employees who are nursing will be provided with reasonable paid break times to express breast milk after the birth of a child. In compliance with federal law, all nursing employees shall be provided a place to breastfeed or express their milk. An employee may use her private office area for milk expression if she prefers. For up to one year after a child's birth, employees shall be provided flexible breaks to accommodate breastfeeding or milk expression. A non-exempt breastfeeding employee shall be provided a flexible schedule for breastfeeding or pumping to provide breast milk for her child. All employees are expected to provide an atmosphere of support for breastfeeding employees.

9.4 Lunch:

Employees will receive unpaid time off for lunch each day. Department Heads are responsible for scheduling the particular lunch time(s) of their Departments and may schedule each full-time employee for one (1) unpaid lunch period of one-half hour or one hour per scheduled workday. Lunch periods and rest periods shall be staggered so as not to curtail services to the public. Employees are expected to normally adhere to a regular workday schedule and should not work through lunch in order to shorten their shift.

To best accommodate the public, County offices are to remain open during the lunch hour, where possible. Department Heads may schedule staggered lunch hours for employees within the Department. Prior approval from the Department Head is necessary for an employee to change their regular scheduled lunch hour.

9.5 Absences:

Employees are responsible for notifying their Department Heads two (2) hours before the start of their shift or as soon as reasonably possible if they are to be absent from work or late.

9.6 Severe Weather:

When a severe weather condition exists, the Sheriff's Office will communicate with the Administrator regarding road and or safety conditions as soon as possible. The Administrator will make the decision whether to close the County buildings. If the decision is made to close, the Administrator or their designee, will notify the Courts, Elected Officials and Department Heads. They in turn will notify their staff.

1. Employees who are able to work remotely from home may be required to do so at the direction of their Department Head.

2. If the building is closed because of severe weather, employees who have not scheduled to be out on paid leave and are unable to work remotely will receive their regular pay for any hours they are not able to work as a result of the building being closed. These hours, unless otherwise noted in an approved CBA, not worked but paid will not be counted towards overtime.
3. Employees who are off on approved paid leave will stay on approved paid leave and receive no other consideration.

EMPLOYEE GUIDELINES AND WORK RULES

10.1 Conduct and Work Rules Policy:

The County adopts this Employee Conduct and Work Rules Policy to ensure orderly operations and provide the best possible work environment. The County expects employees and others who are engaged to provide services, including temporary or seasonal personnel, consultants and independent contractors, to follow these rules of conduct while on County premises, attending County functions or otherwise performing work-related activity.

In addition to maintaining and enforcing this policy to protect the interests and safety of all employees and the organization, the County complies with all applicable federal, state and local laws and regulations concerning Employer/employee rights and obligations.

The County is responsible for providing a safe and secure workplace and strives to ensure that all individuals associated with the County are treated in a respectful and fair manner. Though it is not possible to list all forms of behavior that are unacceptable in the workplace, the following are examples of behavior that would be considered infractions of County rules of conduct. Such behavior may result in disciplinary action, up to and including termination of employment. This list includes, but is not limited to:

1. Theft or inappropriate removal or possession of County property or the property of a fellow employee.
2. Abuse of the public, either physically or verbally.
3. Willful destruction of County property or the property of a fellow employee.
4. Working under the influence of alcohol, marijuana or illegal drugs.
5. Possession, distribution, sale, transfer or use of alcohol, marijuana or illegal drugs in the workplace, while on duty or while operating Employer-owned vehicles or equipment.
6. Fighting or threatening violence in the workplace.
7. Sexual or any other form of harassment.
8. Using abusive, threatening or obscene language.
9. Sabotaging another's work.
10. Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
11. Falsifying County records or reports, including one's time records or the time records of another employee.
12. Willful neglect of their work assignments and duties.
13. Unsatisfactory job performance, including poor quality or quantity of work.
14. Failure or deliberate refusal of any employee to follow lawful direction given by a Department Head, Supervisor, or competent authority shall be considered insubordination.

10.2 Petitions:

At no time may petitions, political or otherwise, be circulated by employees or others through County offices during working hours.

10.3 Political Activity Generally:

Political activities on the part of County employees shall, in all cases, be in accordance with the applicable state and federal laws, including 1976 PA 169, as amended (MCL 15.401, *et seq.*) and, where applicable to employees funded through federal funds, by federal law, being 5 USC Section 1501-1508 (commonly known as the "Hatch Act") and any applicable regulations relating to these statutes.

Any political activities on the part of County employees in violation of these laws may result in discipline, up to and including discharge. No employee shall be required to engage in a campaign for election of any candidate.

10.4 Political Activity—Working Time and County Property:

No employee may engage in political activities during the course of their paid work time, nor may they use their position or County equipment or resources for political purposes. The posting of political signs and distributing political literature or other handouts on County property is prohibited. Employees violating this policy will be subject to discipline.

10.5 Secondary Employment:

To avoid any conflict of interest, or appearance thereof, employees must obtain the prior written approval of their Department Head before engaging in secondary employment. An employee may accept secondary employment on their own time if it does not interfere or conflict with their work performance as a County employee. If such secondary employment creates any appearance of a conflict of interest, the employee's request must be approved by the County Administrator.

ELECTRONIC COMMUNICATION, COMPUTER AND INTERNET USE

11.1 Policy:

Emmet County's communication and computer systems (including County-provided portable communication devices (PCDs), cell phones, laptops and tablets) are intended for business purposes. All information stored through or stored in these systems including, but not limited to, voice communication, text and e-mail messages, is Emmet County property. If employees utilize County equipment or IT resources for personal use, such communication are subject to possible review and there is no expectation of privacy. Emmet County has the capability and right to access, review, copy, modify and delete any information transmitted or stored in the system, including voice and e-mail messages. As such, users have no legitimate expectation of privacy in regard to their use of the systems. The transmission of voice and e-mail messages for personal business will be treated no differently than other files, i.e., Emmet County reserves the right to access, review, copy, modify, delete or disclose them for any purpose required by law, or which Emmet County deems appropriate in its discretion. Accordingly, employees should not use the Emmet County's communication or computer system to send, receive or store any information that they wish to keep private.

11.2 Prohibited Uses:

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

1. Employees may not use equipment (such as printers) that consumes supplies (paper, toner) for personal use.
2. Emmet County's communication and computer systems may not be utilized to send or receive obscene, offensive or harassing messages or messages that disclose personal information of consumers without authorization.
3. Emmet County's communication and computer systems may not be utilized to distribute incendiary statements which may incite violence or describe or promote the use of weapons or devices associated with terrorist activities.
4. Emmet County's communication and computer systems may not be utilized to distribute, access or solicit sexually oriented messages or images.
5. Emmet County's communication and computer systems may not be utilized for illegal purposes or in support of such activities including, but not limited to, piracy, cracking, extortion, and blackmail.
6. Emmet County's communication and computer systems may not be utilized for commercial purposes, partisan political purposes, product advertisement or "for-profit" personal activity.
7. Emmet County's communication and computer systems may not be utilized for 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.
8. Emmet County's communication and computer systems may not be utilized to disrupt the use or performance of Emmet County authorized communication or computer resources or any other computer system or network.
9. Employees may not access or attempt to access computers, files, and company-provided equipment (such as cell phones, tablets and laptops) of another employee or to which the employee is not provided access as part of the employee's regular job duties.
10. Emmet County's communication and computer systems may not be utilized in a manner which does or may compromise the security of Emmet County communication or computer resources including, but not limited to:
 - a. Accessing accounts within or outside the Emmet County's computers and communication facilities for which an employee is not authorized or do not have a business need.
 - b. Copying, disclosing, transferring, examining, renaming, or changing information or programs belonging to another user unless given express permission to do so by the person responsible for the information program.
 - c. Knowingly or inadvertently spreading computer viruses.
 - d. Distributing "junk mail" such as chain letters, advertisements, or unauthorized solicitations.
 - e. Transmitting confidential information without proper security and authority.

11.3 Licensing:

1. The use of unlicensed software is an illegal act subject to legal action, including the imposition of fines.
2. All software must be purchased and installed through the County's Information Technology ("IT") Department, unless the software installation has been approved by a member of the Emmet County IT team as means of County productivity.
3. Except as provided in Section 2 above, no software applications shall be installed on County computers. This includes software downloaded from the Internet, or any other media. Some examples include: music download software (iTunes), e-mail signature add-ins, any instant messaging software.
4. IT will be responsible for maintaining evidence of the software license and any upgrades.
5. Software without licensing evidence must be removed immediately from any County-owned equipment or application.
6. No system user is authorized to use software unless he/she has full license rights to use it.

11.4 Hardware:

1. County hardware including, but not limited to, computers, monitors, and printers shall not be tampered with, modified, or moved for any reason without prior consent or instruction from the IT Department.
2. It is understood that County-owned systems will undergo normal stress and wear. It is important to remember that these devices should be considered "shared resources" for all employees. Damage sustained to these devices outside of what would be considered normal wear and tear (e.g., malfunctioning laptop battery, faulty monitor, etc.) may be up to the employee to replace.
3. No hardware shall be connected to the County network (wired or wireless) or existing County computer hardware without the consent of the IT Department. This includes, but is not limited to:
 - a. Non-County issued computers or laptops.
 - b. Wireless access points, wired/wireless switches, routers, hubs, or other networking equipment.
4. Employees choosing to access Emmet County systems using personal devices acknowledge Emmet County's right to protect County information and agree to the County using any means available, including but not limited to a remote device wipe. Emmet County is not responsible for any loss of personal information at any time.

