



*The City of Friendship*

---

# CITY OF ECORSE HUMAN RESOURCES POLICIES AND PROCEDURES

---

EMPLOYEE POLICIES & PROCEDURES HANDBOOK

REVISED EFFECTIVE JANUARY 1, 2023 BY ALICIA TEAMER

## TABLE OF CONTENTS

Welcome & Introduction.....	7
Organizational Chart.....	8
<b>Section 1 – Principles of Employment.....</b>	<b>9</b>
1-1 Vision.....	9
1-2 Authority.....	9
1-3 Amendments.....	9
1-4 Authority to Develop Departmental Rules and Regulations.....	9
1-5 Administration of the Personnel System and Employee Handbook.....	10
1-6 Employment at Will.....	11
1-7 Equal Employment Opportunity.....	11
1-8 Open Door Policy.....	12
1-9 Americans with Disabilities Act (ADA) and Reasonable Accommodation.....	13
1-10 Immigration Reform and Control Act.....	13
1-11 Employment Status and Classification.....	14
1-11.1 Probationary Period.....	14
1-11.2 Regular Full-Time.....	14
1-11.3 Regular Part-Time.....	14
1-11.4 Temporary/Seasonal.....	14
1-11.5 Intermittent.....	15
1-11.6 Student Intern.....	15
1-12 Recruitment & Employment Posting.....	15
1-13 Interview & Selection.....	15
1-14 Employee Medical Examinations.....	16
1-15 Employment-Related Claims.....	16
<b>Section 2 – Wages, Pay, &amp; Compensation.....</b>	<b>17</b>
2-1 Layoff and Recall.....	17

2-2	Work Periods.....	17
2-3	Hours of Work.....	17
2-4	Emergency Closings.....	17
2-5	Rest/Meal Break Policy.....	18
2-6	Regular Pay.....	19
2-7	Pay Deductions.....	19
2-8	Pay Advances.....	19
2-9	Overtime Pay.....	20
2-10	Longevity.....	20
2-11	Time Clock Policy.....	20
2-12	Work Schedules.....	20
2-13	Attendance and Punctuality Policy.....	21
2-14	Travel.....	21
	2-14.1 Transportation.....	21
	2-14.2 Lodging.....	21
	2-14.3 Meals.....	22
	2-14.4 Incidental Expenses.....	22
2-15	W-2 Form.....	22
	<b>Section 3 – Benefits.....</b>	<b>22</b>
3-1	Medical, Dental, and Vision Insurance.....	22
3-2	Group Life Insurance.....	22
3-3	Short Term (STD) & Long Term (LTD) Disability Benefits.....	24
3-4	Allowances.....	24
	3-4.1 Uniforms.....	24
3-5	457 Deferred Compensation Plan.....	24
3-6	Lactation/Breastfeeding.....	25
3-7	Voluntary Benefits.....	25
3-8	Worker’s Compensation.....	25
	3-8.1 Definitions.....	26

3-8.2	Reporting an Injury or Occupational Illness.....	26
3-8.3	Steps for Non-Life Threatening or Non-Permanently Disabling Injuries.....	26
3-8.4	For Life-Threatening or Permanent Disabling Injuries.....	27
3-8.5	Compensation for Work Related Injuries.....	27
3-8.6	Challenged Cases.....	27
3-8.7	Physical Examination Policy.....	28
3-8.8	Filing a False Worker’s Compensation Claim.....	29
<b>Section 4 – Leaves of Absences.....</b>		<b>29</b>
4-1	Holiday Pay.....	29
4-2	Bereavement Leave.....	30
4-3	Pregnancy-Related Absences.....	31
4-4	Vacation and Sick Time.....	31
4-5	Jury Duty / Court Appearance.....	32
4-6	Military Leave of Absence.....	33
4-6.1	Active Duty.....	33
4-6.2	Annual Training.....	34
4-7	Personal or Other Non-Medical Leave Without Pay.....	34
4-8	Family Medical Leave.....	35
4-8.1	Maximum Amount of Leave Allowed.....	35
4-8.2	Eligibility.....	35
4-8.3	Requesting Leave.....	37
4-8.4	Notice of Leave and Medical Certifications.....	37
4-8.5	Status Reports.....	38
4-8.6	Substitution of Vacation or Personal Leave.....	38
4-8.7	Intermittent Leave or Leave on a Reduced Leave Schedule.....	39
4-8.8	Pay During Leave.....	39
4-8.9	Responsibilities While on Leave.....	39
4-8.10	Benefits Accruals.....	40
4-8.11	Fraud.....	40

<b>Section 5 - Conduct &amp; Policies</b> .....	<b>40</b>
5-1 Business Ethics and Conduct.....	40
5-2 Unacceptable Conduct.....	41
5-3 Bullying in the Workplace.....	42
5-3.1 Complaint/Investigation Procedure.....	42
5-4 Harassment Policy.....	43
5-4.1 Outlook.....	43
5-4.2 Workplace Harassment.....	43
5-4.3 Defining Sexual Harassment.....	44
5-4.4 Examples of Prohibited Conduct.....	44
5-4.5 Harassment Complaint Procedures.....	45
5-4.5.1 Employee Procedure.....	45
5-4.5.2 Director/Supervisor Procedure.....	46
5-4.5.3 Human Resources Procedure.....	46
5-4.6 Investigation Confidentiality.....	47
5-4.7 Discipline.....	47
5-4.8 Retaliation.....	48
5-5 Conflicts of Interest.....	48
5-6 Solicitation.....	49
5-7 Nepotism.....	49
5-8 Employee Dating/Personal Relation Policy.....	50
5-9 Outside Employment.....	51
5-9.1 Procedures.....	51
5-10 Political Activity.....	52
5-11 Social Security Privacy Policy.....	53
5-11.1 Introduction.....	53
5-11.2 Privacy Policy.....	53
5-11.3 Policy Standards.....	53
5-11.4 Disposal of Information & Documents.....	54

5-11.5	Unauthorized Use or Disclosure of Social Security Number.....	54
5-11.6	Penalty for Violation.....	54
5-12	Personal Appearance and Hygiene.....	55
5-13	No-Smoking & Vaping Policy.....	55
5-14	Alcohol & Substance Policy.....	56
5-14.1	Violations.....	56
5-14.2	Testing of Applicants & Employees.....	57
5-14.3	Condition of Employment.....	58
5-15	Recreational & Medical Marihuana.....	58
5-16	Information Systems Use & Social Media Policy.....	59
5-17	Software Usage.....	59
5-18	Password Encryption.....	59
5-19	Cell Phone Policy.....	60
5-19.1	Personal Use of City-Owned Cell Phones.....	61
5-20	City-Owned Vehicles.....	61
5-20.1	Use of City Vehicles.....	61
5-20.2	Prohibited Use of City Vehicles.....	62
5-21	Driver’s License / Driving Record.....	63
5-22	On the Job Injury Policy.....	63
5-23	Insurance Claims.....	64
	<b>Section 6 – Safety Ethics, &amp; Conduct.....</b>	<b>65</b>
6-1	Commitment to Safety.....	65
6-2	Workplace Violence Prevention.....	65
6-3	Workplace Security.....	65
6-4	Keys and Security Codes.....	66
6-5	Concealed Weapons.....	66
6-6	Searches on Company Property/In-Office Investigations.....	66
	<b>Section 7 - Separation from Employment.....</b>	<b>67</b>

7-1	Voluntary Separation or Termination from Employment.....	67
7-2	Disposition of Benefits.....	67
7-3	Benefits Continuation (COBRA).....	68
7-4	Retirement.....	68
7-5	One-Year Absent.....	68
7-6	Money Owed.....	69
7-7	Exit Interview.....	69
7-8	Rehire.....	69
<b>Section 8 – Job Performance.....</b>		<b>70</b>
8-1	Job Performance.....	70
8-2	Performance Evaluation.....	70
<b>Section 9 - Corrective Action &amp; Group Offenses.....</b>		<b>71</b>
9-1	Corrective Action.....	71
9-2	Offenses.....	73
9-2.1	Group A Offenses.....	74
9-2.2	Group B Offenses.....	74
9-2.3	Group C Offenses.....	74
9-2.4	Group D Offenses.....	75
9-3	Grounds for Corrective Action.....	75
9-4	Type of Action Administered.....	75
9-5	Corrective Action Procedures.....	76
9-6	Probationary Termination.....	76
<b>Section 10 - Personnel File and Practices.....</b>		<b>77</b>
10-1	Personnel File and Practices.....	77
10-1.2	Contents.....	77
10-1.2	Privacy.....	77
10-2	Personal Information.....	77
10-3	Beneficiary Designations.....	78

## **Welcome to the City of Ecorse!**

**As a new employee, you are the most important asset we have. We hope you will find our work experience enjoyable and rewarding!**

The purpose of this Employee Handbook is to make you familiar with the policies and procedures that may affect you while you are employed here. While every effort is made to keep this Employee Handbook current, changes occur frequently and may not be included in this Handbook until the next publication date. The City of Ecorse reserves the right to change, suspend, cancel or depart from the policies stated herein, with or without notice, all or any part of the policies, procedures and benefits discussed in this Employee Handbook. The provisions of this Employee Handbook are not intended to create contractual obligations with respect to any matters it covers, nor is this handbook intended to create a contract guaranteeing that you will be employed for any specific time period. Any agreement to employment for a specific period will be put in writing and signed by the City Administrator of the city.

The city complies with federal and state law and this handbook generally reflect those laws. The city also complies with any applicable local laws, even though there may not be an express written policy contained in the handbook.

While we hope our relationship will be long and mutually beneficial, it should be recognized that neither you, nor we, have entered into any contract of guaranteed employment, expresses or implied. Your employment with the company is voluntarily entered into, and you are free to resign at any time. Similarly, the City of Ecorse is free to terminate an employment relationship at any time. Our relationship is, and will always be, one of voluntary employment at will.

We wish you great success as you pursue your career as a member of our team!

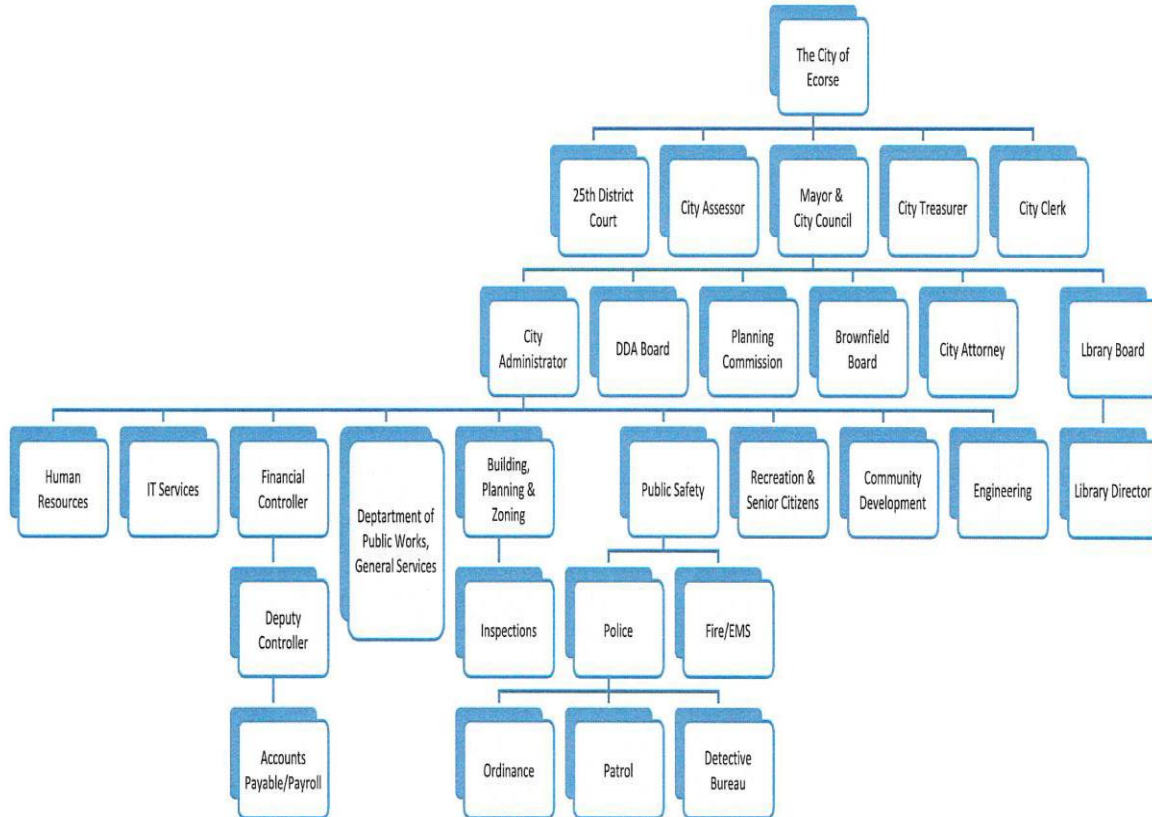
Sincerely,

Timothy Sadowski  
City Administrator



# ORGANIZATIONAL CHART

## City of Ecorse



## **SECTION 1 – PRINCIPLES OF EMPLOYMENT**

### **1-1: Vision for the City**

We, the elected officials of the City of Ecorse will work with the City Administrator to renew, re-invent and revitalize this great city with thriving businesses and increased employment opportunities. Our vision is to create a city where residents are proud to live, work and raise families. We pledge to work together to develop safer communities and provide activities for all ages. Ecorse will become an excellent place to live again. It will be known for its spectacular waterfront, peaceful parks, and unique dining and shopping experiences.

### **1-2: Authority**

The following practices and procedures were developed under the authority of the City Administration or Commission and shall supersede any personnel policies heretofore adopted, except for those rules adopted as the result of any collective bargaining agreement.

### **1-3: Amendments**

The City Administrator shall recommend changes to this manual to the City Commission as needs become apparent. Such changes shall become effective when the resolution adopting such amendments becomes effective. The City specifically reserves the right to revoke, modify or rectify these policies at any time, with or without notice.