11.5 Additional Guidelines:

The following guidelines have been established for using the Internet, company-provided personal computing devices (PCDs), and e-mail in an appropriate, ethical and professional manner:

1. Each person will set up a unique network password. Passwords must be changed every six months (or more frequently if there is reason to believe a password has been compromised).
2. Individuals should not log onto the system using another's password.

3. Individuals should keep their password confidential at all times.
4. Individuals should not permit another to log on with their password.
5. Under no circumstances should passwords ever be shared or written down and kept at or near computers and workstations where they may be found by others.
6. IT will set all computers to lock after 15 minutes of inactivity.
7. All conversations, text messages and e-mails must be professional.
8. Employees should not open suspicious e-mails, pop-ups or downloads. Contact the Emmet County IT team with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
9. Staff must immediately report any lost or stolen equipment to their immediate supervisor.
10. Internal and external e-mails may be subject to disclosure pursuant to the Freedom of Information Act and additionally may be considered business records which may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the company.

11.6 Policies Regarding E-mail Usage:

In addition to the preceding policies, which are also applicable to e-mail utilizing Emmet County equipment or IT resources, the following rules and procedures also specifically apply to e-mail:

1. Signature blocks at the bottom of e-mails sent on the County's systems should contain business related information only such as name, phone number, address, a confidentiality message or a message to refrain from printing to conserve paper. Personal messages or quotes should not be included in your signature block on the County's systems.
2. The e-mail system is a messaging tool and should not be used for permanent storage. Effort should be made to regularly delete read e-mails to maintain a reasonable mailbox size. In some cases, mailboxes size restrictions will be utilized to facilitate this effort.

Prohibited usage of Emmet County's e-mail system also includes, but is not limited to:

1. Use of Emmet County or recipient e-mail addresses for marketing;
2. Forwarding privileged or confidential e-mail from in-house or outside legal counsel, or the contents of that mail to individuals outside of the County without the express authorization of counsel and the Emmet County Board of Commissioners;
3. Misrepresenting, obscuring, suppressing, or replacing a workforce member's identity on an e-mail communication;
4. Obtaining access to the files or communications of others without authorization; or
5. Attempting to access or bypass any security measure on any e-mail communication system or attempting to intercept any e-mail communication transmission without proper authorization.

These lists are not considered all-inclusive. Further questions regarding appropriate use of e-mail should be directed to Emmet County IT or the Administrator.

11.7 FOIA and E-mail Records:

The FOIA Coordinator will identify whether records requested under the Freedom of Information Act are stored in e-mail. The FOIA Coordinator will notify the affected employee and/or the IT Department that a FOIA request involving e-mail has been received in order to prevent the destruction of relevant e-mail records. The County's FOIA Coordinator shall be provided access to an employee's e-mail records upon request.

Employees shall not dispose of e-mail records that have been requested under the Michigan Freedom of Information Act, even if their retention period as indicated by the State of Michigan mandated retention policies has expired.

11.8 Litigation and E-mail Records:

The disposal of relevant e-mail records may be suspended should notice of litigation be received by the County. Instructions will be disseminated by Civil Counsel. Access to an employee's e-mail records shall be provided accordingly.

11.9 Assignment and Use of County Cell Phones:

1. Department Heads will have the authority to assign County issued cellular phones to employees within their respective Departments as needed. Those assignments will be reviewed and authorized by the County Administrator each year during the budget process.
2. Loss or theft of a County-owned or leased cellular phone must be immediately reported to the Department Head and to the IT Department.
3. County-owned or leased cellular phones must be operated in accordance with applicable federal, state or local laws, ordinances and rules and regulations.

11.10 Use of Cell Phones, Laptops or Tablets While Driving:

With the exception of law enforcement and EMS, employees who drive on Emmet County business must abide by County policy prohibiting PCD use while driving. Employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, and permitted by law, the employee must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly. Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs. Since this policy does not require any employee, except for law enforcement and EMS, to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

11.11 Additional Guidelines for Internet Usage:

The following apply to an employee's use of the Internet through the County's systems:

1. All messages created, sent or retrieved using County-provided Internet are the property of the County and should be considered public information.
2. The County, with the approval of the County Administrator, reserves the right to access and monitor, at any time, your usage of County-provided Internet, including web sites that you have accessed and any information that you may have downloaded. All communications, including downloaded data, may be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver. No one should have any expectation of privacy concerning any usage of County-provided Internet.
3. Fraudulent, harassing, or obscene messages or material sent or received via County-provided Internet are prohibited. In addition, no messages with derogatory or

inflammatory remarks about an individual's or group's gender, age, race, sexual orientation, physical attributes, religious or political beliefs, national origin, or disability should be transmitted. Likewise, users shall not attempt to use County-provided Internet to access such materials.

4. All messages communicated using County-provided Internet must have the sender's name attached. No messages may be transmitted under an assumed name. No user may attempt to obscure the origin of the message.
 5. To prevent computer viruses from being transmitted through the system, no one may download unauthorized software. Any questions about the safety of the downloaded file should be directed to IT before taking action.
 6. County-provided access to the Internet may not be used for personal gain.
 7. Use of County-provided Internet must not disrupt the operation of the County network. Usage must also not interfere with the employee's productivity or the productivity of other employees.
 8. Users of Internet-related systems are further advised to consider that while they use County systems they represent the County just as they would at a County function or in a County vehicle. Visits to web sites and other Internet use may reflect upon the County and should be undertaken in a serious, businesslike manner.
 9. Confidential or proprietary information must not be sent via the Internet. If information of this nature must be transmitted, special arrangements should be made through IT.
 10. Copyrighted materials belonging to entities other than the County may not be transmitted on the Internet. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner.
 11. Any use of County-provided Internet that is deemed to adversely affect the County is prohibited.
 12. Employees must not post messages or information using County-provided Internet which reflect negatively on the County, the County's constituents, or the County's employees.
- 11.12 The County will review violations of any provision of this policy on a case-by-case basis. Failure to comply may result in discipline, up to and including termination of employment. Employees learning of any misuse of the County's computer systems, e-mail system, voice mail system, or County-provided Internet in violation of this policy shall immediately notify the County's Director of IT and/or Director of Human Resources.

SOCIAL MEDIA POLICY

12.1 Policy:

It is the policy of Emmet County to establish guidelines and expectations regarding the use of social media.

12.2 Definitions:

Social media generally refers to use of the internet for blogging, media sharing, and social networking. Social media includes text, images, audio, and video. Examples of social media include blogs (such as websites published through WordPress); Twitter; Facebook; Instagram, Snapchat, Tik Tok; professional networking sites (such as LinkedIn); video sharing websites (such as YouTube); audio sharing such as podcasts; photo sharing sites (such as flickr or picassa); and social bookmarking sites (such as Digg).

12.3 Procedure:

Social media platforms provide a way to collaborate and share information quickly and easily with friends and family. We do not discourage our employees from using social media in their personal lives. However, professionalism, ethics, and integrity are of paramount importance to the County. Accordingly, employees who choose to participate in social media are expected to conduct themselves with professionalism, and to use good judgment and demonstrate personal accountability.

Working time is intended to be used for the benefit of Emmet County. Accordingly, employees shall not use any social media during work time, unless expressly granted permission to do so for a business-related purpose. Employees shall not use Emmet County computers to engage in social media, unless expressly granted permission to do so for a business-related purpose. In addition, Emmet County owned personal computers, smart phones, or other internet capable devices should not be used for social media during work time.

Employees shall adhere to Emmet County policies and procedures. All rules regarding confidentiality and proprietary business information apply in full to blogs, webpages, social networking and similar sites. Any information that cannot be disclosed through a conversation, note or e-mail also cannot be disclosed in a blog, webpage, social networking or similar site.

- 12.4 Any Emmet County social media presence must be pre-approved by the Administrator. Employees are also strictly prohibited from posting any information that may be attributable to Emmet County without the express written permission of the Administrator.
- 12.5 If an employee mentions Emmet County in their personal social media and also expresses either a political opinion or an opinion regarding Emmet County's actions, the post must include the following disclaimer, "The opinions expressed on this site are my own and do not necessarily represent the views of Emmet County." Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, webpage, social networking or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous or threatening is forbidden. Emmet County policies apply equally to employee social media usage.
- 12.6 The County will review violations of any provision of this policy on a case-by-case basis. Failure to comply may result in discipline, up to and including termination of employment. Employees learning of any use of social media in violation of this policy shall immediately notify the County's Director of IT and/or Director of Human Resources.

USE OF PUBLIC RECORD INDEX OF REGISTER OF DEEDS

- 13.1 County employees are prohibited from printing and/or copying any record from the public record index except for use within or between County Departments and Offices.
- 13.2 County employees are prohibited from using the public record index system for personal reasons.
- 13.3 County employees are prohibited from selling or distributing information from the public record index to any person or entity.

PROTECTED HEALTH INFORMATION

- 14.1 County Departments and employees whose functions involve individual health information must comply with the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). This includes, but is not limited to, Human Resources, Sheriff's Office/Jail, Prosecutor's Office, and the Information Technology Department.

BUILDING MAINTENANCE AND CARE

- 15.1 Employees are expected to keep their work environment clean and orderly. Before departing at the end of each workday, employees should lock all files and cabinets containing materials of a sensitive or confidential nature.
- 15.2 Employees are encouraged to use designated areas when eating or drinking. In all cases, good housekeeping practices should be followed.
- 15.3 Anything attached to walls or ceilings, including bulletin boards and pictures, must be installed by building maintenance personnel. Notices, posters, etc. may not be affixed to walls or doors with tape.