### **1-4: Authority to Develop Departmental Rules and Regulations**

Supplemental personnel rules and regulations, not in conflict with this manual, may be initiated and written by Department Directors to meet specific needs of their areas of responsibility. Proposed departmental rules and regulations should be reviewed by the City Attorney and the Human Resources Director prior to presentation to the City Administrator for approval. The City Administrator and City Commission must authorize such supplemental regulations prior to implementation.

Such authorized regulations must be dispersed to the affected employees and an acknowledgement of receipt for each employee must be obtained by the supervisor or department head with copies to Human Resources for placement into the employee personnel file.

Authorized department rules and regulations shall be forwarded to the Legal Department, City Administrator and Human Resources to facilitate assistance in the management and enforcement of departmental regulations.

Authorized department regulations shall have the same authority and effect as those expressed by this manual, provided however, that should there be a conflict between departmental regulations and this manual, this manual will govern.

## **1-5: Administration of the Personnel System and Manual**

The City Administrator shall govern all aspects of the personnel administration in accordance with these rules in compliance with City Ordinance, and the laws of the State of Michigan and the United States of America.

Hereafter the City Administrator may, with sole discretion, appoint a designee to fulfill any or all responsibilities of administration of this manual as deemed appropriate, except those specifically reserved to the City Administrator by statute.

The City Administrator shall:

1. Develop, maintain, and apply these procedures for the promotion, training, recruitment, compensation, discipline, and related aspects of personnel management for all personnel under the City's jurisdiction;
2. Maintain the classification and pay plans of the City;
3. Recommend to the City Commission new or revised personnel rules as are regarded necessary and desirable;
4. Disseminate supplemental regulations and directives necessary for the effective exertion of these rules, which shall not invalidate the effect of these rules;
5. Approve contractual arrangements with any qualified person or agency for the performance of technical and professional services required in the City and operation of the personnel program;
6. Delegate to Department Directors and supervisors the responsibilities and authorities described herein and others as are regarded necessary for successful administration of the personnel program; and
7. Maintain or cause to be maintained an adequate employment record of each employee, including a record of official acts under these policies.

## **1-6: Employment at Will**

As the introductory note, both the City of Ecorse and the employee are free to end the employment at will. Employees may resign from the City of Ecorse at any time, or may be discharged from the City of Ecorse at any time, for any reason, with or without cause or notice.

**OUR CITY IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS EMPLOYEE HANDBOOK, EITHER YOU OR THE CITY MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS EMPLOYEE HANDBOOK OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE CITY IS AUTHORIZED TO ENTER INTO AN AGREEMENT—EXPRESS OR IMPLIED—WITH ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME UNLESS SUCH AN AGREEMENT IS IN A WRITTEN CONTRACT SIGNED BY THE CITY COUNCIL.**

Supervisors and management personnel are not authorized to make any statements, oral, or written, which are inconsistent with this fundamental policy. Any statements so made are not valid and are cause for disciplinary action for any supervisor or manager making such representations. Nothing contained in documents provided by the City of Ecorse [such as pre-hire interviews, discussions, offer letters, Employment Agreement (if applicable to your position), confidentiality agreement, performance reviews, or recruiting materials of any kind] will form a contract for employment or otherwise modify the “AT WILL” relationship.

City policies and practices with respect to any matter are not to be considered as creating any contractual obligation on the City’s part or as stating in any way that termination will occur only for “just cause”. Statements of specific grounds for termination set forth in this Handbook or in any other City documents are examples only, not all-inclusive lists, and are not intended to restrict the City’s right to terminate at-will.

## **1-7: Equal Employment Opportunity**

The City of Ecorse is committed to equal employment opportunity both in principal and in fact. All employment decisions including, without limitation, decisions regarding recruitment, selection, hiring, compensation, benefits, training, advancement, discipline, discharge, layoff, return from layoff, and other terms, conditions and privileges of employment, are based on individual qualifications, without regard to race, color, religion, genetic information, national origin, age, disability, marital status, sexual orientation, sex (including pregnancy), childbirth or related medical condition (does not include nontherapeutic abortion not intended to save the life of the mother), height, weight, or any other status protected by law.

The City of Ecorse will make reasonable accommodations, including modification of Company policies and procedures in appropriate cases, for qualified individuals with known disabilities, if it can do so without undue hardship.

It is also the City's policy that any form of discrimination or harassment on the basis of race, color, religion, genetic information, national origin, age, disability, marital status, sexual orientation, sex (including pregnancy), and any other status protected by law, will not be tolerated in the workplace. "On the basis of sex" includes sexual harassment, which is specifically addressed in the City's policy on Sexual Harassment contained in this Handbook.

Employees with questions or concerns about any type of discrimination or believes that he/she has suffered discrimination are encouraged to bring these issues to the attention of their immediate supervisors, the Director of Human Resources or any other designated member in management immediately. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

All complaints will be handled in a timely and, to the extent possible, confidential manner. Investigations will normally include conferring with the parties involved and any named or apparent witnesses. Upon completion of the investigation, the results and any action taken thereon will be reported to the complaining employee or applicant. If the investigation reveals that the complaint is valid, prompt and appropriate remedial action will be taken to stop the discrimination and to prevent its recurrence. Disciplinary action will normally not be shared with the victim.

The City of Ecorse considers discrimination in the workplace to be a major offense that will result in disciplinary action against the offender, up to and including suspension or discharge, regardless of the offender's position with the City.

## **1-8: Open Door Policy**

The City believes in your right to speak for yourself and address employment problems that may arise. If employees have concerns about work conditions or compensation, they are strongly encouraged to appropriately voice these concerns openly and directly to their supervisors and/or department heads. If your problem has been found to be credible, appropriate corrective action will be proposed.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the City amply demonstrates its commitment to employees by responding effectively to employee concerns.

## **1-9: Americans with Disabilities Act (ADA) and Reasonable Accommodation**

The City of Ecorse is committed to the fair and equal employment of individuals with disabilities under the ADA. It is the City of Ecorse's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the company. The City of Ecorse prohibits any harassment of, or discriminatory treatment of, employees or applicants based on a disability or because an employee has requested a reasonable accommodation.

In accordance with the ADA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. An employee or applicant with a disability may request an accommodation from the HR department and should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. The company then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made, or if any other possible accommodations are appropriate. If requested, the employee is responsible for providing medical documentation regarding the disability and possible accommodations.

All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

It is the policy of The City of Ecorse to prohibit harassment or discrimination based on disability or because an employee has requested a reasonable accommodation. The City of Ecorse prohibits retaliation against employees for exercising their rights under the ADA or other applicable civil rights laws. Employees should use the procedures described in the Harassment and Complaint Procedure to report any harassment, discrimination, or retaliation they have experienced or witnessed.

## **1-10: Immigration Reform and Control Act**

The Immigration Reform and Control Act of 1986 requires employers to verify employment eligibility of all employees hired after November 6, 1986. To comply with this law, new employees are asked to provide proof of employment eligibility, such as birth certificate or social security card, and proof of identity, such as picture identification. In addition, each new employee must complete the Employment Eligibility Verification Form I-9. Former employees who are rehired must also complete the form if they have not completed an I-9 with the City within the past three (3) years, or if their previous I-9 is no longer retained or valid.

Any employees with questions or concerns on immigration law issues are encouraged to contact the Human Resources Department. Employees may raise questions or complaints about immigration law compliance without fear of retaliation.

## **1-11: Employment Status and Classification**

It is with purpose that the City of Ecorse clarify definitions of employment classifications so that employees understand their employment status and benefit eligibility. The classifications do not guarantee employment for any specified period of time. Therefore, the right to terminate the employment relationship at-will at any time is retained by both the employee and the City of Ecorse.

Each City employee is identified as either **NONEXEMPT** or **EXEMPT** from federal and state wage and hour laws. **NONEXEMPT** employees are entitled to overtime pay under the specific provisions of federal

### **Section 1 – Principles of Employment**

and state laws. **EXEMPT** employees are excluded from specific provisions of federal and state wage and hour laws. An employee's **EXEMPT** or **NONEXEMPT** classification may be changed only upon written request by the City Administrator.

**1-11.1 PROBATIONARY PERIOD:** employees (both Full-Time and Part-Time) are those whose performance is being evaluated to determine whether further employment in a specific position or with the City is appropriate. Employees who satisfactorily complete the probationary period of 180 days will be notified of their new employment classification.

**1-11.2 REGULAR FULL-TIME:** employees are those who are not in a temporary or probationary status and who are regularly scheduled to work the City's full-time schedule (at least a 36 hours each week). Generally, they are eligible for the City's benefit package, subject to the terms, conditions, and limitations of each benefit program.

**1-11.3 REGULAR PART-TIME:** employees are those who are not assigned to a temporary, probationary, or casual status and who are regularly scheduled to work less than the full-time work schedule (less than 24 hours each week). Regular part-time employees are not eligible for benefits sponsored by the City.

**1-11.4 TEMPORARY/SEASONAL:** employees are those who work an irregular schedule of not more than 40 hours per week or are hired as interim replacements, to temporarily supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of limited duration not to

exceed ninety (90) days. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all City benefit programs.

**1-11.5 INTERMITTENT EMPLOYEE:** An employee qualified to work in one or more job assignments who is on call to work at irregular intervals in one or more City departments as a temporary employee. Intermittent employees are ineligible for all City benefits.

**1-11.6 STUDENT INTERN EMPLOYEE:** An employee who is regularly enrolled as a student in a recognized educational institution and is assigned to a full or part-time position which, in the case of post-secondary students, is related to the student's course of study, and which will continue for no longer than the then current semester or term at the student's school; provided, however, that subsequent work assignments may be made for the same student for periods which correspond to the student's subsequent semester. Student interns are ineligible for all City benefits.

## **1-12: Recruitment and Employment Postings**

All employment decisions are solely based upon the qualifications and capabilities of an employee to perform the essential functions of a particular job. Some collective bargaining agreements establish procedures for filling vacancies or contain language with regard to promotional opportunities. In all other cases, the Human Resources department will work closely with the City Administrator to determine whether and how to fill open job vacancies and the most appropriate recruitment strategy and selection process to use.

Typically, vacant positions are posted on the City's website but may be simultaneously advertised in other venues. In any event, internal applicants are required to complete a formal application and undergo the same employment process as external candidates to ensure consistency and fairness in the hiring process.

## **1-13: Interview and Selection**

After applications and/or resumes are submitted, interviews shall be conducted by Human Resources, council member(s) and/or the Department Head, and who shall select an applicant to be recommended for employment. The applicant may be tested for various skill sets, i.e., computer skills, driving skills, appropriate to the position being applied for. After selection of an applicant for employment, a background check will be performed.



When a candidate for a regular full time or part-time position accepts that position, a City Council Appointment shall be submitted to the City's Council members for their approval of such appointment, classification and compensation. A conditional offer of employment letter will be sent to the candidate to confirm the employment offer and their acceptance of the position.

### **1-14: Employee Medical Examinations**

To help ensure that employees are able to perform their duties safely, medical examinations may be required. Medical tests and examinations that are mandated will be fully paid by the City of Ecorse and scheduled at proper times and intervals.

It is required that each prospective employee, prior to hiring, successfully complete a pre-employment drug screen. Furthermore, future employees may be required to undergo a medical examination after an offer of employment has been made and prior to the start of employment, and the City may condition the offer of employment and assignment of duties on the results of such examination. For police officers, fire fighters, and public works maintenance positions, medical examinations will typically be conducted. No one may be employed by the City unless the examining physician determines that the applicant is physically able, with or without reasonable accommodation, to perform the essential functions of the job for which he/she has applied, and can perform the job without posing a direct threat to the health and safety of that person or others.

Medical tests and examinations including tests and examinations in regards to the use of drugs and/or alcohol may be required for City employee's. These tests and examinations may be conducted at an employer-designated physician or medical facility, when such tests or examinations are considered necessary in maintaining an efficient work force, employee health and safety, or public safety, or are otherwise job-related and consistent with business necessity.

All information on an employee's medical condition or history will be kept confidential and separate from other employee information. Access to this information will be limited to only those who legitimately needs to know.

### **1-15: Employment-Related Claims**

As a condition of employment, you, the employee, agree not to inaugurate any claim, action, or suit related to your employment or discharge of employment against the City more than 180 days after the date you knew or should have known that a claim prevailed or later than the suitable limitations period established by law, whichever is less. As your condition of employment, your acknowledgement of these policies is also your agreement to this limitation.

## **SECTION 2 – WAGES, PAY, & COMPENSATION**

### **2-1: Layoff and Recall**

The City will attempt to avoid layoffs and, whenever possible, consider alternatives to layoff before any final decisions are made. In the event that a layoff is expected, the City will attempt to communicate information about an impending layoff as soon as possible. Specifics regarding layoffs and recall procedures are contained in the applicable collective bargaining agreement. Employees should consult their Union contract and Human Resources Department for more detailed information.

### **2-2: Work Periods**

The work period for City employees covered by this Handbook begins on Wednesday at 12:01 a.m. and continuing through Tuesday at 12:00 a.m. (midnight).

### **2-3: Hours of Work**

The regular or general workweek is Monday through Friday and consists of five regularly scheduled, recurring eight (8) hour workdays during the standard week. Some weekend and overtime work may be required based on job classification and department. City Offices will be closed from 12:00 pm through 1:00 pm for lunch.

Any hours of work over eight (8) hours shall be compensated at time and one-half of the regularly hourly rate. For any work on the sixth (6<sup>th</sup>) day, a rate of time and one-half will be paid. For any work on the seventh (7<sup>th</sup>) day, a rate of double time will be paid. All hours of overtime must be pre-authorized by a supervisor. Normal hours of business are 8:30 a.m. to 4:30 p.m.

### **2-4: Emergency Closings**

In the event of an emergency, the City Administrator shall have the authority to close the City's office. Emergency situations include, but are not limited to, severe weather, electrical failure, failure of heating/mechanical systems, or any unusual situation that would either prohibit the normal operation of the City offices, or jeopardize the safety of the officials, employees or public.