EMPLOYMENT OF RELATIVES

- 16.1 An employee will not be placed in a position of supervision of an immediate family member, nor will an employee be placed in a Department where the employee will be supervised by an immediate family member. Personnel decisions directly affecting an employee will not be made by a member of the employee's immediate family.
- 16.2 For purposes of this section, the term "immediate family" means spouse, child, parent, sibling, grandparent, grandchild, or corresponding in-law or "step" relation.
- 16.3 If a supervisory-subordinate relationship occurs as a result of a marriage between two employees working in the same program area, then the County will attempt to transfer one of the individuals, but it is not required to do so. If a transfer does not occur, one of the employees will be required to resign within sixty (60) days of the marriage. If neither party agrees to resign, the employee with the most recent hire date will revoke their employment.

CHILDREN AT WORK

- 17.1 Employees must not allow children in their care to be present in the workplace. If an employee lacks alternative childcare arrangements, the employee must take available leave.

REPORTING WORK-RELATED ACCIDENTS

- 18.1 Employees must report work-related accidents and incidents to their Department Head immediately. An "Accident/Incident Reporting Form" must be completed as soon as possible by the employee and supervisor. Completion of the "Supervisor's Report of Accident" form may also be required. If the incident involves a work-related injury to an employee, the form must be forwarded to the Human Resources Department. If the incident involves an injury to a non-employee or property damage, the form must be forwarded to the Office of Civil Counsel.

Medical treatment of an injured employee, if needed, is to be pre-authorized in writing by the Human Resources Department using the County's authorized health care provider. This reporting requirement will be waived, however, in emergency situations when delay could jeopardize the employee's health or safety. In this event, treatment should be obtained at the nearest available facility.

PERSONAL APPEARANCE AND DEMEANOR

- 19.1 Employees are required to behave in a professional, business-like manner, and to dress in a clean, neat manner appropriate to the individual needs of each Department. Clothing, footwear, jewelry, and other accessories must not pose a safety hazard. Employees must practice good personal hygiene and grooming that is respectful of other employees and the general public. Each Department Head will be responsible for seeing that employees within that Department are appropriately attired and in compliance with this policy.
- 19.2 Employees whose job or work assignments require uniforms, protective clothing, or equipment must wear such attire when necessary or as required.

COUNTY PROCEDURES

20.1 Keys and Keyless Entry System:

The Department Heads will determine which employees are to be issued keys (including electronic keys) for entry into County buildings and offices. Keys may only be obtained by an employee with the permission of the Department Head. Keys will be issued by the Department Head, or by maintenance with written permission from the Department Head.

Employees are to turn in their keys to their Department Head or Human Resources on their last day of employment who will in turn get them to Maintenance.

The unauthorized duplication or transfer of such keys is strictly prohibited. Keys may only be authorized or duplicated with the written permission of the Department Head.

The loss or theft of a County key must be immediately reported to the Department Head, Administrator and Human Resources Department. The employee to whom a lost or stolen key was issued may be held responsible for its replacement cost.

20.2 Parking:

Each employee is responsible for their own parking arrangements. Any employee using the lots south of the County Building at the corner of Lake and Division Streets and south of the County Jail will be required to display a County-issued sticker permanently affixed to their vehicle. The sticker may be obtained from the Human Resources Department. The Human Resources Department will track the number assigned to each sticker and will retire that number whenever a new sticker is issued to an employee.

20.3 Lost and Found:

Articles found in or around the County building should be taken to the Civil Counsel's Office, and inquiries regarding lost articles should be directed there. Found articles will be held for sixty (60) days before disposal or other appropriate disposition.

ALCOHOL AND DRUG-FREE WORKPLACE

21.1 Policy:

Emmet County has a legal responsibility to provide a safe work environment. Use of illegal drugs, drug dependence and drug or alcohol abuse can seriously impair an employee's work performance and general physical and mental health. To receive a federal grant or contract, Emmet County must ensure employees are free from drug dependence, illegal drug use or drug or alcohol abuse. This procedure has been developed to ensure an employee's fitness for duty as a condition of employment and to ensure drug tests are ordered based on a reasonable and objective cause, following an established written policy and procedure.

Illegal drugs, marijuana and alcohol in the workplace present a danger to us all. Drugs and alcohol impair safety and health, lower productivity, work quality, and undermine public confidence. Emmet County will not tolerate the illegal use of drugs.

Effective immediately, all Emmet County premises, including work sites and vehicles, are declared to be alcohol and drug-free workplaces.

No employee shall manufacture, possess, sell, distribute, dispense, use or be impaired by alcohol, marijuana or illegal prohibited drugs on Emmet County property, while on Emmet County business, while in an Emmet County vehicle, or during working hours, including rest and meal periods. "Illegal prohibited drugs" are those substances that are illegal to sell or possess under state or federal law (which, currently would include marijuana, as marijuana is illegal under federal law) and those drugs which require a prescription if the employee does not possess a valid prescription.

21.2 Reporting Criminal Convictions:

Any employee convicted of violating a criminal drug statute must inform Human Resources and their Department Head (including plead guilty and nolo contendere) within five (5) days of the conviction. Failure to so inform Emmet County subjects the employee to disciplinary action, up to and including termination for the first offense.

21.3 Testing:

It is the policy of Emmet County that it may require the employee to submit to PBT, urine or blood testing on the following to ensure a drug-free workplace:

1. Applicants who have received a conditional offer of employment.
2. Immediately after an employee returns after a suspension for violation of the Alcohol and Drug Policy.
3. As part of an employee's reinstatement after successfully completing an alcohol or drug rehabilitation program.
4. Any employee, post workplace property damage accident.
5. Any employee, post workplace accident resulting in injury or illness if the employee's supervisor and/or Human Resources determine there is a reasonable possibility that employee drug or alcohol use caused or could have contributed to the reported accident.
6. Random/Periodic: Employees whose job duties fall under the United States Department of Transportation (DOT) will be subject to random testing. Random testing is defined as

unscheduled and unannounced and random in nature. Random testing of non-DOT regulated employees may also occur.

7. Any employee, for reasonable suspicion. An employee may be required to submit to an alcohol and/or drug test if the County has evidence that the employee is using, has used, and/or may have been involved in the use, sale, purchase, solicitation, possession or transfer of a drug or alcohol on County owned property, while on duty, or while operating a vehicle or potentially dangerous equipment owned, leased, or rented by the County in violation of this policy. The evidence must be from specific objective facts and reasonable inferences drawn from those facts in light of experience. The decision to test may be based upon any one of the several factors a combination of factors observable at work, such as behavior, appearance, conduct, and significant deterioration on work performance, or information provided by law enforcement agencies and/or a reliable and credible source of information.

In the event that an employee is observed exhibiting behaviors or visible apparent signs of drug, alcohol or other controlled substance abuse, the following process will be followed.

- a. At the time the behavior is observed, the supervisor or authorized representative of the County will complete a Reasonable Suspicion Observation Form.
- b. That form will then be reviewed by a Department Head or other authorized representative of the County.
- c. If the behavior is confirmed, the form is turned into and reviewed by Human Resources and the County Administrator. If in agreement, Human Resources with the County Administrator's approval, will call the Sheriff to request a PBT for alcohol or, the person will be transported by a Sheriff's deputy to the County's medical provider for drug testing.
- d. The employee under observation and being tested will be suspended without pay pending the outcome of the test results.
- e. The County reserves the right to search and inspect employees, their personal belongings and their work areas whenever there is reasonable suspicion that an employee may be in violation of this policy.

21.4 Drug Testing Protocol:

1. This protocol applies to Emmet County's requests for submission of either a urine or a blood specimen.
2. Emmet County shall be solely responsible for all costs incurred in conjunction with the securing of all of the required specimen(s) and the necessary laboratory analysis and report(s).
3. Emmet County shall have the responsibility for initially selecting a laboratory that will properly conduct the drug test and furnish reliable results. The laboratory selected must also provide the ancillary services needed, including specimen retention of "positive" samples for at least six (6) months. The laboratory shall have the capability of timely (within forty-eight (48) to seventy-two (72) hours after specimen collection) providing hard-copy reports of specimen analysis results.
4. Emmet County shall make the necessary advance arrangements for approved medical collection of the urine/blood sample by qualified medical personnel in an agency-

approved setting in a medical office, clinic or lab. Sample collection and testing shall take place upon the employee/applicant's receipt of notice from Emmet County of a drug test request. The notice to the employee/applicant shall be verbal with written confirmation.

5. The medical facility's personnel credentials and procedures shall be reviewed in order to satisfy the need for a proper "chain of custody" and to minimize the risk of an adulterated sample.
6. Emmet County shall have the absolute right to approve or reject the selection of a laboratory to conduct the testing on urine or blood specimens collected.
7. Testing will adhere to an acceptable chain of custody procedure as defined by state law and DOT regulations. The employee/applicant shall cooperate with the arrangements and procedure necessary to assure thorough "chain of custody" documentation in order to positively link the employee/applicant's sample to the ultimate test result. Documentation shall be required to include signatures, dates and times of all persons who handle the specimen from the time the specimen(s) are collected until results are reported and what actions were taken in each step of the specimen and testing process.
8. The employee/applicant shall sign whatever form is necessary to authorize the clinic, medical facility and/or doctor's office and the laboratory to disclose the test results immediately to Emmet County. The employee/applicant's refusal to sign the form and/or the employee/applicant's withdrawal or rescission of previously executed authorization shall constitute a violation of this Policy and is a basis for immediate termination of the employment relationship, or withdrawal of contingent offer of employment.
9. If the test results from a first test are positive, the employee/applicant may be asked to provide a list of prescription and over-the-counter medication the employee/applicant is taking at the time of testing. The purpose of requiring this list of medications shall be to identify possible causes of "false positives" due to a "cross-reactivity" with the medications that the employee/applicant is taking. A copy of the results of the drug test shall be furnished to the employee/applicant immediately upon request.
10. Emmet County shall treat the drug test results as highly confidential information. It shall file drug test results in the same manner in which it files other confidential medical data about employees and/or applicants.
11. Emmet County shall ensure the confidentiality of drug test results and shall protect against the unauthorized disclosure of test results both internally and outside of Emmet County. Within the County, access to the test results shall be restricted to individuals with a "need to know the results".
12. A "positive" result shall not be released or relied upon until a confirmatory test has verified its accuracy. Confidential hard-copy results of testing shall be provided to Emmet County within forty-eight (48) to seventy-two (72) hours after specimen pickup
13. If a test is negative, Emmet County shall pay the employee their normal straight time wages for any period of suspension.