If employees are unable to report to work, the following criteria shall apply:

1. The employee is responsible for contacting his supervisor or department head by telephone to indicate anticipated absence from work or late arrival to work and the reason.

2. If the employee is unable to report to work, available leave time may be used, or the employee may elect to take this time off without pay (if they have no vacation or personal time).

Employees who do not report to work or leave the work site/station without authorization shall be considered absent without leave and subject to appropriate disciplinary action, up to and including termination.

If the office is officially closed prior to the start of the work day or during the course of the day to permit employees to leave early, nonexempt employees will be paid for a full day. Exempt employees will be paid for a normal full day but are expected to complete their work at another time.

In situations in which some employees are concerned about their safety, the City Administrator may advise Department Heads to notify their departments that the office is not officially closed, but anyone may choose to leave the office if he or she feels uncomfortable. If you leave earlier than the official closing time, you will be paid only for actual hours worked, and/or you can take personal, vacation or sick time.

If a closing is assumed necessary prior to normal business hours, the City Administrator shall notify the department heads and employees at least one-half hour prior to the usual starting time, or as soon as possible. Emergency closures do not apply to police or fire operations.

## **2-5: Rest/Meal Break**

The City shall provide for regular and appropriate rest/meal breaks for all City employees. Department Heads and Supervisors shall assign and schedule rest/meal breaks to meet the operational needs of work crews or work units. All City employees shall be expected to use good judgement during rest/meal breaks while serving as representatives of City of Ecorse based on the guidelines and intent of this policy, and in all cases presenting a favorable image to the public.

**REST/MEAL PERIOD:** All full-time employees who work more than five (5) hours are entitled to a one (1) hour for a rest/meal period in the middle of a work shift unless otherwise specified in a collective bargaining agreement. The rest/meal period is commenced at 12 p.m. to 1 p.m. on workdays unless otherwise directed by a department head or City Administrator. The meal period includes travel to and from eating site. Employees may not waive their meal period for the purpose of leaving work early or to compensate for arriving to work late.

**CLOSING:** All departments will be closed during the rest/meal period (12 p.m. to 1 p.m.). The City wants to ensure that our services is rendered efficiently and effectively on a consistent basis.

## **2-6: Regular Pay**

Employees are paid based on actual hours worked or on a salaried 40-hour work week unless otherwise provided for in an employee's collective bargaining agreement. An employee's rate of pay is outlined in the employee's compensation package and/or collective bargaining agreement and is dependent on the job classification the employee is currently in. Regular pay may be offset or modified by other factors such as but not limited to premium overtime pay, holiday, vacation time, sick time, injury time, jury duty and/or bereavement time.

Employees are paid through direct deposit on a bi-weekly basis. In the event that a regularly scheduled payday falls on a day off, such as a holiday, employees will receive pay on the last day of work before the regularly scheduled payday. Employee pay will be directly deposited into their bank accounts once they provide advance written authorization to the City. Employees will receive an itemized statement of wages through their email.

## **2-7: Pay Deductions**

The law requires that the City make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The City also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base."

The City offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs.

The City cooperates with the local credit unions and banking facilities as a service to its employees. The City, upon the employee's written instructions and approval, will make regular deductions from their paycheck and pay the amount to the credit union or bank of their choice. Further information can be obtained from the Human Resources Department.

The City reserves the right to limit the number of institutions and the minimum dollar amount per pay period for deductions.

## **2-8: Pay Advances**

The City does not provide pay advances on unearned wages to employees.

## **2-9: Overtime Pay**

Non-exempt employees, as defined by the FLSA, who work more than eight (8) hours per workday or (forty) 40 hours in a workweek, will be paid time and one half for all hours worked over eight (8) in a workday or (forty) 40 in a workweek. Collective bargaining agreements may provide overtime for hours worked other than (forty) 40 hours. Employees will need to see their specific collective bargaining agreements for further information. All overtime must be approved by their direct supervisor in advance. An employee will also receive time and one-half for working all recognized City holidays.

Not all employees are eligible for overtime. Please contact your supervisor or department head to see if you are eligible for overtime.

## **2-10: Longevity**

The City will pay longevity pay to full-time employees annually in November after seven or more months' service according to the terms and conditions outlined in The City Charter.

## **2-11: Time Clock Policy**

Employees are required to use the time clock systems and must punch in at the beginning of their scheduled work period and must punch out at the end of their scheduled work period. Employees may only punch in their own time. If an employee fails to punch in or out for a valid reason, the supervisor may sign him/her in or out. However, the Payroll Department will closely monitor such situations. Frequently missed punches may lead to corrective action.

## **2-12: Work Schedules**

All departments will have scheduled hours. Every employee is expected to start work promptly at his or her regular scheduled time. Employees subject to recall during off-duty hours or whose positions require them to be "contactable" should ensure that they keep their phones charged and nearby. Employees who have been assigned company phones for on-call/emergency duties are expected to answer it. Employees in these positions must respond to a missed call within thirty (30) minutes. Failure to do so may result in disciplinary actions.

## **2-13: Attendance and Punctuality**

All employees are required to report for work on time and to work all scheduled hours and any required overtime. Advance notice of anticipated tardiness is expected; notice of unavoidable tardiness is expected when possible. Excessive tardiness, schedule revisions and poor attendance will not be tolerated. It is the employee's responsibility to notify their supervisor, as far in advance as possible, when an employee will be late for their scheduled shift or when they will be absent. Employees who are repeatedly late may be subject to disciplinary action up to and including termination. An employee who misses three (3) or more consecutive working days without notifying their supervisor or department head will be considered to have voluntarily terminated their employment with the City.

Failing to report to work as required including late arrivals, unexcused absences for all or part of the day, and failing to start or return from breaks or lunch is not acceptable. An employee is considered excessively absent if his/her absence cannot be covered by sick or vacation time.

## **2-14: Travel**

Employees authorized to travel outside the City on City business, will be reimbursed for meals, lodging, travel and other necessary expenses with City Administrator approval. All travel must be approved by the City Administrator. All claimed travel expenses must be substantiated with receipts or other reasonable proof of expenses. Employees who know or anticipate that they will have a special request for travel expense reimbursement should ask for approval before traveling. Any travel expenses considered unreasonable under the circumstances will not be paid or reimbursed and are the employee's personal responsibility. Employees traveling on City business are representatives of the City and are expected to maintain a high level of professionalism. Employees should provide their supervisor with a copy of their itinerary before departing on business travel.

**2-14.1 Transportation** - Employees will be reimbursed for privately owned vehicle mileage at the per mile rate allowed by the Internal Revenue Service. Actual expenses for other commercial transportation expenses (airfare, bus, rail) will be reimbursed as substantiated by a paid receipt. Under normal circumstances, employees should use the most appropriate form of transportation available, book the least expensive fares and take advantage of the longest advance reservations possible to gain the lowest fares available.

**2-14.2 Lodging** - Actual lodging expenses will be reimbursed as substantiated by a paid receipt. Employees should obtain lodging at moderately priced hotels/motels. Generally, national hotel chains provide adequate room accommodations at a good value for their market, geographic area and time of year.

**2-14.3 Meals** - Actual expense for meals will be reimbursed up to \$60.00 per day. Employees are expected to eat at moderately priced establishments. Unless specifically authorized, “business-entertaining” expenses will not be reimbursed.

**2-14.4 Incidental expenses** - Reimbursement for incidental expenses is limited and will be approved on a case-by-case basis.

## **2-15: W-2 Form**

At the end of each calendar year, you will receive a W-2 form. If you are no longer employed, it will be mailed to the address on your Personnel file. The form shows your total gross pay for the calendar year and the taxes deducted from it. If you move, you must notify the Human Resources Department by December of your new address. This will eliminate the delay or non-delivery of your W-2 forms. You will receive copies to file with your income tax forms and your personal records.

## **SECTION 3 – BENEFITS**

For more information regarding benefits programs, please refer to the collective bargaining agreement applicable to you or your employment agreement if you are non-union. Questions regarding your benefits can also be addressed with the Human Resources Department.

Collective Bargaining Agreements and Employee Agreements are unable to list all details and provisions of benefit plan documents that are administered by third parties. As such, there may be provisions that are not spelled out in a collective bargaining agreement or an employee agreement that are outlined in a plan document. In such situation(s), the terms of any benefit or plan document, shall apply.

### **3-1: Medical, Dental and Vision Insurance**

The City currently offers regular full-time employees in medical, dental and vision insurance coverage through HAP and Delta Dental effective the first day of hire. Benefit plans are subject to cost sharing such as bi-weekly premium sharing, co-pays and deductibles as outlined in the plan documents and collective bargaining agreements. The City always maintains the ability to change providers as necessary to provide the most efficient coverage for each benefit plan.

An employee may refuse medical insurance coverage at their will. Such refusal must be documented by signing a waiver form which can be obtained from the Human Resources Department.

Employees with eligible dependents over the age of twenty-five (25) years will be removed from the City healthcare plan.

The City will pay an employee opt out money if medical coverage is refused. The amount of the opt out payment is \$2,500 per year. An employee waiving coverage must acknowledge that the City has offered them affordable minimum essential coverage, as defined under the Affordable Care Act (ACA) and that they understand the consequences of the waiver of coverage.

Changes in family status, as defined by the IRS, allow employees to make midyear changes in coverage consistent with the family status change. Please contact the Human Resources Department to determine if a family status change qualifies under the plan document and IRS regulations.

The City reserves the right to change insurance carriers and terms and conditions of insurance coverage at any time with the goal that the fundamental provisions of the coverage will not be changed.

Retiree healthcare is available for Public Safety workers. Eligibility schedules, eligibility dates and plan provisions are outlined in the Police Officers Association of Michigan's collective bargaining agreements. Retiree Healthcare may be available upon retirement from the City of Ecorse as provided for in the applicable employee collective bargaining agreement.

The Human Resources Department is available to answer benefits plan questions and assist in enrollment as needed.

Eligible employees and/or dependents shall have the right to continue group health coverage for themselves and their dependents when they terminate employment at the City. Such coverage is subject to the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (C.O.B.R.A.) laws and will be at the employee's expense.

### **3-2: Group Life Insurance**

The City provides regular full-time employees Standard Life Insurance along with an accidental death and dismemberment. The City of Ecorse pays a death benefit of \$25,000 to City Fire Fighters and \$20,000 to all other City employees.



### **3-3: Short Term (STD) and Long Term (LTD) Disability Benefits**

Short Term (STD) and Long Term Disability are available through a third party.

Please direct any questions about short or long-term disability to the Human Resources Department.

### **3-4: Allowances**

- **3-4.1: Uniforms**

- All full-time City employees will be supplied with equipment and/or clothing allowance. Specific amounts and quantities are covered in more detail in the appropriate Compensation Package and Collective Bargaining Agreement. Employees should consult their Union contract and/or the Human Resources Department for more details.
- Police Officers and Firefighters receive an annual monetary allowance for uniforms, clothing, and equipment. Specific amounts and quantities are covered in more detail in the appropriate Collective Bargaining Agreement. Employees should consult their Union contract and/or the Human Resources Department for more detailed information.

### **3-5: 457 Deferred Compensation Plan**

The City participates in a voluntary 457b plan and all regular full-time employees are eligible and are encouraged to participate. The plans allow employees to save on a pretax basis and to build a financial reserve for retirement. Under the plan, employees may elect to have the City withhold a certain percentage of their gross compensation through payroll deduction to a maximum amount prescribed by IRS regulations, which is adjusted by the IRS annually for inflation: and contribute that amount to the plan as a savings contribution.

The value of each employee's account at retirement depends on a number of factors, such as how long an employee has been a member, how much the employee has contributed and investment gains. An employee is fully invested in his or her own contributions. Any questions regarding the 457 plan should be directed to the Human Resources Department.

The City will provide eligible full-time exempt employee with a match of up to 8% for those employees participating in the plan. Employees may decrease or increase the amount of their contributions or suspend contributions at any time by completing a form available from the payroll or human resources department.

Withdrawals are permitted after an employee reaches the age of fifty-nine (59) or in the event of financial hardship as defined in the plan.

If applicable, please refer to your applicable Collection Bargaining Agreement and Compensation package for the type of plan you may be eligible for. The benefits are outlined in the plan documents which are available in the Human Resources Department.

### **3-6: Lactation/Breastfeeding**

For up to one year after a child's birth, any employee who is breastfeeding their child will be provided reasonable break times as needed to express breast milk for their baby. Breaks of more than 20 minutes in length will be unpaid.

### **3-7: Voluntary Benefits**

Employees may be interested in purchasing additional voluntary benefits through a third party and have their premiums deducted from their payroll check. Examples of voluntary benefits are Disability Benefits and additional Life Insurance. Interested employees may contact the Human Resources Department for information.

### **3-8: WORKERS' COMPENSATION**

The City of Ecorse provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses must inform their supervisors **immediately**. No matter how minor an on-the-job injury may appear, it is very important that it be reported **immediately**. This will allow eligible employees to qualify for coverage as quickly as possible.

Employees who sustain work-related injuries are eligible for a medical leave for the period of disability (up to one year) in accordance with all applicable laws covering occupational disabilities.

Neither the City nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City.

To assist employees in understanding this program, we have developed this policy statement, along with a procedural process necessary for a person to successfully obtain benefits under this program. In the instances of challenged cases, we have included a policy statement that defines the City's position.

### **3-8.1: Definitions**

**Worker's Compensation** - Compensation for a disability or death as a result of personal injury suffered in the course and scope of employment or disability or death due to an occupational disease contracted in the course and scope of employment.

**Disability** - A limitation of an employee's wage earning capacity in the employee's general field of employment, not just the last job.

### **3-8.2: Reporting an Injury or Occupational Illness**

It is the employee's responsibility to file an injury report, unless, in the case of absence, then the supervisor must file the injury report. Workers' compensation claims must be filed for **work-related** injuries only. The filing of a personal injury accident report automatically takes all injuries to our insurance administrator. It is of high importance that all on-the-job injuries be reported immediately to the supervisor, and an Employee's Report of Injury Form must be completed. A supervisor or HR personnel cannot refuse to accept an injury report. Additionally, all follow-up paperwork related to appointments and treatment must be sent to the Human Resources Department for processing.