Any employee who tests positive on a drug or alcohol test, who has tampered with a drug or alcohol sample or test or who refuses to submit to a substantiated drug or alcohol test will be discharged.

To assist employees in overcoming drug abuse problems, Emmet County may offer an Employee Assistance Program. (See the Human Resources department for additional information)

SMOKING AND SMOKELESS TOBACCO USE

- 22.1 Smoking is prohibited in and immediately outside the County Building and any other County-owned building, structure or facility under the Emmet County Smoking Pollution Control Ordinance, as amended.
- 22.2 Smoking includes, but is not limited to, the use of cigarettes, cigars, pipes, electronic cigarettes, personal vaporizers, and the like, for the ingestion of tobacco or any other substance.
- 22.3 Smoking is prohibited in any County vehicle.
- 22.4 For those employees whose job duties require entry onto private property, smoking is prohibited while on duty on private property.
- 22.5 The use of oral tobacco, such as smokeless or “spit tobacco,” is prohibited in and immediately outside of any County facility, in any County vehicle, and while on duty on private property.

DISCIPLINE

- 23.1 The County may, but is not required to, use an oral warning, written warning, suspension, performance improvement plan, or other corrective action tools prior to discharging any employee. While the County may use an oral warning, written warning, and suspension in a progressive manner prior to discharge, The County’s use of progressive discipline depends on the facts and circumstances at issue. No employee has any right to any particular level of discipline for any particular rule violation or other misconduct, or to progressive discipline. Rather, the County will utilize the corrective action it deems best fits the facts and circumstances for each incident.

The County will provide employees with written notification of the potential for disciplinary action and the opportunity to respond to any allegations raised in the notification. Both the notice and the response will be placed in the employee’s personnel file.

A written record of all corrective action, including oral warnings, shall be placed in the employee’s personnel file.

Nothing herein in any way alters the **AT WILL** employment relationship between each employee and the County.

- 23.2 Appeals Procedure:

It is recognized that employees may have questions or concerns arising from the application or interpretation of County policies as they apply to evaluation of their work product or behavior. It is further recognized that the resolution of these questions and problems is important to a fair,

productive and engaged work environment. Therefore, it is the policy of the County to provide a procedure for the appeal of a disciplinary action.

1. BARGAINING UNIT employees:

The grievance procedures contained in applicable collective bargaining agreements will cover bargaining unit members.

2. NON-BARGAINING UNIT employees:

Step 1:

An employee must present their appeal within ten (10) working days after the employee receives the discipline or is made aware of the basis for the appeal.

Normally, the employee is expected to discuss the appeal with their Department Head and outline a proposed resolution. If the matter is not resolved, the Department Head is to provide the employee with a written acknowledgment, signed and dated by the Department Head, stating that the appeal process has been initiated.

Step 2:

If the appeal is not resolved at Step 1, the employee may submit the written appeal to the Human Resources Director who will work with the Department Head and attempt to resolve the issue within ten (10) working days of receiving the unsatisfactory resolution. At this step, the Human Resources Director will make the County Administrator aware of the appeal.

Step 3:

If the appeal is not resolved at Step 2, the employee may submit the written appeal to the Administrator within ten (10) working days after the failure to resolve at Step 2.

The Administrator is to sign and date the form and submit a response within ten (10) working days.

The County Administrator's decision is the final step in the appeals process.

An employee of an elected Department Head may not submit an appeal beyond Step 2 if it is determined by the Administrator in consultation with the Department Head that the subject matter of the appeal is solely within the statutory power of the Department Head.

Nothing herein in any way alters the **AT WILL** employment relationship between each employee and the County.

SEPARATION FROM EMPLOYMENT

24.1 Resignation:

An employee who wishes to resign should submit a written notice to their Department Head at least two (2) weeks before their last day of work. That notice should be forwarded to Human

Resources. The notice will be filed in the employee's personnel file. County benefits end at midnight on the date of resignation.

The resignation date stated in the written notice is the date of the employee's termination of employment with Emmet County. The employee will receive payment on their last paycheck for unused but earned and accrued vacation and prorated General Leave. Using accrued, earned or prorated leave and remaining on payroll is not allowed.

24.2 Termination of Employment:

If an employee's employment with the County is terminated by the County, the termination date is the last day worked by the employee. The employee will receive payment on their last paycheck for unused but earned and accrued vacation and prorated General Leave. County benefits end at midnight on the date of termination of employment.

24.3 Retirement:

An employee who is planning to retire should notify their Department Head in writing at least thirty (30) days in advance of their retirement date. That notification should be sent immediately to Human Resources for the completion of any necessary actions or paperwork.

In the event an employee retires from their County position, the last day worked in the office is the date of their retirement and the termination of their employment with Emmet County. They will receive payment on their last paycheck for unused but earned and accrued vacation and prorated General Leave. Using accrued, earned or prorated leave and remaining on payroll is not allowed.

24.4 Exit Interview:

Each employee leaving employment with the County will be provided an exit interview by Human Resources to complete and return. The results of the exit interview will be shared with the Administrator.

24.5 Return of Property:

All County property in the possession or custody of the employee including, but not limited to, uniforms, keys, identification cards, badges, parking stickers, and cell phones, must be returned to the Department Head or Human Resources Department at the end of the last day worked.

LEAVE

25.1 Vacation:

Full-time, regular non-bargaining unit employees will receive vacation according to the following schedule:

<u>Years of service</u>	<u>Days of Vacation per year</u>
1	5 (40 hours)
2-4	10 (80 hours)
5-9	15 (120 hours)
10-19	20 (160 hours)
20 or more	25 (200 hours)

Part-time, regular employees working will receive vacation time based on the number of hours worked in the preceding year.

Temporary and/or seasonal employees are not eligible for leave benefits.

Vacation days are credited to an employee on the employee's anniversary date. Employees may only earn days for the previous year and current year. The previous year's vacation time must be taken before the employee's anniversary date. An employee may not waive vacation time and take vacation pay instead. Vacation time may not be taken before it is credited.

Employees may carry up to 40 hours of vacation time into the following year. No more than 40 hours of vacation carryover will be allowed. All other unused vacation time will be forfeited.

Employee should submit their requests for vacation through the County time keeping system at least 14 days in advance. Department Heads reserve the right to approve or decline vacation requests based on maintaining staffing levels to complete the work of the unit.

Vacation time may be used in increments of one-quarter hour or more.

An employee will be paid for vacation days at their current rate of pay for what would have been their regular scheduled workday.

Each Department Head will schedule vacation on a first-come-first-served basis or at their discretion to ensure adequate staffing of the Department. Employee requests for vacation should be approved or denied within five (5) days of the notice.

25.2 General Leave:

On December 1 of each year, full-time non-bargaining unit employees will be credited with 96 hours of General Leave to use between December 1 and November 30 of the calendar year. Employees hired mid-year will be credited with General Leave on a pro-rated basis for the balance of the period. General Leave may not accumulate or carry over from year to year.

Upon termination from employment, unused General Leave will be paid out on a pro rata basis at the employee's regular rate of pay.

If General Leave is not used by November 30th, an incentive will be paid, for up to 40 hours of unused General Leave, on or about December 10th of each year at the employee's normal rate of pay. This incentive will be paid out based on each employee's General Leave bank balance as of December 1.

The terms for payout of General Leave set forth in a union contract will apply to employees covered by that union contract.

General Leave may be used in increments of one-quarter hour or more.

Requests for General Leave should be submitted through the County timekeeping system to the Department Head at least twenty-four (24) hours in advance, or if advance notice is not possible, as soon thereafter as possible.

This leave grant satisfies the requirements of the Paid Medical Leave Act for full-time employees

25.3 Personal Leave and Float Leave:

Full-time, regular non-bargaining unit employees will receive eight (8) hours of Personal Leave and 24 hours of Float time per calendar year. Personal and Float time may not be used for tardiness and may not accumulate or carry over from year to year. Personal and Float hours may be used in conjunction with vacation time or holidays if staffing levels are adequate.

Upon termination of employment, there will be no pay out for unused Personal and/or Float hours.

Requests for Personal or Float hours should be submitted through the County timekeeping system to the Department Head at least twenty-four (24) hours in advance.

25.4 Paid Medical Leave Act Leave:

Eligible Employees as defined under the Michigan Paid Medical Leave Act, 2018 PA 369 (the "MPML Act"), who are not eligible for General Leave under this Policy may be eligible to receive paid medical leave as provided and required by the MPML Act. Posters from the Department of Licensing and Regulatory Affairs have been posted by Emmet County, setting forth the eligibility requirements, medical leave rights and remedies under the MPML Act. This may currently include certain regular part-time Emmet County employees who work twenty-five (25) hours per week on average but are who are not eligible for General Leave as defined in this Policy. In addition, the following parameters apply to MPML Act paid medical leave:

1. MPML Act paid medical leave may only be taken by eligible employees for the reasons set forth in the MPML Act. Emmet County employees eligible to participate in General Leave are not eligible for additional MPML Act paid medical leave, even if General Leave has been exhausted by the employee.
2. Eligible Employees shall accrue MPML Act paid medical leave at the rate of one (1) hour for every thirty-five (35) hours worked for a maximum cumulative accrual of one (1) hour per week and forty (40) hours during the benefit year. Accumulation of MPML Act paid medical leave is limited; that is, the amount carried forward may not exceed forty (40) hours. Hours above this amount will be forfeited and are not compensable. MPML Act paid medical leave is not compensable upon separation of employment.
 - a. Newly hired Eligible Employees may utilize accrued MPML Act paid medical leave as it is reflected on the employee's most recent pay stub.
 - b. MPML Act paid medical leave must be used in fifteen (15) minute increments.

- c. Eligible Employees who request MPML Act paid medical leave must submit a request to their immediate supervisor or designee, including reasons for the request. Utilization of MPML Act paid medical leave due to qualifying illness may require verification from a physician as determined Emmet County and is subject to the leave provisions of Section 25 of this manual and the MPML Act. Eligible Employees will be provided no less than three (3) days to provide such documentation.

25.5 Unpaid Leave:

A full-time, regular employees may be eligible, in exceptional circumstances, for an unpaid leave of absence of up to thirty (30) days for reasons not covered by the Family and Medical Leave policy. The employee may not accrue vacation or other paid leave during the period of the unpaid leave of absence. Employees' time on unpaid leave does not count towards years of service or benefit eligibility.

The employee should submit a written request to the Department Head at least thirty (30) days in advance of the leave. The Department Head, after consultation with Human Resources who will in turn consult the Administrator, will respond in writing within ten (10) working days after receipt of the request either approving or denying the request.

Except as otherwise provided in this policy manual or under COBRA or other applicable law, an employee on an unpaid leave of absence will be responsible during the period of the leave to pay any premium necessary to continue insurance coverage or the coverage will be allowed to lapse.

25.6 Bereavement Leave:

Full-time, regular non-bargaining unit employees will be permitted, upon notice to the Department Head, to be absent from work without loss of pay, upon the occurrence of the death in the immediate family of the persons named below:

1. Five (5) consecutive working days (40 hours) upon the death of the employee's spouse, domestic partner, child, stepchild, mother, father, or stepparent, or adult who stood in loco parentis to the employee during childhood.
2. Three (3) consecutive working days (24 hours) upon the death of the employee's sister, brother, grandchild, mother-in-law or father-in-law.
3. One (1) working day (8 hours) upon the death of the employee's grandparent, brother-in-law or sister-in-law.

If additional time is needed, the employee may use personal/float days, general leave, or vacation time.

Domestic partner relationships must be supported by an executed affidavit confirming that relationship.

If an employee is absent under this provision while on vacation, upon advance notice to the Employer, the employee's vacation time shall be credited with such funeral leave days.

Part-time, regular employees will be permitted bereavement leave based upon the average number of hours per day compensated in the immediately preceding ten (10) working days. Temporary employees will be permitted bereavement leave without pay.

Requests for bereavement leave should be done electronically through the NovaTime timekeeping system.

25.7 Military Leave:

Full-time and part-time, regular employees will be granted leaves of absence for United States military or naval duty, including reserve duty, in accordance with applicable federal and state laws. An employee must provide advance written or verbal notice of active military or naval duty, or reserve duty, to the Department Head unless giving notice is impossible, unreasonable or precluded by military necessity. Such leave will be unpaid except that the employee may (but is not required to) use accrued vacation or other accrued paid leave while performing military duty. Continuation of the employee's health care and retirement benefits, and the employee's eligibility for reinstatement after the completion of military or naval duty or training, will be determined in accordance with applicable federal and state laws.

25.8 Court Appearances and Jury Duty:

An employee summoned for jury duty or subpoenaed to appear in court proceedings for County-related business will be permitted to be absent for such court appearances without loss of pay, provided the employee submits all court per diem payments to the Accounting Department.

With any type of court appearance, the employee must make every effort to return promptly to work. Failure to do so may result in the denial of pay for the time off as determined by the Department Head.

An employee may take personal/float days, general leave, or vacation time, if subpoenaed to attend court proceedings unrelated to County business or for private matters. If no paid leave is available to the employee, he or she may be granted unpaid leave for this purpose.

The employee is to notify the Department Head of a jury summons or subpoena as far in advance as possible of the expected absence and give an estimate of the length of the absence. A copy of the jury summons or subpoena is to be provided to the Department Head and placed in the employee's personnel file.

25.9 Holidays:

Full-time, regular non-bargaining unit employees will be given time off with pay on the following days:

New Year's Day (January 1)
Good Friday
Memorial Day (as celebrated nationally)
Independence Day (July 4)
Labor Day (1st Monday in September)
Thanksgiving Day (4th Thursday in November)
Day after Thanksgiving
Christmas Eve (December 24)
Christmas Day (December 25)
New Year's Eve (December 31)

Part-time, regular employees will receive time off with pay based upon the average number of hours per day compensated in the immediately preceding ten (10) working days. New hires will be paid for a holiday only if employed the day before and the day after the holiday.

With the exception of those positions subject to a 24/7 schedule, when a holiday falls on a Saturday the preceding Friday will be considered the holiday; or, if it falls on a Sunday, the following Monday will be considered the holiday, except Christmas Eve when the preceding Friday will be considered the holiday.

Holidays for employees subject to a 24/7 schedule, or regularly working a work week other than Monday through Friday, 8:00 a.m. to 5:00 p.m., will be adjusted in accordance with their schedules.

If an employee is on unauthorized leave or unpaid leave on the workday immediately preceding or immediately following the holiday, he or she will not receive holiday pay.

An employee scheduled to work on a holiday will be paid holiday pay plus time and one-half for all hours actually worked.

25.10 Accumulation of Fringe Benefits:

Vacation, holidays, personal leave, and other fringe benefits (unless otherwise stated) will not accumulate while an employee is on leave of absence or laid off. However, a leave of absence will not be considered an interruption of continuous service for the purpose of eligibility for such benefits after return to work.

FAMILY AND MEDICAL LEAVE

26.1 It is intended that the Employer's policy concerning leaves of absence will comply with the Family and Medical Leave Act of 1993 (FMLA).

1. 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 an unpaid 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 first FMLA leave begins. The 12 months of employment do not have to be consecutive as long as the break in service is less than 7 years. Time spent on military leave is counted as hours worked.

When a request for FMLA leave is made, the County will advise the employee of the employee's eligibility and the employees' rights and responsibilities.

The Employer reserves the right to place an employee on FMLA leave for absence related to the conditions set forth below. Employees are required to complete FMLA paperwork for any leave (paid or unpaid) related to the reasons below.

The request must be in writing, must give the reason for the request and must give the expected duration of the leave. The leave may be taken for the following reasons:

- a. A serious health condition that makes the employee unable to perform the functions of their position.
- b. In order to care for the employee's spouse, child or parent if the person being cared for has a serious health condition.
- c. Because of the birth of a child of the employee and in order to care for the child within twelve (12) months of the child's birth.
- d. Because of the placement of a child with the employee for adoption or foster care and in order to care for the child within twelve (12) months of the child's placement.
- e. For any "qualifying exigency" (as defined by the Secretary of Labor) arising out of the fact that the spouse, son, daughter or parent of any employee is on active duty (or has been notified of an impending call order to active duty) in the Armed Forces in support of a contingency operation.

26.2 Military Caregiver Leave:

An employee also may be eligible for up to 26 weeks of unpaid Military Caregiver Leave during a single 12-month period (begins on the first day an eligible employee takes Military Caregiver Leave and ends 12 months after that date) to care for a spouse, son (of any age), daughter (of any age), parent (not parent-in-law) or next of kin who is:

1. A current member of the Armed Forces, including the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness which has occurred in the line of duty (or for a pre-existing injury or illness which has been aggravated in the line of duty) and that renders the service member medically unfit to perform the duties of their office, grade, rank or ratings; or
2. A veteran who was a member of the Armed Forces, including the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness that occurred in the line of duty (or for a pre-existing injury or illness which was aggravated in the line of duty) at any time within 5 years preceding the treatment, recuperation or therapy. A covered veteran incurs a serious illness or injury for the purposes of this policy when one of the following occurs:
 - a. The injury or illness makes him or her medically unfit to perform the duties of their office, grade, rank or rating.
 - b. Causes the veteran to have a VA Service Disability Rating at 50% or greater.

- c. Is a mental or physical Condition that substantially impairs their ability to obtain gainful employment.
- d. The VA enrolls the employee in the Department of Veteran Affairs Program of Comprehensive Assistance for Family Caregivers.

Military Caregiver Leaves applies on a per-covered service member, per-injury basis, so that an employee may be eligible to take more than one 26-week period of Military Caregiver Leave. However, no more than 26 weeks of leave may be taken within any 12-month period. This single 12-month period begins on the first day an eligible employee takes Military Caregiver Leave (as long as it was within 5 years of the covered service member's active duty) and ends 12 months after that date. During this single 12-month period, an employee's FMLA leave entitlement is limited to a combined total of 26 workweeks for any and all FMLA qualifying reasons. This means that if an employee also has some other FMLA-qualifying event in that 12-month period (for example, birth of a child, or the employee's own serious health condition), their total amount of FMLA leave during that 12-month period is still limited to 26 weeks. This also means that even if the service member's recovery lasts longer than the initial 12 months, the 26 weeks of service member FMLA cannot be "renewed", and the employee would not be eligible for an additional 26 weeks of service member FMLA in the following 12-month period.