### **3-8.3: Steps for Non-Life Threatening or Non-Permanently Disabling Injuries:**

**STEP 1:** The employee's Report of Injury Form must be completed within 24 hours of the injury.

**STEP 2:** The employee must obtain an "authorization for treatment" form through his/her supervisor or the Human Resources Department.

**STEP 3:** The employee must receive medical treatment for the condition at a City of Ecorse sanctioned medical facility.

**STEP 4:** The employee must provide a physician's report stating his/her condition.

### **3-8.4: For Life-Threatening or Permanent Disabling Injuries**

In these instances, the employee must receive proper medical treatment immediately. If there is an on-site supervisor, he/she may exercise discretion to perform the proper medical treatment for the injured employee. After treatment has been performed, pertinent documentation must be completed.

### **3-8.5: Compensation for Work-Related Injuries**

- The City will supply regular biweekly paychecks to the employee if the injury/illness continues for **less than seven days**. There is no accrual deduction and an accident report must be filed.
- Compensation will begin on the eighth (8) day following the injury if the employee has been debilitated for **seven days or more**. Compensation will be computed from the day of the injury if the incapacitation continues for over two (2) weeks.

The City will make up the difference between the insurance and employee's base pay at the time of injury, for up to one year. The actual dollar amount will vary according to state law. All leave accruals will be suspended for the duration of the leave.

### **3-8.6: Challenged Cases**

In some cases, the employee's claim to worker's compensation will be challenged by the City and/or the insurance carrier. The standards of the case will be the key element in reviewing the City's position. Although there are many factors that will be taken under consideration, the City will challenge the claim under any one of these circumstances listed below:

- (1) The injury report is filed notably late (Exceptions due to an employee's health can be an accepted delay).
- (2) The employee refuses to get treated by the City's authorized physicians.
- (3) There is willful and/or intentional misconduct by the employee to deceive the City regarding the injury.
- (4) There is willful and/or intentional misconduct by the employee that caused the injury.

(5) The facts prove the injury is not work-related after the investigation.

In challenged cases where the employee is not working, the employee may request a medical leave of absence to maintain benefits (see Medical Leave). When the case is resolved through legal action, the settlement shall specifically address all the facts pertaining to all issues. The employee may elect to use sick or vacation accumulations while off work, in a challenged case.

### **3-8.7: Physical Examination Policy**

After an injury, the supervisor shall follow-up to ensure the employee has visited a doctor. Furthermore, it shall be noted if the employee refuses treatment. If physician's care is necessary, the employee must visit the City's authorized physician for the first twenty-eight (28) days after an injury. After twenty-eight (28) days, the employee may elect a doctor of his/her choice and the City must be notified of the doctor's name and address.

The employee can receive a copy of the City-authorized doctor's report by written request. The written request must be signed and dated. In addition, the employee shall present the City a copy of the employee's doctor report after the initial examination and every examination following unless arranged otherwise. The City has the right to challenge the employee's medical treatment, at any time, by scheduling an independent medical evaluation. The employee may have his/her physician of their own choice, at their own expense, attend the examination if they desire.

The employee is required to present their supervisor and/or their department head with documentation confirming the disability status and any restrictions to regular duties. This documentation or duplicate shall be forwarded to the Human Resources Department, and then the insurance administrator.

Employees must attend all scheduled follow-up examinations and appointments for treatment (including physical therapy) with the City's designated physician or other medical provider. Failure to attend or fully cooperate with any City required medical examination or appointment for treatment may result in disciplinary action and/or loss of benefits.

Except as otherwise provided in the Family and Medical Leave Act of 1993, the City's designated physician or other medical provider will make the final determination as to when an employee is able to return to work. Failure to return on the date indicated by the City's designated physician may result in termination of employment, and/or workers' compensation will be discontinued.

All eligible physician bills shall be paid by the City or insurance administrator. If the employee does not have required doctor reports submitted, no bills will be paid. All employees visiting a physician under this policy, whenever scheduled, are not to be paid additional compensation by the City.

## **Examples:**

(1) An employee off work on a challenged case and ordered to a physician, and the employee is receiving no compensation or is using sick or vacation accruals, shall receive no compensation.

(2) An employee off work on an approved workers' compensation program and ordered to a physician shall not be paid an overtime rate.

(3) If an employee is working, but is scheduled for a City-authorized examination during non-duty hours, no compensation is due.

(4) An employee scheduled for a City-authorized examination during their work shift shall not have the time deducted from their pay.

## **3-8.8: Filing a False Workers' Compensation Claim**

For any intentional or willful misconduct, compensation may be denied. Fraudulent intent and actions can result in immediate dismissal.

Filing a false workers' compensation claim for benefits can be charged as a misdemeanor or a felony under the False and Fraudulent Claims Act. Those found liable may be required to pay damages equal to three times the amount of the loss caused by the alleged fraud, and a government-imposed fine of up to \$10,000.

## **SECTION 4 - LEAVES OF ABSENCES**

### **4-1: Holiday Pay**

The City of Ecorse will be closed for normal business to grant holiday time off to all employees on the following days. *(24/7 operations will continue to schedule employees to work on these holidays):*

- New Year's Eve (December 31<sup>st</sup>)
- New Year's Day (January 1<sup>st</sup>)
- President's Day (3<sup>rd</sup> Monday in February)

- Martin Luther King Jr. Day (3<sup>rd</sup> Monday in January)
- Good Friday (Friday before Easter)
- Memorial Day (Last Monday in May)
- Independence Day (July 4<sup>th</sup>)
- Labor Day (1<sup>st</sup> Monday in September)
- Veterans Day (November 11<sup>th</sup>)
- November General Election
- Thanksgiving Day (4<sup>th</sup> Thursday in November)
- Friday After Thanksgiving
- Christmas Eve (December 24<sup>th</sup>)
- Christmas Day (December 25<sup>th</sup>)

Double time plus eight (8) hours holiday pay will be paid when non-union full-time employees work on holidays. Employees eligible for holiday pay on the listed holidays will be paid according to their collective bargaining agreement or compensation packet.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

## **4-2: Bereavement Leave**

Employees with more than 90 days may be granted up to three (3) scheduled shifts of bereavement leave (leave of absence with pay) upon the death of a member of the employee's immediate family. You must be scheduled to work during the time that you are requesting off work for the leave. The immediate family is defined for bereavement purposes as: parent, spouse, child, brother, sister, grandparents, grandchild, legally adopted child, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter in-law, step-parents, step-siblings and step-children, or member of employee's own household not covered by immediate family. Special consideration for one (1) day of paid bereavement leave to attend the funeral will also be given to any other person whose association with the employee was similar to any of the above relationships (i.e., companion, aunts, uncles, same domicile).

An employee must request bereavement leave by contacting the employee's supervisor before going on leave. The City reserves the right to deny any request based on operational and staffing needs, and further reserves the right to require an employee to document the death of a family member.

Bereavement is calculated based on the base pay rate at the time of absence and will not include any significant forms of compensation.

There is no accrual of bereavement leave days and no payment upon separation from City employment.

### **4-3: Pregnancy-Related Absences**

The City will not discriminate against any employee who requests an excused absence for medical disabilities associated with a pregnancy. Such leave requests will be made and evaluated in accordance with the medical leave policy provisions outlined in this handbook and in accordance with all applicable federal and state laws.

Requests for time off associated with pregnancy and/or childbirth (apart from medical disabilities associated with these conditions) will be considered in the same manner as any other request for an unpaid personal or family leave. Accumulated sick leave and/or vacation time may be applied for this purpose until exhausted

### **4-4: Vacation and Sick Time**

The City of Ecorse provides paid vacation and sick time for employees to take time for medical reasons, rest and recuperation.

Full-time employees are eligible for sick and vacation leave benefits. Part-time employees working 24 to 35 hours per week and will earn sick and vacation annually on April 1<sup>st</sup>. Full-time employees are those working 36 or more hours per week and will earn sick and vacation as it accrues monthly. Vacation accrual begins on the first day of full-time or part-time employment. The amount of vacation and sick time, scheduling of vacation and sick time and accrual of vacation and sick time is outlined in each employee's respective collective bargaining agreement or employment agreement if applicable. Vacation leave will not be earned during an unpaid leave of absence.

#### **Leave requests**

To schedule vacation time, employees must submit a completed leave request form to the employee's supervisor at least 72 hours before the requested leave. Employees must ensure that they have enough accrued leave available to cover the time off requested. Unionized employees should refer to their collective bargaining unit agreement for clarification.

Requests will be evaluated based on a number of factors, including department operating and staffing requirements. The department head or supervisor should indicate on the leave form whether the request has been approved or denied and then return the leave request form to the employee within two business days of the date the leave request form was submitted. If the request for vacation leave is denied, the supervisor should provide an explanation for the denial on the form returned to the employee.

#### **Vacation pay**

Vacation will be paid at the employee's base rate at the time the leave is taken. Vacation pay does not include overtime or any special forms of compensation such as incentives, commissions, bonuses or shift differentials. If



a holiday falls during the employee's vacation, the day will be charged to holiday pay, if applicable, rather than to vacation pay.

### **Use of vacation leave for sick leave**

Vacation leave will be substituted for sick leave when an employee's sick leave balance has been exhausted.

### **Carry-over of vacation leave**

The City of Ecorse encourages employees to use available vacation time. If the available vacation time is not used by the end of a calendar year, accrued, unused leave may carry over to the next year. If the total amount of carried-over accrued vacation time reaches 240 hours for full-time employees or 120 hours for part-time employees, vacation accrual will temporarily stop. When vacation is taken again and the total accrued amount falls below the maximum, vacation accrual will begin again.

### **Payment upon termination**

If employment is terminated, accrued, unused vacation leave that has been earned through the last day of active employment will be paid at the employee's base rate of pay at termination. If employment is terminated and the vacation balance is in the negative, the employee agrees to reimburse the company for the cost of the vacation advance. In the event of the employee's death, earned, unused vacation time will be paid to the employee's estate or designated beneficiary.

## **4-5: Jury Duty/Court Appearance**

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, employees must notify their supervisor and provide them with a copy of the jury summons. The City will pay a regular full-time and regular part-time employee their regular straight time rate which they would have earned if working.

Eligible employees may request up to two weeks of paid jury duty leave over any two-year period.

If jury duty ends before an employee's scheduled shift ends, they may either return to work or take available paid leave for the remainder of the day. Moreover, if an employee is required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid leave or request an unpaid leave of absence for jury duty.

An employee who is party to a personal suit or is subpoenaed with respect to non-City matters must use their available paid leave.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

## **4-6: Military Leave of Absence**

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the Uniformed Services, including Reservists and National Guard members, for annual training and periods of active military service.

Employees requesting leave for military duty should notify their immediate supervisor and contact the Human Resources Department to request leave as soon as they are aware of the need for leave.

### **4-6.1: Active Duty**

City employees that are in a military reserve status who receive orders for military deployment to Active Duty will have their military pay supplemented by the City to the extent of their regular base wages and continue to have health, dental and vision insurance coverage paid for by the City, less applicable employee contributions, for up to six (6) months from the commencement date of active duty.

After completion of the initial first six months of military leave, and up to eighteen (18) months from the date the leave began, if the employee is still on active duty, the employee can choose one of the two options:

- (1)** Receive the difference between the employee's military pay and their City regular base pay with no Health, Vision or Dental coverage. The employee would have the option to continue and purchase Health, Dental and Vision insurance coverage by paying the full cost of coverages through COBRA; or
- (2)** Elect to continue Health, Dental and Vision insurance coverage for the employee and their family and have no supplement of wages with their military pay.

The employee will need to make an election prior to being deployed using an election form provided by Human Resources.

If the Employee chooses to have the City provide Health, Vision and Dental coverage and forgo the supplemental pay, the employee can either be unpaid for the difference between their military pay or they may use accrued vacation time.

While on military leave, employees will be required to make all applicable healthcare contributions, flex spending contributions and pension/457B deferred contributions.

Life insurance is discontinued while the employee is on active duty.

#### **4-6.2: Annual Training**

A regular full time employee who is a reservist and who must attend active annual duty training shall be paid the difference between the employee's military pay and their City regular base pay.

Normal Annual Training is usually a two-week continuous period. Employees are allowed the 10 working days or 14 calendar days depending on their official orders.

Such payment shall not exceed 10 regular working days in any given two weeks (14 day) annual training period.

For example, a 40 hour per week, Monday through Friday, employee could be eligible for 80 hours of supplemental pay during the normal annual training period.

A 24 hour or 12-hour employee may only have been scheduled to work five days during the two-week Annual Training period and therefore would only be able to supplement for those five days.

Re-employment is available after employee makes application for reinstatement within 90 days after release for military duty or from hospitalization, not more than one year.

#### **4-7: Personal or Other Non-Medical Leave Without Pay (Non-FMLA)**

A regular full-time employee who needs time off from work for medical or other personal reasons, but who is not entitled to leave under the Family and Medical Leave Act ("FMLA") or other law, may be granted leave of absence without pay at the discretion of the City Administrator. An employee on an approved leave of absence without pay for a period exceeding one (1) month shall not accrue any paid leave.

The employee requesting a leave of absence without pay shall submit their request in writing to his or her immediate supervisor. The written request must state the reason for requesting leave and the approximate length of time off the employee needs. Requests should be submitted as far in advanced as possible.

Any unapproved leave of absence may be cause for dismissal.

Employees may continue, at their expense, their group health and dental insurance coverage while on leave of absence without pay in accordance with the Consolidated Omnibus Budget Reconciliation Act ("COBRA"), Public Law 99-272, Title X.

Employees must contact the City's Human Resources Department to arrange for documentation and payment of insurance premiums. Employee and family coverage costs will be paid in advance on a monthly basis.

Employees shall contact the City's Human Resources Department prior to departure regarding benefits that will be affected while on approved leave of absence without pay.