Emmet County may require a certification by the service member's health care provider.

26.3 FMLA Leave Definitions:

1. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.
2. "Inpatient care" means an overnight stay in a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with the inpatient care.
3. "Incapacity" means inability to work, attend school, or perform other daily activities due to a serious health condition or treatment for it or recovery from it.
4. "Continuing treatment" includes one or more of:
 - a. A period of incapacity of more than 3 consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves:
 - i. Treatment 2 or more times within 30 days by a health care provider, nurse supervised by a health care provider, or health care services provider (e.g., physical therapist) ordered or referred by a health care provider, unless there are extenuating circumstances beyond the employee's control that prevent a follow-up visit, such as inability of the health care provider to schedule an appointment within 30 days; or
 - ii. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider.
 - iii. Treatment by a health care provider above means an in-person visit to the health care provider within 7 days of the first day of incapacity. Additional treatment visits or a regimen of continuing treatment within the 30-day period is to be determined by the health care provider.

- b. Pregnancy or prenatal care for any period of incapacity (even if there is no treatment by a health care provider during the employee's absence).
 - c. Chronic serious health condition for any period of incapacity or treatment (even if there is no treatment by a health care provider during the employee's absence) which:
 - i. Requires periodic visits at least twice a year for treatment by a health care provider or nurse supervised by a health care provider; or
 - ii. Continues over an extended period of time, including recurring episodes of a single underlying condition; and
 - iii. May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
 - d. A period of incapacity which is permanent and long-term under supervision of a health care provider due to a condition for which treatment may not be effective (e.g., Alzheimer's, severe stroke, terminal stage of a disease).
 - e. A period of absence to receive multiple treatments by a health care provider or health care services provider ordered or referred by a health care provider for:
 - i. Restorative surgery for an accident or injury, or
 - ii. A condition that would likely result in a period of incapacity of more than 3 consecutive, full calendar days in the absence of medical intervention treatment (e.g., cancer for chemotherapy or radiation, severe arthritis for physical therapy, kidney disease for dialysis).
5. Circumstances Not Qualifying as a Serious Health Condition. Routine preventative physical, eye, and dental exams are excluded. Conditions for which cosmetic treatments are administered (e.g., most treatments for acne or plastic surgery) are not serious health conditions unless inpatient hospital care is required, or complications develop. Ordinarily, the common cold, earaches, upset stomach, minor ulcers, and non-migraine headaches are not serious health conditions and do not qualify for FMLA leave. A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin or salves, bed rest, drinking fluids, exercise, and similar activities that can be initiated without a visit to a health care provider, is not sufficient to constitute a regimen of continuing treatment for FMLA purposes.

26.4 Intermittent or Reduced Leave Schedule. FMLA leave may be taken intermittently or on a reduced leave schedule under the following circumstances:

- 1. For a qualifying exigency that arises when a spouse, son, daughter, or parent is on or has been called to covered active duty in the Armed Forces.
- 2. When it is medically necessary because of the employee's own serious health condition, or to care for a spouse, son, daughter, or parent with a serious health condition, or to care for a covered service member with a serious injury or illness (Military Caregiver Family Leave).

An employee must make a reasonable effort to schedule the treatment(s) so as not to unduly disrupt the Employer's operations.

An employee who requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment may be temporarily transferred to an alternative position with equivalent pay and benefits.

Unless the Employer agrees, leave for the birth or placement of the employee's child, or to care for the child within twelve (12) months of the child's birth or placement, may not be taken intermittently or on a reduced leave schedule.

26.5 Notification Requirements:

When the need for leave is foreseeable, employees must provide 30 days' advance notice. If 30 days' advance notice is not given for foreseeable leave, the Employer may require the employee to explain the reasons why the notice was not practicable and may delay the start of the FMLA leave. When leave is needed for planned medical treatment, the employee must attempt to schedule treatment so as not to unduly disrupt the Employer's operations.

When the need for leave is not foreseeable, employees must provide notice of the need for leave as soon as practicable. Generally, it should be practicable for the employee to provide notice of the need for leave either the same day or the next business day.

Employees are expected to follow all applicable notice requirements established by the Employer for leave requests in general.

The notice must give enough information about the leave to permit the County to designate the leave as FMLA-qualifying. When the County has enough information to determine that the leave is for an FMLA-qualifying purpose, it will notify the employee within 5 business days, absent extenuating circumstances, that the leave will be designated and counted as FMLA leave.

When leave is taken for the birth or placement of the employee's child or to care for the child within twelve (12) months of the child's birth or placement, and the leave is foreseeable based on the expected birth or placement, the employee must provide not less than thirty (30) days' notice before the date the leave is to begin. If the date of the birth or placement requires the leave to begin in less than thirty-(30) days, the employee must provide such notice as is practicable.

26.6 Medical Certification:

When leave is taken for the employee's serious health condition, or to care for a seriously ill spouse, child or parent, the Employer will require certification issued by the health care provider of the employee or of the spouse, child or parent of the employee, as appropriate. This certification must include the date the condition began, its probable duration, appropriate medical facts within the knowledge of the health care provider regarding the condition, and a statement that the employee is unable to perform their job function or is needed to care for a sick family member for a specified time.

The County requires that an employee's request for Military Caregiver Family Leave or for leave for a qualifying exigency in connection with active-duty military service be supported by appropriate certification. Employees must use forms provided by the County (or authorized by law) for this purpose.

For leave taken intermittently or on a reduced leave schedule, further certification requirements are as follows:

1. When there is planned medical treatment, the certification must include the dates on which treatment is expected and its duration.

2. When leave is taken for the employee's serious health condition, the certification must include a statement of the medical treatment necessary for such leave and its expected duration.
3. When leave is taken to care for a seriously ill family member, the certification must include a statement that such leave is necessary for the care of the family member who has a serious health condition or will assist in their recovery, and the expected duration and schedule of the leave.

26.7 Second and Third Opinions; Recertification:

The County may require, at its own expense if not covered by insurance, a second medical opinion from a health care provider designated by the County, but not employed on a regular basis by the County. In the event of a dispute concerning the second certification, the County may require, at its own expense if not covered by insurance, a third opinion from a health care provider. The employee and County must agree on the selection of the third health care provider whose opinion is binding on both parties. The County may require that the employee obtain subsequent recertification on a reasonable basis.

26.8 Return Rights:

Upon return from a leave taken for a reason listed, the employee will be returned to their former position or to a position equivalent in pay, benefits, and other terms and conditions of employment. In all other circumstances, the employee is not guaranteed that he/she will be restored to their former position or to an equivalent position. The decision will be at the discretion of the County.

An employee who is returning from being off work because of their own serious health condition must provide a fitness for duty certificate verifying that he or she is able to perform the essential functions of their job. Failure to provide that certificate will result in the delay of the restoration of the employee's job and may result in the denial of the restoration of that employee's job. This fitness for duty requirement shall not apply to most types of intermittent leave.

26.9 Return Rights for Military Leave:

The County shall observe the provisions of the federal and state law regarding re-employment rights and leaves of absence in accordance with federal and state statutes.

26.10 Wages and Benefits:

Leave will be unpaid except as covered by any accrued vacation, general leave, personal, floating holidays, or paid time off, or disability or workers compensation benefits, if applicable. During any unpaid leave, accruals for all paid time off will cease. The employee's leave balances will be adjusted accordingly upon their return to work.

For up to 12 weeks, the County will maintain the employee's group health insurance coverage under the applicable group health plan. Any employee contributions to the health plan must be maintained during the leave to continue coverage. Failure to make such contributions may result in cancellation of the health care coverage upon 15 days' written notice to the employee. The County will not continue cash supplements to employees who receive medical insurance from another source during an FMLA leave.

Employees who fail to return from a leave will be obligated to reimburse the County for the cost of health coverage, except when the employee's failure to return is due to the continuation, recurrence or onset of a serious health condition which would entitle the employee to medical or family leave, or other circumstances beyond the employee's control.

Any other benefit coverage which the employee wishes to maintain during FMLA leave is the responsibility of the employee. Failure to make the necessary contributions may result in cancellation of the benefit coverage.

26.11 Coordination with Other Types of Leave:

All leave time which qualifies as FMLA leave will run concurrent with the employee's annual FMLA entitlement. For example, when leave is taken due to the employee's serious health condition which qualifies for worker's compensation or disability benefits, that leave will run concurrent with the employee's annual FMLA entitlement. Likewise, if an employee takes paid leave, including personal leave, general leave or vacation, for a purpose covered by the FMLA, the paid leave will run concurrent with the employee's annual FMLA entitlement.

The requirements in this Section will apply even when the employee fails to designate the leave as FMLA-qualifying at the time the leave is requested or taken. In any circumstance when the County does not have sufficient information about the reason for an employee's use of paid leave, the County may inquire further of the employee or the employee's spokesperson to ascertain whether the paid leave is potentially FMLA-qualifying.

FMLA leave is coordinated with other existing forms of paid leave as follows:

1. Work-related serious health condition. When FMLA leave is used for the employee's serious health condition which is covered by the Worker's Disability Compensation Act, the provisions of the Act will apply.
2. Other serious health condition of employee. When FMLA leave is used for the employee's serious health condition not covered by a County disability plan, the employee is required to substitute accrued paid leave, including personal leave, general leave and vacation. The employee may choose the order in which to substitute the types of accrued paid leave.
3. Serious health condition of child, spouse or parent. When FMLA leave is used to care for a family member with a serious health condition, the employee is required to substitute accrued paid leave, including personal leave, general leave and vacation. The employee may choose the order in which to substitute the types of accrued paid leave.
4. Birth, adoption or foster care of a child. When FMLA leave is used for birth or care of a child, the employee is required to substitute accrued paid leave, including personal leave, general leave and vacation. The employee may choose the order in which to substitute the types of accrued paid leave.
5. Military Caregiver Family Leave or qualifying exigency. When leave is Military Caregiver Family Leave or used for a qualifying exigency in connection with active duty military service, the employee is required to substitute accrued paid leave, including

personal leave, general leave and vacation. The employee may choose the order in which to substitute the types of accrued paid leave.

26.12 Application of County's Paid Leave Policies:

The substitution of paid leave for unpaid FMLA leave shall be determined in accordance with the terms and conditions of the County's applicable paid leave policies, including, but not limited to, the County's policies covering the increments in which paid leave may be taken, and the procedural requirements for granting paid leave, such as notice and approval requirements. Paid leave may not be substituted for leaves that are covered by paid disability benefits.

Periods of unpaid leave will not be treated as credited service for purposes of benefit accrual, vesting or eligibility to participate in a benefit plan.

26.13 Termination of FMLA Leave:

An employee's FMLA leave and accompanying benefits will terminate under the following circumstances:

1. The employment relationship would have terminated if the employee had not taken FMLA leave;
2. The employee informs the County of their intent not to return from leave;
3. The employee fraudulently obtains FMLA leave; or
4. The employee fails to return from leave or continues on leave after exhausting their FMLA leave entitlement, unless permission to do so has been granted by the County in writing.

26.14 Policy Administration and Interpretation:

In all respects, leaves of absence under this policy shall be administered and provided for in a manner consistent with the Family and Medical Leave Act of 1993, as amended, and its published regulations. This policy is only a summary of important provisions of the law and may not cover every possible situation. If you have questions regarding FMLA leave that are not covered by this policy, please contact Human Resources.

INSURANCE

27.1 Life Insurance:

All full-time, regular employee will receive life and accidental death and dismemberment insurance as of their date of hire. For purposes of this benefit, "full time" is defined as working for the County a minimum of 30 hours during the regular workweek. Unless otherwise provided by separate contract, coverage will be in the amount of \$50,000 with double indemnity for accidental death and dismemberment.

Upon termination of employment, life insurance coverage will terminate. A disability waiver and conversion option may be available.

27.2 Cafeteria Plan:

The County offers a Section 125 cafeteria plan. Employees may select certain benefits, including, but not limited to, various optional health insurance plans, additional life insurance for the employee, their spouse and/or dependents, dependent care reimbursement, medical reimbursement, cancer insurance, accident insurance, specified health event plan, hospital intensive care plan, and hospital confinement indemnity. An employee may also make selections at their own expense.

27.3 Health Insurance:

Group health insurance coverage, including dental and optical coverage, is available to regular, full-time employees, effective on the employee's date of hire, as provided in the applicable collective bargaining agreement or, in the case of non-bargaining employees, as approved by the County Board of Commissioners. For purposes of this benefit, "full-time" is defined as working for the County a minimum of 30 hours during a regular workweek or as defined in the Affordable Health Care Act.

An employee may waive such health insurance coverage by the County only if the employee is covered by another qualified health insurance plan, separate from the County's plan. Employees choosing to waive health insurance coverage must present proof of the alternative insurance to the Human Resources Department and sign a written waiver. Employees who provide proof of health insurance coverage through a different qualified insurance carrier may receive an "opt out" payment of \$400.00 per month.

Except as otherwise provided in this policy manual or under COBRA or other applicable law, an employee's group health insurance coverage will end at midnight the day of their termination, layoff, retirement or resignation.

An employee who retires from County service may elect to continue their health coverage package, at their own expense, through the County's group health insurance plan under the applicable retiree suffix. Premium payments must be made to the County no later than the due date. For employees participating in the County's defined contribution plan, retirement means that the employee has thirty (30) years of continuous service or is sixty (60) years of age or older. A surviving spouse of an employee may not continue coverage under the retiree suffix after the death of the employee.

No provision in this section is to be construed as denying any person any rights that person may have under COBRA or other applicable law.

27.4 Worker's Disability Compensation Insurance:

In the event of a work-related injury or illness, employees are covered by workers' disability compensation insurance for medical expenses and partial wages. The amount and duration of the benefits payable will depend on the nature of the injury or illness.

Incidents must be reported and medical treatment must be authorized as provided in the Accident and Incident reporting section. All claims for workers' disability compensation must be processed through the Human Resources Department.

When an employee becomes injured or ill on the job so as to qualify for workers' disability compensation insurance wage benefits, and such injury or illness is of insufficient duration to trigger the payment of lost wages under workers' disability compensation, the County will compensate the employee for any lost wages from County employment resulting from the work-related injury or illness.

27.5 Short-Term and Long-Term Disability:

In the event a full-time, regular employee becomes disabled, he or she may be eligible to receive wage benefits under the County's short-term and/or long-term disability plans. For purposes of receiving benefits under these plans, "full-time" is defined as working for the County a minimum of 30 hours during the regular workweek. Applications for disability benefits must be made through the Human Resources Department.

Short-term disability coverage is available to full-time team members from the first day of an accidental injury or from the eighth consecutive day of illness, up to the maximum period of thirteen (13) weeks. The weekly benefit for eligible employees is 66.67% of the employee's base wage, based on a 40-hour week up to a maximum of \$1,500 per week. Employees may use their banked leave time to make up the difference between disability payments and regular wages. Employees are responsible for the employee portion of their benefit premiums while they are on leave.

Long-term disability coverage is available to eligible employees who qualify as disabled after short-term disability is exhausted or ninety (90) days. The weekly benefit for eligible employees is 66.67% of the employee's base wage, with a minimum monthly benefit of \$100 or 10% of the team member's monthly benefit, whichever is greater, and a maximum monthly benefit of \$6,000.

These benefits may be coordinated with other benefits to which the team member is entitled.

Additional information concerning disability benefits is set forth in the policy documents, copies of which are provided to team members by the Human Resources Department during orientation.

27.6 Fitness for Work:

The County will require medical certification of an employee's ability to perform their job upon the employee's return to work from leave for reasons of illness or disability.

RETIREMENT PLANS

28.1 Defined Contribution:

The County will maintain the defined contribution retirement plan currently in effect. Contributions will be made biweekly, in a sum equal to 8% of all the employee's wages, on the normal payroll schedule.

Contributions will be made by the County when the employee has completed the paperwork necessary for enrollment after the completion of one year of service.

Employees may not make contributions to the defined contribution retirement plan.

Non-bargaining unit employees first employed after January 1, 2009, shall be vested in their retirement accounts in accordance with the following schedule:

<u>Years of Vesting Service</u>	<u>Percentage of Vested Account</u>
Less than one year of vesting service	0%
One full year of vesting service	100%

28.2 Deferred Compensation Plan:

Deferred compensation plans are made available for employees' participation. Employees' contributions are made on a pre-tax basis.

28.3 Health Savings Plan:

The County offers its employees a post-employment savings investment account for qualified medical expenses.

28.4 Tuition Reimbursement:

After successfully completing their probationary period, full-time staff are eligible for up to \$1500 annually for tuition reimbursement. Class registration, lab fees and textbooks for courses from an accredited college and which are part of an established degree plan are eligible for reimbursement.

Submission of receipts for qualified expenses and a grade report showing a grade C or better, or for courses that are pass/fail, a pass grade must be received in order for reimbursement to occur. Class time/schoolwork may not detract from the accomplishment of regular County related work duties.

TRAVEL POLICY

29.1 Application:

This policy applies without exception to anyone seeking reimbursement from Emmet County for travel expenses. Limits on travel expenses are approved by the Board of Commissioners.

Per diems for reimbursement for meals while traveling on County business are approved by the Board of Commissioners. Current per day per meal per diems are outlined in the Travel Procedures. Without exception, meal costs in excess of the current per diem allowance will be paid for by the employee. If a County credit card is charged in excess of allowable per diems for meals, those costs will be paid back to the County.

Department Heads are responsible for ensuring compliance with this policy by the employees in their Department.

Those traveling on County business are expected to exercise prudence in incurring expenses.

Travel expenses must be authorized in advance by the Department Head and ensure budget compliance.

29.2 Use of County Credit Cards for Travel Related Expenses:

A credit card may be requested and signed out through the Accounting office to be used for authorized travel expenses. A Credit Card Daily Expense Log for Travel must be completed for all expenses charged to the County credit card while traveling for the County. Reimbursement guidelines, requirements and limits are listed on the log. The form must be for the current year and be completely and accurately filled out with all requisite detailed receipts.

Original receipts must accompany a completed Credit Card Expense Log. Copies of receipts will not be accepted. Charges incurred and not supported by original receipts will default to being paid by the employee.

Dining receipts must include detail/itemized receipt along with the charge receipt. When completing the log, include all charges including any tip that is paid. If the meal exceeds the allowable per diem, that additional expense is paid by the employee incurring the charge. Restaurants do not qualify for tax exemption.

No reimbursements will be made for food/beverages at events where meals are provided.

Charges for alcoholic beverages should not be charged to a County credit card and will not be reimbursed.