Upon return from an approved non-FMLA medical leave, the employee must provide a release from his or her health care provider authorizing him or her to return to work and listing any work restrictions. Upon receipt of the return-to-work authorization from the health care provider, the City will review any work restrictions and determine whether the employee's position or another position for which the employee is qualified is available, including whether a reasonable accommodation is appropriate and available. If no such position is available, the employment relationship will be terminated.

This Policy will be applied in conjunction with the Americans with Disabilities Act, the Family and Medical Leave Act, the applicable state worker's compensation law, or other applicable local, state, or federal law.

## **4-8: Family and Medical Leave**

To comply with the Family and Medical Leave Act (FMLA) of 1993, eligible employees may take a job-protected, unpaid leave, or to substitute appropriate paid leave if the employee has earned or accrued it, for a total of up to 12 workweeks in any 12 months due to a serious health condition that makes the employee impuissant to perform his or her job, or due to the birth of a child and to care for the newborn child, or because of the placement of a child with the employee for adoption of foster care, or to care for a dependent family member (child, spouse, or parent) with a serious health condition, or to confront certain qualifying needs of the employee or a spouse, son, daughter or parent who is in the National Guard or Reserves and is called to active duty. A serious health condition includes but not limited to physical or mental condition that may result in residential medical care facility, inpatient care in a hospital, impairment, injury, illness, or continuing treatment by a health care provider.

### **4-8.1: Maximum Amount of Leave Allowed**

An employee may take a maximum of 12 weeks leave under this policy within any rolling 12-month period. The 12-month period is a "rolling" period which is measured backward from the date an employee uses FMLA leave. Each time an employee takes FMLA leave, the employee's remaining leave entitlement would be any balance of the 12 week that has not been used during the immediately preceding 12 months. For example, if an employee has taken eight (8) weeks of leave during the past 12 months, the employee would be able to take an additional four (4) weeks of leave. Leave taken for the birth or placement of a child must be completed within the 12-month period beginning on the date of the birth or placement.

### **4-8.2: Eligibility**

Employees who have been employed by the City of Ecorse for at least 12 months and have worked 1,250 hours during the 12-month period preceding the commencement of the requested leave, are eligible for family

medical leave. Employees who are classified as Regular full-time employees and Regular part-time employees are eligible to request family medical leave as described in this policy.

Any combination of family leave and medical leave shall not exceed this maximum limit. Employees will be required to first use all but 40 hours of accrued paid leave time before taking unpaid family leave. Married employee couples will be restricted to a combined total of 12 weeks leave within any rolling 12-month period for childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition.

An employee requesting family medical leave related to the serious health condition of a child, spouse, or parent, may be required to submit a health care provider's statement verifying the need for a family leave to provide care, its beginning and expected ending dates, and the estimated time required.

For all eligible employees who has a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves, in support of a contingency operation, may use their 12-week leave entitlement to address particular qualifying needs. *Those qualifying needs are:*

**(1) Financial and legal arrangements** – to prepare or execute financial or legal arrangements to address the service member's absence, such as preparing and executing financial and healthcare powers of attorney, transferring bank account signature authority, preparing or updating a will or living trust, obtaining military identification cards or enrolling in the Defense Enrollment Eligibility Reporting System.

**(2) Childcare and school activities** – to make arrangements for childcare and school activities due to the service member being on active duty or called to active duty in which a change in current childcare arrangements will have to be addressed.

**(3) Counseling** – to attend counseling provided by someone other than a health care provider. This counseling could be for the employee, the service member or a child of the service member provided the counseling is needed due to the call to active duty.

**(4) Short-notice deployment** – to address issues that may emerge due to a service member being notified of an impending call or order to active duty seven or fewer calendar days before the date of deployment. Any leave taken for this purpose can be used for a period of seven (7) calendar days beginning on the date the service member is notified of an impending call or order to active duty.

**(5) Military events** – to attend any official ceremony, program or event sponsored by the military and to attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations or the American Red Cross that are related to the active duty or call to active duty. (This may include arrival and departure ceremonies as an example.)

**(6) Post-deployment activities** – to attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to 90 days following the end of active duty. Leave for this reason may also be taken to address issues that arise from the death of a service member, such as meeting and recovering the body and making funeral arrangements.

**(7) Rest and recuperation** – to spend time with a service member who is on short-term, temporary rest and recuperation leave. Leave taken for this reason may last up to five (5) days for each instance of rest and recuperation.

**(8) Other** – to address other events that arise due to the service member’s active duty. The City and the employee is to agree to both the timing and duration of the leave.

Furthermore, if an eligible employee needs to care for a spouse, son, daughter, parent or next of kin who is a covered military service member and has incurred a serious injury or illness in the line of military duty, he or she may take up to 26 weeks of unpaid leave during any single 12-month period. A covered service member is a current member of the Armed Forces, which includes a member of the National Guard or Reserves. This type of injury or illness incurred while on active duty is defined as:

when a service member is medically unfit to perform his or her duties, for which the service member is undergoing medical treatment, recuperation or therapy; or is in outpatient status; or is on the temporary disability retired list.

#### **4-8.3: Requesting Leave**

If the need for the leaves are foreseeable, the employee must give the City a written notice at least 30 days in advance. When 30 days’ advance notice is not possible, the employee or someone acting on his or her behalf must notify as soon as is practicable under the circumstances and must comply with all normal call in procedures. Foreseeable leave should be scheduled so that it does not unduly disrupt the City’s operations.

If the circumstances change in the amount of leave required, the employee should provide notice of the change within two (2) business days.

#### **4-8.4: Notice of Leave and Medical Certifications**

A “Family and Medical Leave Request” form, which is available in the Human Resources Department, must be completed as soon as possible. The request form must be completed stating the reason for the leave, the duration of the leave and the anticipated starting and ending dates of the leave. The employee must give the form to the Director of Human Resource with ample information supporting the leave request so that it can be determined whether the request qualifies for FMLA protection under this policy.

After requesting a leave or indicating a need for a leave, the employee will be given a “Notice of

Eligibility” and a “Rights and Responsibilities” notice explaining eligibility and expectations.

The employee and attending health care provider must provide medical certification of the need for the leave. A complete and satisfactory “Certification of Health Care Provider” form must be returned to Human Resources within fifteen (15) calendar days following the day the employee requests leave. If it is not practicable to return the certification within fifteen (15) days, it must be returned as soon as practicable.

Upon receiving complete and sufficient certification information to designate the absence as FMLA, the City will provide the employee with a “Designation Notice” that indicates whether the leave qualifies for FMLA and, if so, describes the conditions of the leave and the requirements for returning to work.

The City reserves the right to require periodic recertification in certain circumstances or based on the support for a leave. Also, a second or third medical opinion at the City’s expense may also be required.

#### **4-8.5: Status Reports**

Any employee who is on FMLA leave must notify the Human Resources Department every 30 days to report on the status of:

- (1) The reason for the leave
- (2) The employee’s intent to return to work
- (3) The expected date of return

#### **4-8.6: Substitution of Vacation or Personal Leave**

If an employee requesting FMLA leave does not have any accrued paid vacation or personal leave, the FMLA leave will be without pay. If the employee has accrued vacation or personal leave, the employee’s vacation or personal leave must first be substituted for any unpaid leave, however, the employee may keep up to a maximum of 40 hours of personal time in reserve upon the completion of the FMLA leave. The substitution of accrued paid vacation or personal leave for unpaid leave during a period of FMLA leave will not extend the 12-week period of FMLA leave provided by the Family and Medical Leave Act.

Employers may require non-union employees to substitute accrued paid leave for any or all of FMLA leave (unionized employees must bargain this). Furthermore, the employer may designate a leave that qualifies as both FMLA and another type of leave under the employer’s paid benefit plan as running concurrently (i.e. disability leave, worker’s compensation).

#### **4-8.7: Intermittent Leave or Leave on a Reduced Leave Schedule**

The FMLA allows eligible employees to take leave intermittently or on a reduced- schedule leave for the serious medical health conditions of the employee or the employee's family member or to care for a covered service member with a serious injury or illness. When in the case of planned medical treatment, the employee must attempt to schedule the intermittent or reduced-schedule leave so as not to unduly disrupt the City's operations. Intermittent or reduced scheduled leave for the birth, adoption or placement of a child is only taken with the City's approval. The City may temporarily transfer the employee to an alternative position with equal pay and benefits that better accommodates any recurring periods of leave.

#### **4-8.8: Pay During Leave**

Generally, family and medical leave absences are unpaid. However, an employee may request to use paid leave such as sick leave, vacation, personal or compensatory time while taking FMLA.

#### **4-8.9: Responsibilities While on Leave**

During an approved FMLA leave, subject to the terms, conditions, and limitations of the applicable plans, employees are entitled to the same health insurance they had before the leave began. Employees who pay some or all of their health insurance premium will be required to continue to pay the premiums in order to continue benefit coverage during the leave period. The employee is responsible for making arrangements to pay any premiums due during the leave period.

Furthermore, any other supplemental benefits that an employee was making prior to going on leave, will be the responsibility of the employee. Employees who do not return to work following FMLA leave will be liable for the reimbursement of any health insurance premiums paid by the City during unpaid FMLA leave, unless the failure to return to work was due to the continuation, recurrence, or onset of a serious health condition or for other circumstances beyond the employee's control. Failure of the employee to pay their own share of the premiums may result in loss of coverage.

If an employee is entitled to paid leave under another benefit plan or policy (which includes, but is not limited to, short-term disability and unused paid leave), the employee must substitute the paid leave for FMLA leave. Such available paid leave will be counted against the unpaid FMLA leave entitlement. The employee is required to satisfy any procedural requirements for receiving payment under paid leave as provided in this Handbook when substituting paid leave for FMLA leave. Paid leave will be prorated to supplement insurance payments (where applicable) to keep employees' gross earnings at or near 100%. For example, since short-term disability



pays 60% of standard wages, 40% will be paid from accrued time off. The employee must choose to apply accrued paid time off, if available.

#### **4-8.10: Benefits Accruals**

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

#### **4-8.11: Fraud**

Providing false or misleading information or omitting material information in connection with an FMLA leave will result in disciplinary action, up to and including immediate termination.

### **SECTION 5 - CONDUCT, CORRECTIVE ACTION, & POLICIES**

#### **5-1: Business Ethics and Conduct**

All employees of the City of Ecorse shall conduct themselves and company business in a manner that reflects the highest standards based upon the principles of fair dealing and ethical values to better serve the community. Employees are expected to conduct themselves honestly, ethically and with integrity at all times. In addition, employees should use good judgement and demonstrate through both their words and actions on the job, support for the City's policies, procedures and programs.

Since we are dedicated to maintaining the trust of our citizens, the continued success of the City is highly dependent upon our Citizens' trust. Exceptional service, continued trust and confidence of the public will be supported by excellent service, candid treatment and professional conduct of City employees.

Employees should avoid any suggestion or action that would even appear to be unethical behavior. Such behavior is prohibited and will be subject to corrective action, up to and including termination of

employment. If an employee has any questions or concerns regarding business ethics at the City of Ecorse, they should contact their supervisor and, if necessary, consult with the Director of Human Resources Department for additional information.

Employees may not accept, for personal benefit, any gift with a value in excess of \$25 from any person or company seeking to conduct or currently conducting business with the City. No gift of any value will be accepted if the intent of the gift is to influence a decision of the employee.

## **5-2: Unacceptable Conduct**

City employees are routinely in the public eye. This list sets forth rules governing general conduct and identifies behavior that will subject the employee to discipline. This list is not all-inclusive, and other appropriate City standards of conduct or rules may be in existence or established:

- Disclosing or misusing confidential and proprietary information belonging to the City and residents
- Promising or giving something of value to anyone doing or seeking to do business with the City in order to influence them in matters related to the City
- Unsatisfactory job performance or neglect of duty.
- Insubordination (An employee's intentional refusal to obey an employer's lawful and reasonable orders.).
- Immoral or indecent conduct or conviction of a felony or of a misdemeanor involving moral turpitude.
- Abusive, threatening, or coercive treatment of another person while on City time or property. (See Harassment Policies.)
- Falsification of personnel records, time reports, or other employee or City records.
- Theft, intentional destruction, and/or abuse of the City's or another employee's property.
- Violating a safety rule or safety practice, including deliberate or careless conduct endangering the safety of the employee, other employees, or public including the provoking of or instigating of a fight during working hours or on City premises.
- Violating the City's Substance and Alcohol Abuse policy.
- Unexcused absenteeism and/or tardiness.
- Failure to report for work without giving notice to the employer within thirty (30) minutes after the start of the scheduled work day, unless it is impossible to give such notice.
- Inattentiveness to work including, failing to start work at the designated time, quitting work before the proper time or leaving work assignments for personal reasons without permission from the department head or supervisor.
- Posting unauthorized materials on walls or bulletin boards, defacing or removing authorized material from bulletin boards.
- Vending, soliciting, or collecting contributions on the employer's time and/or premises without prior authorization from management.
- Violation of any other City standard of conduct or rule applicable to the employee.

Note: Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits.

### **5-3: Bullying in the Workplace**

All City of Ecorse employees, including Supervisors and Directors, should be aware that the City will not tolerate bullying behavior.

Bullying is defined by the City as:

- repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the workplace and/or in the course of employment

Bullying behavior is prohibited and will result in disciplinary action up to and including termination.

Regardless if the bullying behavior is unintentional or intentional, any intention of the alleged bullying behavior is inconsequential and will not be considered when imparting corrective action or discipline. Similar to sexual harassment, it is the effect of the behavior upon the individual that is more important.

**The following is an all-inclusive list of bullying behavior:**

- (1) Verbal bullying:** Language that is abusive, offensive, insulting, slandering or maligning a person or their family; persistent name calling that is hurtful, belittling, or humiliating; making a person as the brunt of pranks and practical jokes; abusive and offensive remarks.
- (2) Physical bullying:** assaulting, pushing, pinching, kicking, poking, tripping, or threat of physical assault; damage to a person's work area or property
- (3) Cyber bullying:** verbal bullying by way of group chat, social media, or any other cyber platform including sharing or posting pictures without ones including but not limited to cyber threats and harassment.
- (4) Gesture bullying:** Nonverbal threatening gestures or stares that are in an intimidating way or in which conveys threatening messages.
- (5) Exclusion:** Socially or physically isolating, excluding or disregarding a person in work-related activities.

#### **5-3.1: Complaint/Investigation**

If an employee(s) feels they have been subject to any bullying activity, they may file a formal complaint by contacting the Human Resources Department. All complaints for this matter should be in writing including the

date(s) and time(s) the incident(s) occurred, description of the incident(s), name of person(s) conducting the bullying, witness(s), or any other(s) involved. Complaint forms are available in the Human Resources Department, or the employee may describe the incident(s) in their own document. Once a complaint has been filed, Human Resources, or a designated party selected by the City, will conduct an investigation as soon as practical.

In order to maintain workplace safety and the integrity of its investigation, the City may suspend employees suspected of workplace bullying, either with or without pay, pending investigation.

The investigation will include interviews with the claimant, alleged bully and any witnesses.

After the completion of the investigation, the investigator will determine if the complaint does or does not have justification. It should be documented that information that can be identified by witnesses will be helpful in determining if there is justification to the claim.

If it can be substantiated that bullying has taken place, those responsible will be disciplined for violation of the City policy. The claimant will only be notified that the situation was addressed.

**Retaliation from an alleged bully or further bullying behavior will result in discipline up to and including termination.**

## **5-4: Harassment Policy**

The purpose of implementing and enforcing this policy is to define workplace harassment, prohibit it in all forms, provide procedures for placing alleged complaints about conduct that violates this policy, investigate claims of unlawful harassment, and carry out appropriate disciplinary measures in the case of violations.

### **5-4.1: Outlook**

This policy applies to all employees full-time, part-time, seasonal, interns, temporary, volunteers, and citizens, vendors, visitors, elected officials or contracted employees. All employees, including supervisors, and directors will be subject to discipline, up to and including termination, for any violation of this Policy.

### **5-4.2: Workplace Harassment**

The City of Ecorse expects employees to respect the dignity and rights of others. Consistent with our policy of equal employment opportunity, harassment or discrimination in the workplace based on a race, color, ancestry, religion, sex, sexual orientation, national origin, age, physical or mental disability, citizenship status, veteran status, gender identity or expression or any other characteristic protected

by applicable law, workplace harassment, including cyber harassment and cyber sexual harassment, will not be tolerated. It is the City's policy that all employees are responsible for assuring that the workplace is free from discrimination and unlawful harassment against any employees, vendors, contractors, applicants, visitors, or members of the public including sexual harassment and harassment on the basis of their protected characteristics. Actions, words, jokes, or comments based on or ridiculing an individual's protected characteristic will not be tolerated. Any employee found in violation of this policy will be subject to disciplinary action, up to and including termination.

### **5-4.3: Defining Sexual Harassment**

Sexual harassment is unwelcome conduct of a sexual nature that is sufficiently persistent or offensive to unreasonably interfere with an employee's job performance or creates an intimidating, hostile, or offensive working environment. Sexual harassment is defined by the Equal Employment Opportunity Commission Guidelines as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

- a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Under Title VII of the Civil Rights Act of 1964, there are two types of sexual harassment: a) quid pro quo; and b) hostile work environment. Sexual harassment can be physical and psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing. Employees are prohibited from sexually harassing other employees whether or not the incidents of harassment occur on City premises and whether or not the incidents occur during working hours. The City of Ecorse adheres to all federal, state, and local laws applying to sexual harassment including Michigan's Elliot- Larsen Civil Rights Act.

### **5-4.4: Examples of Prohibited Conduct**

Though sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include the following:

- Physical assaults of a sexual nature, such as rape, sexual battery, molestation, or attempts to commit these assaults, and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.
- Unwelcome sexual advances, propositions, or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience.
- Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
- Sexual or discriminatory displays or publications anywhere in the City workplace.
- Retaliation for sexual harassment complaints.

## **5-4.5: Harassment Complaint Resolution Procedures**

### **5-4.5.1: Employees**

If an employee believes that they have been subjected to unlawful harassment on the basis of sex or any other protected characteristic or any unwelcome attention on the basis of a protected characteristic, they may address the situation directly and immediately to the harasser, if possible. If the inappropriate conduct does not cease, or if the employee is unable to, or is uncomfortable with addressing the alleged harasser directly, they must report the incident to their Supervisor or Director. If the alleged harassment complaint is directly related to an employee's Supervisor, or Director, the employee may report the incident to the Human Resources Department.

It is important to report any and all concerns of unlawful harassment or inappropriate conduct to the Human Resources Department or a Supervisor/Director as soon as possible. Management must be made aware of the situation so that it can conduct an immediate and impartial investigation and take appropriate action to remediate or prevent the prohibited conduct from continuing.

To initiate a formal investigation into an alleged violation of this policy, employees are asked to provide a written statement about the alleged misconduct to the Human Resources Department. Complaint forms are

available in the Human Resources Department. The Human Resources Department may assist the complainant in completing or documenting the statement.

To ensure the prompt and thorough investigation of a complaint of unlawful harassment, the complainant should provide as much of the following information as possible:

- The name, department, and position of the person or persons allegedly engaging the harassment.
- A description of the incident(s), including the date(s), location(s), and the names of any witnesses.
- The effect of the incident(s) on the complainant's ability to perform their job, or on other terms or conditions of their employment.
- The names of the other individuals who might have been subject to the same or similar harassment.
- Any other information the complainant believes to be relevant to the harassment complaint.

#### **5-4.5.2: Directors and Supervisors**

Directors and Supervisors must deal expeditiously and fairly with allegations of unlawful harassment within their departments whether or not there has been a written or formal complaint. They must:

- (1) Take all complaints or concerns of alleged or possible harassment or discrimination seriously no matter how minor or who is involved.
- (2) Ensure that harassment or inappropriate sexual oriented conduct is immediately reported to the Human Resources Department so that a prompt investigation can occur.
- (3) Take appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Directors and Supervisors who knowingly allow and tolerate unlawful harassment or retaliation, including the failure to immediately report such conduct to Human Resources, are in violation of this policy and subject to discipline up to and including termination.

#### **5-4.5.3: Human Resources**

The Human Resources Director is responsible for:

- (1) Ensuring that both the individual filing the complaint and the allegedly accused individual are aware of the seriousness of a harassment complaint.

- (2) Explaining this policy and investigation procedures to the complainant and the respondent.
- (3) Exploring informal means of resolving harassment complaints.
- (4) Arranging for and conducting an investigation of the alleged harassment and the preparation of a written report.
- (5) Submitting a written report summarizing the results of the investigation and making recommendations to the City Administrator.
- (6) Notifying the complainant and the accused of the corrective actions to be taken, if any, and administering those actions which may include discipline up to and including termination of employment.

**NOTE:** This Problem Resolution Procedure is to be used for all City employees not covered by a Collective Bargaining Agreement or rules and regulations of the City's Police and Fire Department.

#### **5-4.6: Investigation Confidentiality**

In order to protect the interests of all involved, confidentiality will be maintained to the extent practicable and deemed appropriate by the City. Human Resources shall take adequate steps to ensure that the complainant is protected from retaliation during the period of the investigation. All the information pertaining to a harassment complaint or investigation is maintained by the Human Resources Department.

#### **5-4.7: Discipline**

Employees who violate this policy are subject to appropriate discipline. If an investigation results in finding that this policy has been violated, the mandatory minimum discipline is a written warning. The discipline for very serious or repeat violations is termination of employment.



#### **5-4.8: Retaliation**

Retaliation means adverse conduct taken because an individual reported an actual or a perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. “Adverse conduct” includes but is not limited to:

- (1) Shunning and avoiding an individual who reports harassment, discrimination, or retaliation;
- (2) Express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation; *or*
- (3) Denying employment benefits because an applicant or employee reported harassment, discrimination, or retaliation or participated in the reporting and investigation process.

Other examples of retaliation include firing, demotion, denial of promotion, unjustified negative evaluations, increased surveillance, harassment, and assault.

Complaints of discrimination and/or retaliation should be filed according to the procedures described in the Harassment and Complaint Resolution Procedure.

#### **5-5: Conflicts of Interest**

A City’s reputation for integrity is its most valuable asset and is directly related to the conduct of its officers and other employees. Therefore, it is the obligation of all employees to act at all times in the best interest of the City and not allow any personal activity to conflict with or interfere with service to the City. As a result, the assumption of or engagement in any interest, relationship, or activity by an employee tending to impair the independence of such person’s judgment with respect to the best interest of the City constitutes a conflict of interest. Employees must never use their positions with the city, or any of its residents, for:

- private financial gain,
- advancing personal financial interests,
- obtaining favors or benefits for themselves, members of their families or any other individuals, corporations or business entities

Moreover, employees should avoid engaging in activities, investments or associations that compete with the city, interferes with an employee’s business judgement concerning the city’s best interests, or exploits an employee’s position with the City for personal gain.

Employee’s must report in writing all situations involving even a possible conflict for review by the Director of Human Resources and thereby avoid any attempt to judge their own case. Opportunities to engage in any community work or to serve in any outside organization or your doubts about outside business interests or

activities should be discussed with the Director of Human Resources. The City expects its employees to exercise the utmost good faith in the performance of their duties. Keeping the City informed will enable you to receive proper recognition for individual efforts and will avoid any conflict with established City policies.

## **5-6: Solicitation**

Non-employees may not solicit employees or distribute literature of any kind on the City of Ecorse premises at any time. Employees may only admit non-employees to work areas with management approval or as part of a City-sponsored program. These visits should not disrupt workflow. Former City employees are not permitted onto City's property except for official City business.

- City employees may not solicit other city employees during work times, except in connection with a City approved or sponsored event.
- Employees may not distribute literature of any kind during work times, or in any work area at any time, except in connection with a City-sponsored event.
- The posting of materials or electronic announcements are permitted with approval from the Human Resources Director and/or City Administrator.

Violation of this policy should be reported to the Human Resources Department.

## **5-7: Nepotism**

In order to avoid conflict of interest, favoritism and the appearance of same, no employee of the City of Ecorse shall be placed in a position where he/she is required to supervise, evaluate or discipline an immediate family member or receive supervision, evaluation or discipline from an immediate family member. Immediate family members include parent, spouse, child, sibling or in-law.

The City also prohibits other types of personal relationships that, in particular circumstances may create performance issues or conflicts of interest. If these situations arise in your department/division, please contact your supervisor or department head to address the issue. Should employees be in this situation, Human Resources and the department head will conspire to move one of the employees to another position.

## **5-8: Employee Dating/Personal Relationship Policy**

The City of Ecorse recognizes the right of employees to engage in social relationships with each other, including relationships of a romantic or sexual nature. However, the City also recognizes that an environment where employees maintain clear boundaries between personal and work interactions is most effective for conducting business. The City has adopted this policy to prevent romantic relationships from resulting in unfair treatment, discrimination, favoritism, friction among coworkers or the perception which could generate such situations. This policy also applies to supervisor/subordinate dating and personal relationships.

All employees who maintain a dating/personal relationship shall abide by the following:

- (1).** Employees are expected to keep personal exchanges limited during work time to prevent distracting or offending others so that productivity is maintained.
- (2).** Employees are not precluded from having appropriate personal conversations during non-working time, such as lunches, breaks and before and after work periods in non-working areas as long as their conversation is not recognized as offensive or uncomfortable to a reasonable individual.
- (3).** Employees are strictly prohibited from engaging in physical contact that would in any way be deemed improper by a reasonable individual while anywhere on City premises, whether during working hours or not.
- (4).** Employees who allow personal relationships with coworkers to affect the working environment will be subject to the appropriate provisions of the City's disciplinary policy. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
- (5).** Such conduct should not create problems in the workplace even if the conduct takes place off-duty.
- (6).** Supervisors, directors, or anyone else in sensitive or influential positions must disclose the existence of any relationship with another coworker that has progressed beyond a platonic friendship. Disclosure may be made to the immediate supervisor, the Department Head or Human Resources. This disclosure will enable the City to determine whether any conflict of interest exists because of the relative positions of the individuals involved. (For the purposes of this policy, a supervisor/subordinate status means a situation where one employee, irrespective of job title, makes or has the authority to make decisions or to take action concerning another employee's compensation, promotion, demotion, discipline, daily tasks, or any other terms, conditions or privileges of employment with the City.)
- (7).** Where problems or potential risks are identified, the City will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure that the City parties involved no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions, financial transactions, etc. are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or

disadvantage. Management reserves the right to address any workplace issues that may result from that relationship in the manner it deems appropriate.

**(8).** Refusal of reasonable alternative positions, if available, will be deemed a voluntary resignation.

**(9).** Continued failure to work with the City to resolve such a situation in a mutually agreeable fashion may ultimately be deemed insubordination and therefore serve as cause for immediate termination. The organization's disciplinary policy will be consulted to ensure consistency, however, before any such extreme measures are undertaken.

**(10).** The provisions of this policy apply regardless of the sexual orientation of the parties involved.

**(11).** Where doubts exist as to the specific meaning of the terms used above, employees should make judgments on the basis of the overall spirit and intent of this policy.

**(12).** Any employee who feels they have been disadvantaged as a result of this policy, or who believes this policy is not being adhered to, should make their feelings known to the human resources department.

Any employee who violates this policy will be subject to disciplinary action, up to and including termination. The City regards a violation of this policy as particularly serious because such workplace relationships can cause favoritism, discrimination, unfair treatment or other interference with City operations. Nothing in this policy alters an employee's at will status.

## **5-9: Outside Employment**

The City of Ecorse recognizes that some employees may need or want to hold additional jobs outside their employment with the company. Employees of the City of Ecorse are permitted to engage in outside work or hold other jobs, subject to certain restrictions based on reasonable business concerns.