Hotel charges must be accompanied by an itemized receipt and should be for the lowest cost of the room only. Room upgrades are not reimbursable and should not be charged to a County credit card. Food charges to the room cannot exceed the per diem rate.

Travelers attending events within the County will not be reimbursed for hotel costs.

No payments or reimbursements will be made for personal expenses such as fees or tips for valets, pressing clothing or cleaning personal articles.

Any deviation from established per diems or rates will only be paid with the approval of the Administrator.

Mileage will be paid only if a County vehicle is not available for use. The notice of non-availability from the County fleet coordinator must accompany your expense form for reimbursement.

29.3 Non-Travel Related Credit Card Expenses:

It is the responsibility of the employee making the charge to produce the County Sales Tax Exemption Certificate for purchases where tax exemption is permitted, on-line or in person. The Exemption Certificate needs to be provided at the time of purchase in order for the tax to be removed. When traveling, produce the Certificate for consideration regardless of in or out of state.

Non-travel related credit card expenses should be submitted on the Credit Card Expense Log for Non-Travel Related Expenses. The form must be completely and accurately filled out with the general ledger account number indicating where the charge is to be expensed as well as all related detailed receipts to be submitted for payment. All purchasing guidelines outlined in the Emmet County Purchasing Manual must be adhered to.

29.4 Use of County Owned Vehicles:

All employees when traveling for County business are required to use a County vehicle. A request must be made to use a County vehicle via the Fleet Coordinator in Administration. Mileage will not be reimbursed unless accompanied by a notice from the Fleet Coordinator that a request for use could not be accommodated.

Fuel should always be purchased with a fuel card (provided by the Fleet Coordinator in Administration) for all travel done in County vehicles. Fuel purchases for fleet pool vehicles are required to be turned in to the Fleet Coordinator. Fuel purchase for department assigned vehicles are not required to turn in fuel purchase receipts.

The use and care of an Emmet County fleet car is the responsibility of the employee that is assigned, or signs-out that vehicle for use for official County business.

Every employee is responsible to make sure that the vehicle they utilize is returned in an acceptable, clean condition. The gas tank should be left with at least $\frac{3}{4}$ of a tank of gas and the interior of the car must be clean and cleared of any debris/trash. Lunch bags, coffee cups, fast food wrappers, used Kleenex, etc., is the responsibility of the employee using the vehicle.

If an employee checks out a County car and finds that it is in an unacceptable condition, please report that to the Fleet Coordinator in Administration. The last employee that utilized the vehicle will be considered the person that left the vehicle in this condition. The responsible employee's Department Head will be contacted and asked to make arrangements to have the vehicle cleared of trash and/or properly cleaned. If an employee repeatedly fails to observe common courtesy when using fleet vehicles, appropriate steps will be taken to correct the problem.

The administrative office staff will not clean off or out the vehicles. Each employee utilizing a County vehicle will be expected to clean up after themselves.

AUTHORIZED DRIVER POLICY

30.1 Purpose:

Emmet County highly values the safety and health of its employees, officials, contractors, and the well-being of its citizenry. Safe operation of motor vehicles by County employees is essential to ensuring that all individuals who are granted the privilege of driving a County vehicle are safe and properly licensed operators. As part of an ongoing loss control program, employees authorized as County drivers will also be subject to periodic driving record reviews to ensure valid licensure and insurability guidelines are met.

This policy applies to all Emmet County employees, elected officials, appointed officials, seasonal, and temporary, volunteers or contract workers, Commissioners and Board members required to drive as a function of their job with Emmet County. This applies to employees driving or operating County vehicles and equipment, as well as authorized County employees operating their personal vehicles for County business.

The County Administrator or their designee has the full authority to determine who shall drive a vehicle on behalf of the County, to establish vehicle operator standards, and to revoke the right to drive on behalf of the County for failure to meet standards.

30.2 Driver Safety Rules:

All County drivers will:

1. Understand that no driver shall operate a County vehicle, or personal vehicle on County business, when their ability to safely do so has been impaired by illness, fatigue, injury, or prescription medication. The operation of a County vehicle or equipment while under the influence of intoxicants and/or other drugs which could impair driving ability is prohibited. (Refer to Alcohol and Drug-Free Workplace Policy)
2. Ensure that they are informed and in compliance of this policy and the associated requirements.
3. Actively participate in the safe maintenance and operation of any vehicle that is driven on behalf of the County.
4. Maintain assigned vehicle's cab, bed and or body in a clean and safe condition.
5. Properly use seat belts and/or other vehicle safety restraints.
6. Follow state and local driving laws and safety rules, including adherence to posted speed limits and directional signs, use of turn signals, and avoidance of confrontational or offensive behavior while driving.
7. Report to Facilities or the Administrator any vehicle safety defect found.
8. Ensures that every accident is reported immediately and thoroughly investigated per state law.
9. Maintain a valid driver's license, insurance and correct endorsement for the type of vehicle assigned/driven.
10. Advise your Department Head or Human Resources immediately of the loss of a valid driver's license by suspension, revocation, or expiration. Loss of a valid driver's license will result in the immediate revocation of the driver's team member authorization to drive on behalf of Emmet County. Failure to comply may result in discipline, up to and including dismissal.
11. Maintain prescribed inspection and maintenance activities for each vehicle of the County used by authorized employees.

30.3 General Standards:

1. All individuals who operate Emmet County vehicles, who operate personal vehicles driven on behalf of the County, who receives payment related to vehicle expenses, and/or are required to drive as a necessary part of their job, must possess and maintain a valid driver's license, insurance and/or certification required for the vehicle type driven. This requirement is a contingency for employment with Emmet County.
2. The County subscribes to the Michigan Department of State Driving Record Subscription Service. Authorized County drivers who drive occasionally will have DMV reports run upon hire and re-run annually. Authorized County drivers who drive County vehicles regularly – averaging more than twice weekly – will have DMV reports run every six months.
3. Individuals who drive County municipal vehicles or are required to drive as a necessary part of their job must notify their Department Head and Human Resources if they receive a ticket/citation that receives point assignment and affects or restricts their right to operate a motor vehicle. Such notification must take place immediately upon reporting to work after receipt of the citation.
4. Only those individuals that qualify to be covered by insurance and who are determined to be safe operators will be allowed to drive a vehicle on behalf of Emmet County.

5. Authorized drivers conducting County business are required to check out and use a County vehicle. County vehicles are checked out in the Accounting Department of the County. If a team member chooses to not check out a County vehicle when conducting County business, those miles will not be reimbursed to the team member by the County. The only exception made will be if the team member attempts to check out a County vehicle and one is not available for the time period they need to use one. Requests that are denied due to non-availability of cars must be documented.

30.4 Liability Protection:

Employees required to drive as a function of their job must meet the following guidelines:

1. No more than three moving violations within a three (3) year period.
2. No more than two accidents in three (3) years where the authorized driver or applicant was determined to be at fault. Crash reports may be requested.
3. No license suspensions/revocations for Operating While Intoxicated (OWI) violations within five (5) years.
4. Emmet County requires that County team members who drive their personal vehicles in order to conduct County business shall produce valid proof of insurance for their personal vehicle.
5. The County requires post-accident drug and alcohol testing as outlined in the Drug and Alcohol policy.

DISTRACTED DRIVER POLICY

31.1 Purpose:

This policy applies to the use of electronic devices by authorized Emmet County drivers, excluding Sheriff's Office employees, who drive a vehicle while performing their job duties on behalf of Emmet County. This includes all devices whether owned by Emmet County or by the team member, and includes smartphones, PDA's, GPS devices, two-way radios, etc.

Emmet County has authorized certain employees to drive on behalf of the County and these employees use cell phones and other wireless communication devices in carrying out the duties associated with their jobs. It is recognized that potential distractions may arise when cell phones and related devices are in use while operating a moving vehicle or equipment. In keeping with our obligations to maintain a safe and healthy work environment; and to control potential personal risk to our employees, other authorized drivers, passengers, and the general public, Emmet County had adopted this policy on the use of cell phones and similar devices by authorized drivers while operating moving vehicles. This policy applies to authorized use of both County vehicles and personal vehicles.

31.2 Authorized Driver Responsibilities:

Authorized drivers are responsible for being familiar and in compliance with state laws and local ordinances that may apply to cell phone use within a moving vehicle.

No authorized driver is to engage in the use of a cell phone, engage in any form of text messaging, internet use, reading or sending e-mails, while operating a motor vehicle that is in motion. Emergency phone calls are the only exception to summon 911 or other similar number in requesting emergency assistance.

Authorized drivers are encouraged to avoid other types of distracting behavior while operating a moving vehicle or equipment such as eating, personal grooming, animated conversations, or taking photos.

Navigation systems or dispatch devices should be programmed for use prior to putting the vehicle in motion.

Team members are not to answer phone calls while driving or operating a motorized vehicle. Allow calls to go to voice mail until the team member can safely pull off the road to respond.

Questions about this policy should be directed by the authorized driver to the Department Head of their work unit or the Director of Facilities & Assets.

Sheriff's Office personnel will refer to the Sheriff's Office policy.

WHISTLEBLOWER'S PROTECTION

32.1 Policy:

It is the policy of Emmet County to comply with the Michigan Whistleblower's Protection Act (469 PA 1980).

32.2 Procedure:

The Michigan Whistleblower's Protection Act creates certain protections and obligations for employees and employers under Michigan law.

It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against employees regarding compensation, terms, conditions, location or privileges of employment because an employee or a person acting on the employee's behalf reports or is about to report a violation or a suspected violation of federal, state or local laws, rules or regulations to a public body.