### **5-9.1: Procedures**

The City of Ecorse applies this policy consistently and without discrimination to all employees, and in compliance with all applicable employment and labor laws and regulations. The following rules for outside employment apply to all employees, and employee's must notify your supervisors, department head, and/or the Human Resources Department of their intent to engage in outside employment:

- Work-related activities and conduct away from the City of Ecorse must not compete with, conflict with or compromise the company's interests or adversely affect job performance and the ability to fulfill all responsibilities to the City of Ecorse. This prohibition also extends to the unauthorized use of any City tools or equipment and the unauthorized use or application of any company confidential information. In addition, employees may not solicit or conduct any outside business during the employee's work time

with the City.

- City of Ecorse employees must carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems, the employee will be asked to discontinue the outside employment, and the employee may be subject to the normal disciplinary procedures for dealing with the resulting job-related problem(s).
- Employees may not use paid sick leave to perform work for another employer.
- If an employee's outside employment presents a conflict of interest with the City of Ecorse, as defined in the Conflict of Interest Policy, or if such outside employment has any potential for negative impact on the City of Ecorse, the employee will be asked to terminate the outside employment.
- Fraudulent use of company's sick leave or an employee's refusal to comply with the City's reasonable request to terminate outside employment may result in immediate termination of employment.

## **5-10: Political Activity**

No appointive official or employee in the administrative service shall use the cachet of their position on behalf of any political party.

No appointive official or employee in the administrative service shall orally, by letter, or otherwise, solicit or be in any manner concerned in soliciting any assessment, subscription, or contributions to any political party; nor shall he or she be a party to such solicitation by others. Such appointed officials and employees shall not take an active part in political campaigns for candidates.

No official or employee, whether elected or appointed, shall promise an appointment to any municipal position as a reward for any political activity.

No employee will utilize city equipment or property to support or endorse a political candidate.

## **5-11: Social Security Privacy Policy**

### **5-11.1: Introduction**

The City of Ecorse is required by the Michigan Social Security Number Privacy Act, Public Act 454 of 2004, MCL 445.81 et seq., (the "Act") to develop a privacy policy protecting the confidentiality of social security numbers it obtains. Accordingly, the City of Ecorse has created this Social Security Number Privacy Policy to be utilized by all authorized individuals having access to information or documents containing social security numbers, including but not limited to, all employees, officers, agents, contractors and vendors.

### **5-11.2: Privacy Policy**

- (1) The City of Ecorse ensures to the extent practicable the confidentiality of social security numbers.
- (2) The City of Ecorse prohibits unlawful disclosure of social security numbers.
- (3) The City of Ecorse limits who has access to information or documents that contain social security numbers to only those individuals authorized by appropriate supervisory personnel to access this information in the ordinary course of business in the performance of their assigned job duties.
- (4) Establish penalties for violation of the privacy policy.

### **5-11.3: Policy Standards**

In order to fully implement this policy, all individuals subject to this policy are required to adhere to the following standards:

- a) All paper documents containing a social security number or any portion of a social security number are to be kept out of view of anyone other than those with a current, legitimate business need to review the documentation.
- b) When not in use, all paper documents containing a social security number or any portion of a social security number are to be kept secured in a manner which prohibits unauthorized access.
- c) All electronic documents containing a social security number or any portion of a social security number are to be viewed only by an individual with a current, legitimate business need to view the electronic documents while they are in use. If interrupted while viewing such a document, the individual must close or minimize the document. Computer monitors must be set to switch to screen-saver mode and workstations must be set to lock after a reasonable period of inactivity.

- d) d. All portable data Storage devices (flash drive, disk, etc.) on which electronic documents containing a social security number, or any portion of a social security number are stored, are to be kept secured by the authorized user at all times.

#### **5-11.4: Disposal of Information & Documents**

Documents containing Social Security numbers will be retained in accordance with the requirements of state and federal laws. At such time as documents containing Social Security numbers may be disposed of, such disposal shall be accomplished in a manner that protects the confidentiality of the Social Security numbers, such as shredding.

#### **5-11.5: Unauthorized Use or Disclosure of Social Security Numbers**

The City shall take reasonable measures to enforce this Privacy Policy and to correct and prevent the reoccurrence of any known violations. Any employee, who knowingly obtains, uses or discloses Social Security numbers for unlawful purposes or contrary to the requirements of this privacy policy shall be subject to discipline up to and including discharge. Additionally, certain violations of the Act carry criminal and/or civil sanctions. The City 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 City for unlawful purposes.

#### **5-11.6: Penalty for Violation**

This privacy policy is established in accordance with the provisions of the Social Security Number Privacy Act, P.A. 454 of 2004, M.C.L. 445.83. Violation of the Act is a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000.00 or both and violators are also subject to civil liability. Violations of this privacy policy will be subject to the appropriate penalty or penalties as prescribed by state law and/or as determined by the City of Ecorse. Employees in violation of this policy will also be subject to disciplinary action, up to and/or including immediate termination from employment.

## **5-12: Personal Appearance and Hygiene**

The City of Ecorse considers the way an employee dress and their appearance is of significant importance in portraying a professional image to our coworkers, residents and visitors. Employees are expected to report for work each day with appropriate hygiene, appearance, and attire for their position.

Employees must always present a clean and professional appearance. Body odors, strong perfume, or smoke may be particularly offensive to the public or coworkers. Employees should take pride in their personal hygiene and appearance, and report to work clean and groomed appropriately, free of strong smells.

Attire should be consistent with job responsibilities and should not jeopardize the safety of the employee or distract others. Anyone reporting to work in inappropriate clothing will be sent home to change. Your department head, the City Administrator and/or Director of Human Resources have the final authority to determine what is acceptable.

It is impossible to describe or define every possible acceptable or unacceptable example of attire. Generally speaking, clothing should be in keeping with the image of a professional organization; the following is prohibited:

- Excessively worn, torn, or dirty clothing
- Clothing with suggestive or offensive logos, pictures, insignia, etc.
- Revealing, or otherwise sexually suggestive clothing

If in doubt, ask prior to wearing the item. Your supervisor will determine whether or not attire is acceptable.

## **5-13: No-Smoking & Vaping Policy**

Consistent with the provisions of the Clean Indoor Act, PA 198 of 1986, the use of tobacco and vaping in any form is prohibited in all buildings and vehicles owned, operated or under control of the City of Ecorse, with the exception of the Fire Chiefs' residences. The use of tobacco and vaping is permitted outdoors (but not within 30 feet of any windows and building entrance/exit) on property owned and/or operated by the City. Employees may not litter and must properly dispose of smoking materials.

The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. All employees share in the responsibility for adhering to and enforcing the policy.

Persons found to have violated this policy will be subject to disciplinary action(s) in the same manner and magnitude as violations of other City policies.



## **5-14: Alcohol and Substance Abuse Policy**

Employees involved with alcohol and drugs tend to be less dependable, less productive, more vulnerable to accidents, and less likely to report regularly in a mental and physical condition fit for work. This jeopardizes the reputation of the City, the quality of its service, and the well-being of the involved employees, their families and their co-workers. The City of Ecorse expects employees to report to work on time and in condition to perform their duties throughout their workday. The City is committed to strictly enforce its Alcohol and Substance Abuse policy and to maintain a safe working environment that is free from the effects of substance abuse.

### **5-14.1: Violations**

The City of Ecorse specifically prohibits and will discipline, up to and including termination, any employee for any of the following activities:

- (1) Use, consumption, possession, being under the influence of, sale, transfer, manufacture or possession of drugs or drug paraphernalia during work time (including breaks and meal periods), on City's business, on any City's premises or work sites, including in City supplied vehicles. City vehicles or private vehicles used while on City's business are included within this prohibition.

The use of the term "drug" in this Policy refers to both legal and illegal controlled substances, unless the legal use is pursuant to the instruction of a medical professional licensed to prescribe or advise individuals on the use of drugs who has been informed of the employee's job duties and has advised that the substance does not adversely affect the employee's ability to safely perform his or her job. The term "drug" also includes, but is not limited to, marijuana, cocaine, ecstasy or molly, PCP, heroin, LSD, hallucinogens, morphine, amphetamines and barbiturates.

The use of over-the-counter drugs and legally prescribed drugs is permitted as long as they are used in the manner for which they were prescribed and provided that such use does not hinder an employee's ability to safely perform his or her job. Employees should promptly inform their supervisor if they believe their prescribed medication will impair their job performance, safety, or the safety of others, or if they believe they need a reasonable accommodation when using such medication

- (2) The illegal possession, use, consumption, sale and/or distribution of drugs or controlled substances off-duty. This does not prohibit possession and use of medication prescribed for the employee and taken in the manner and dosage prescribed.

- (3) Use, consumption, sale, transfer, or possession of alcohol on any City premises (excluding off-duty use at parks or other City property where alcohol use is allowed) or work sites, including private vehicles while on City business or City supplied vehicles, where permitted by law.
- (4) Being impaired by or under the influence of alcohol, drugs or controlled substances while on City premises or work sites, including City supplied vehicles or private vehicles, during working hours (including breaks and meal periods) or while on City's business.  
Furthermore, employees are expected to remain drug free, the presence of illegal drugs in an employee's test shall be regarded as a violation of this policy. City officials who engage in the limited, appropriate and lawful social use of alcoholic beverages in the course of their recognized duties are exempt from this policy only to the extent of appropriate and lawful use.
- (5) Conviction under any criminal drug statute or other off-the-job conduct, which adversely impacts the employment relationship in the judgment of the City.
- (6) Failure to report to the Supervisor or Human Resources Department the use of any prescribed medication, which may alter behavior, physical ability or mental functions.
- (7) Refusing to submit to an inspection or required test that is requested by management or failure or refusal to sign any required document or cooperate fully with any investigation associated with the enforcement of this policy.

#### **5-14.2: Testing of Applicants and Employees**

Drug testing may be administered as part of the regular pre-employment physical examination for new hires. Employees may be required to submit to drug and/or alcohol testing if the City has a reasonable suspicion that the employee is/was under the influence of drugs or alcohol while on City's property, on City's time (including breaks and meal periods), or on City's business. Any tampering with a specimen or interference with a drug test will result in termination.

Any employee involved in a workplace accident involving bodily injury (to himself, herself or a third party), property damage or when, in the City Administrator's or department head's judgment, there is reason to believe that the employee is intoxicated or impaired, will be required to submit to drug and/or alcohol testing. The City will act on the results of said tests in accordance with this policy.

### **5-14.3: Condition of Employment**

Compliance with the City of Ecorse's Substance Abuse Policy is a condition of employment. Any applicant who fail to participate in a valid drug and alcohol test or who test positive will not be hired.

### **5-15: Recreational and/or Medical Marihuana**

In November 2008, the Michigan Medical Marihuana Act was adopted providing an affirmative defense to criminal liability for certain, qualifying patients who were using marihuana for medical purposes. In November of 2018, with the adoption of Proposal 1, persons who are possessing or using the statutory amount of recreational marihuana has an affirmative defense to criminal liability.

Nonetheless, employees should acknowledge and understand pertaining to the possession and usage:

- It is still a criminal act under federal law to use and possess medical and recreational marihuana.
- Neither the Michigan Medical Marihuana Act nor Proposal 1, which pertains to recreational marihuana, authorizes:
  - Marihuana to be consumed in a public place; or
  - Operating a motor vehicle while consuming or being under the influence of marihuana
- Both the Michigan Medical Marihuana Act and Proposal 1 provide:
  - Employers to prohibit consumption or smoking of marihuana in the workplace; and
  - Employers to prohibit employees from performing their jobs while under the influence of marihuana.

The City s has the right to conduct drug testing as set forth in this Policy and take disciplinary action in accordance with the Policy for employees who consume, smoke, or are under the influence of marihuana in the workplace. Furthermore, the City Policy and Procedures for Providing a Drug-Free Workplace Environment remains consistent and being under the influence of marihuana or being in possession of marihuana is prohibited.

## **5-16: Information Systems Use and Social Media Policy**

This policy is regarding the use of the City's information systems and social media, by City employees. This policy applies to all employees, approved volunteers, consultants, service providers and contractors performing business on behalf of the City of Ecorse ("employees").

The City prohibits the indecorous use of electronic communication systems, media imaging systems, networks, devices and equipment, and dispersal of inappropriate information, images, recordings, photographs, videos or other materials by City employees. This includes the use of social media. Social media is broadly defined as internet-based communications technology that provides immediateness, interactivity and the sharing of information across multiple platforms.

The City permits the use of social media, where appropriate, to further the goals and missions of the City. Only authorized personnel may make postings to any official City social media or web account. The City has an uppermost interest and expectation in deciding what is "spoken" on behalf of the City through social media.

It is the policy of the City that all individuals uphold the policy set forth herein when using City information systems, which are defined as: computers and the services of both internal and external databases and information exchange networks, the internet, email, voice mail, mobile data terminals, facsimile machines, mobile telephones, lap top computers, portable electronic devices, smart phones and social media ("Information Systems").

## **5-17: Software Usage**

Unauthorized usage of the City's software is prohibited. Employees are prohibited from making or using unauthorized copies of software programs. Furthermore, no employee shall install or run outside software on City's computers unless approved by the Director of IT. All outside software or documents must be virus-scanned before being installed or run on City's equipment.

## **5-18: Password and Encryption**

Communications sent by video, email, or other media may be subject to disclosure under the Freedom of Information Act or in litigation. No employee shall have any expectation of privacy with regard to any information transmitted or stored on the City's Information Systems.

Transmission of electronic messages and information on communications media provided for employees of the City shall be treated with the same degree of propriety, professionalism and confidentiality as official written correspondence or public records.

The City encourages authorized and trained personnel with access to City's Information Systems to utilize these devices whenever necessary. However, all Information Systems are the property of the City and use of any of these Information Systems is a privilege that is subject to revocation. Information Systems are intended for use in conducting official City business with limited exceptions noted in this policy.

Employees are advised that they do not maintain any right to privacy or ownership in the Information Systems equipment or its contents or to include or install personally owned software. All information and messages that are created, sent, received and/or stored on the City's Information Systems are the sole property of the City. For example, all email is subject to the right of the City to monitor, access, read, disclose and use such email without prior notice to the originators and recipients of such email.

The City reserves the right to access any of the records within the Information Systems at any time and to retain or dispose of those records as it deems necessary and appropriate, and may require employees to provide passwords to files or programs that have been encrypted or password protected.

The City reserves the right to access, for quality control purposes and/or for violations of this policy, data, electronic, video and voice transmissions of employees conducting business in the City.

Accessing or transmitting materials from City Information Systems that involve the use of obscene language, images, jokes, sexually explicit materials, or messages that disparage or threaten the municipality, any person, group, or classification of individuals is prohibited regardless of whether the recipient has consented to or requested such materials.

The use of social media shall hold to all City of Ecorse policies prohibiting discrimination, retaliation and harassment of co-workers.

## **5-19: Cell Phone Policy**

During work hours, employees are expected to exercise the same discretion in using personal cell phones as they use with City phones or computers. Excessive personal use during the workday for calls, texting or internet use, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees should limit personal use during work time, and should use personal cell phones only during breaks or lunch periods in non-working areas except for emergencies. The City is not liable for the loss of personal cell phones brought into the workplace.

### **5-19.1: Personal Use of City-Owned Cell Phones**

The City may issue cell phones to employees for work-related communications. Employees in possession of City equipment (including cell phones) are expected to protect the equipment from loss, damage, or theft. On resignation or termination of employment, or at any time on request, the employee may be asked to produce the phone for return or inspection. Any employee unable to present the phone in good working condition within a reasonable time period may be expected to purchase a replacement. Employees who leave the City with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

### **5-20: City-Owned Vehicles**

The City recognizes that employees need to make use of City owned vehicles. The purpose of this policy is to promote standards for Employees who operate a City-owned vehicle on City business.

Unauthorized personal use of a City-owned vehicle is prohibited and may result in loss of vehicle privileges, and/or more serious disciplinary actions. Permission to operate a City-owned vehicle must be given by the City Administrator. Employees shall operate all City-owned vehicles in a safe and economical manner. In order to accomplish this, the following practices must be followed:

#### **5-20.1: Use of City Vehicles**

- Employee's privilege to operate a vehicle on official business extends only as long as the driver operates the vehicle in a safe and efficient manner. Proper care in the operation of the assigned vehicle, including the use of seat belts, shall be exercised at all times.
- City-owned vehicles shall be driven for official use only. Personal use of City-owned vehicles is not permitted.
- Vehicles will be operated only when they are in safe operating condition. Each Employee driving a vehicle on business shall visually inspect the vehicle to assure it is in sound operating condition. The driver shall be responsible for checking to ensure that the vehicle lights, turn signals, brake lights, and other safety equipment are functional on the City-owned vehicle.
- All drivers must have a valid driver's license.
- All safety, speed, and driving conditions shall be carefully observed.
- No unauthorized drivers will be allowed to operate a city vehicle. Passengers, including family members, are allowed only if they are accompanying the City Employee when the employee is required to be away

on extended overnight City business. This will require advance approval of the City Administrator on a case by case basis.

- Any damage to, or malfunction of the City Vehicle; Accidents and/or citations and infractions shall be reported to the Police and Supervisor as soon as possible. In the event of a violation of State or local motor vehicle laws, the driver shall be personally liable for any criminal or civil penalty incurred.
- Financial assessments related to City-owned vehicles that are incurred as a result of the driver's poor judgment, irresponsibility or negligence, will be the responsibility of the employee. Such charges or assessments may include, but are not limited to, tow charges and tickets.
- Use of City-owned vehicles while under the influence of alcohol or illegal drugs is prohibited.

**City vehicles shall not be taken home overnight except as follows:**

- 1) Employees may take a City-owned vehicle home for one night when attendance at an off-site meeting takes place after or prior to normal working hours' subject to approval of the City Administrator, Department Head, or Supervisor. City-owned vehicles must be parked off the street at the employee's home. (i.e., driveway or garage). City-owned vehicles may not be parked overnight at bars, restaurants, nightclubs, or other recreational locations without specific authorization from the City Administrator, Department Head, or Supervisor
- 2) City-owned vehicle shall be returned at the earliest practical time the day after any overnight usage.

**5-20.2: Prohibited Use of City Vehicles**

Any and all unauthorized use of a City-owned vehicle is absolutely prohibited. Unauthorized use includes, but is not limited, to the following:

1. Any use for personal purposes, other than necessary or immediately incidental to official use.
2. Travel or tasks which are beyond the vehicle's rated capability or capacity.
3. Transport of families, friends, associates or other persons who are not employees of the City or serving the interest of the City.
4. Transport of cargo that has no relation to the performance of official City business.
5. Transport of acids, alcohol, explosives, weapons, ammunition or highly flammable material, except in the course of City business and in compliance with all applicable Local, State, and Federal laws.
6. Transport of any item or equipment projecting from the side, front or rear of the vehicle in a way which constitutes an obstruction to safe driving or a hazard to pedestrians or other vehicles.

7. Attending sporting events, including hunting and fishing, which are not in the service of City business.
8. Operating a City-owned vehicle while under the influence of alcohol or drugs.
9. Operating a City-owned vehicle without a valid operator's license or while said license is under suspension or revocation.
10. Smoking while in a City-owned vehicle.

Any unauthorized use of a City-owned vehicle may result in disciplinary action up to and including termination of employment.

### **5-21: Driver's License/Driving Record**

Employees in positions where the operation of a motor vehicle is an essential duty of the position must present and maintain a valid driver's license and acceptable driving record to our insurer. Changes in your driving record must be reported the Human Resources Department immediately. Violations of this policy may result in immediate termination of your employment.

### **5-22: On-the-Job Injury**

When there is an on-the-job injury, the following must occur:

- (1) If the injury is serious and requires an ambulance, then the emergency aid unit shall be called immediately;
- (2) If the injury is not serious, but requires medical attention, the employee must go to the medical facility designated by the City;
- (3) For all other injuries, even if medical treatment is refused, supervisors or department heads must fill out either the First Aid/Minor Injuries Report or the Occupational Incident/Accident Report. Copies are to be made for the employee's personal file, the department head and the Safety files in the HR Department; and
- (4) After being off from work due to an injury, a doctor's authorization must be submitted to the supervisor prior to returning to work.



## **5-23: Insurance Claims**

1. No employee may discuss matters involving claims against the City.
2. All questions pertaining to claims shall be referred to the Human Resources Director.
3. Claims for damages presented to the City shall be referred to the City Administrator.

### **Responsibilities:**

- All City employees must notify their supervisor in the case of incidents involving potential claims within one (1) day. The supervisor must report in writing to the City Administrator within three (3) days. Items reported should include any property damage occurring during work for the City no matter how small.
- The Human Resources Director shall:
  - Ensure that any applicable provisions of State law are met, see that all claims for damages accurately locate and describe the defect or act that caused the injury, reasonably describe the injury and state the time when it occurred, contain a list of damages claimed and be verified by the claimant or a relative of the claimant, attorney, or agent of the claimant.
  - Refer claims to the carrier within five (5) working days and provide an informational report to the City Administrator on the claim status.
  - Recommend action to the City Administrator within thirty (30) days of receipt regarding claims which fall below deductible limits of existing policies, or which are not covered under existing policies.

All property claims and non-employee injuries shall be reported to the City Administrator. All employee medical claims shall be reported to the Human Resources Director.

## **SECTION 6 - SAFETY ETHICS & CONDUCT**

### **6-1: Commitment to Safety**

The most important aspect of running our City is protecting the safety of our employees and visitors.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management when any health or safety issues and concerns are present. All employees are encouraged to ally with management to ensure maximum safety for all.

In the event of an emergency, notify the appropriate emergency personnel by dialing 911.

### **6-2: Workplace Violence Prevention**

The City is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at City-sponsored functions.

All City employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their Supervisor or Department Head. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Any individual engaging in violence against the City, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

### **6-3: Workplace Security**

Most offices are easily accessible by other staff members and are open to the public. Employees are expected to remain aware of their surroundings and the visitors who enter their work area. Follow all department level procedures related to security and immediately report any suspicious activity to the Public Safety department.

Be sure to protect your valuables and belongings at all times. If you are the last to leave an area, be sure to properly secure all goods and valuables according to department rules and procedures.

#### **6-4: Keys and Security Codes**

Some employees are issued keys and/or security codes to access one or more public buildings, offices, or equipment. These are to be carefully guarded, never shared or duplicated. Lost or stolen items must be immediately reported to the Human Resources Department.

#### **6-5: Concealed Weapons**

City employees, except sworn Public Safety staff, are forbidden from carrying a concealed weapon while on-duty and may not store weapons on the premises, including in vehicles. On-duty is defined as the hours between which an employee reports for work and the time the employee leaves work, including overtime work and call-outs, emergencies, and required attendance at meetings in an official capacity whether such meetings occur during or after normal working hours.

#### **6-6: Searches on Company Property/In-Office Investigations**

The City of Ecorse maintains the right to workplace searches or investigations. Searches and investigations may be conducted whenever the company reasonably suspects a violation of law or City rules.

- All City property (including employees' computers and desks) may be searched at the employer's discretion.
- Searches of personal property may be conducted from time to time when deemed necessary
- Consequences of refusing to cooperate with a search may involve disciplinary action, up to and including termination.

## **Section 7 - SEPARATION FROM EMPLOYMENT**

### **7-1: Voluntary Separation or Termination from Employment**

In all cases of voluntary resignation (one initiated by the employee), employees are asked to provide a written notice to their supervisors at least 10 working days in advance of the last day of work. The 10 days must be actual working days. Holidays and paid time off will not be counted toward the 10-day notice. Employees who provide the requested amount of notice will be considered to have resigned in good standing and generally will be eligible for rehire. An appointment should be made by the employee for an exit interview with the Director of Human Resources.

In most cases, the Director of Human Resources will conduct the exit meeting on or before the last day of employment to collect all City property, and to discuss final pay. An employee who voluntarily terminates employment or is discharged will be paid all wages earned and due as soon as the amount can be determined, or at the latest, on the next regularly scheduled payday.

Employees shall not take public records with them when they terminate employment or contract with the City, and they shall not destroy records that have not yet fulfilled their approved retention period. The Supervisor or designated employee is responsible for ensuring that the records, including email and other digital records, of employees who are separating from the City are retained in accordance with the City's record retention policies.

Employees must turn in all City property upon termination. Failure to do so may lead to appropriate legal action.

Should it become necessary because of business conditions to reduce the number of employees or work hours, this will be done at the discretion of the City.

If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address.

### **7-2: Disposition of Benefits**

Health insurance terminates the last day of employment unless an employee is leaving directly to a qualified retirement plan whereas specific benefit information is outlined in either collective bargaining agreements or employee agreements

All other benefits through the City of Ecorse will also cease effective immediately upon termination unless provided otherwise through collective bargaining or employment agreements.

### **7-3: Benefits Continuation (COBRA)**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City's group rates plus an administration fee for no more than thirty-six (36) months. The City does not send monthly bills for COBRA payments. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employee's rights and obligations.

#### **COBRA will be terminated when:**

- a) Participants fail to pay their premium for continuation
- b) The City ceases to maintain group health coverage to any of its employees
- c) Coverage under another plan
- d) Entitlement to Medicare
- e) Loss of Social Security disability status

### **7-4: Retirement**

Employees who plan to retire are expected to notify their supervisor and the Human Resources Department in writing at least one (1) month before the planned retirement date (sooner if possible). Those individuals eligible for a Defined Benefit or Hybrid type retirement pension through MERS must also contact MERS in advance to ensure eligibility and allow for pension benefits to commence in a timely manner. Employees are eligible for retirement benefits at any time after they have met the minimum service and/or age requirements.

### **7-5: One Year Absent**

An employee that is unable to work due to a medical related issue and is eligible for workers' compensation or a City paid Disability plan (STD/LTD) or other approved paid leave, has up to one year to return to work without job duty restrictions. The one year (12 month) time period can be either concurrent or accumulative days

determined by the City. Employees that are unable to return to work must keep in continual contact with their department/division and the Office of Human Resources regarding their work status. Failure to do so may result in the automatic termination of employment. Employees with a medical prognosis of not being able to perform the duties of their job at any time in the future, may be terminated with less than one year of absence.

### **7-6: Money Owed**

Employees that owe the City money at the end of their employment for excessive use of sick time, health care contributions, FSA contributions or other reasons will be required to repay the City either through their last pay, if applicable or through direct pay to the City.

### **7-7: Exit Interview**

Employees leaving the City's employ are requested to participate in an exit interview. The exit interview will be conducted in the Human Resources Department. The exit interview is an opportunity to discuss job satisfaction, benefits disposition, feedback on direction and policy, and any other questions or concerns the employee may have.

### **7-8: Rehire**

Employees who leave the City in good standing may be considered for reemployment. An application for open positions to the public must be submitted to the Human Resources Department. The selected candidate must meet all the qualifications and requirements for the position including successfully passing all the screening, testing, interviewing, background checks and post offer pre-hire medical exams if applicable.

## **SECTION 8 – JOB PERFORMANCE**

### **8-1: Job Performance**

All City of Ecorse employees must take responsibility for executing his/her assigned duties to the best of their ability.

To guarantee effective and efficient job performance, each employee is expected to carry out the following:

- Comply to the policies and procedures organized in this Employee Handbook;
- Arriving on time for scheduled work assignments, meetings, and appointments and deliver work projects by the assigned deadlines;
- Stay safe while performing work assignments
- Follow the City's standards of conducts

Communication between employees, supervisors, and department heads is very important. Discussions regarding job performance issues and concerns are ongoing and often informal. Employees should initiate conversations with their Supervisor, Director, and/or Director of Human Resources if they feel additional ongoing feedback is necessary.

### **8-2: Performance Evaluation**

The purpose of performance evaluations is to provide communication between a supervisor and an employee about the individual's work performance and to establish goals for the upcoming year. Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the midpoint, and at the end, of a non-union employee's initial period in any new position. This period, known as the probationary period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. The employee should be given the opportunity to see and comment on their evaluation. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

After the initial probationary period, performance evaluations shall be conducted annually.

When an employee is not actively working at the time annual reviews are conducted, the performance evaluation should be completed, but the performance review may be delayed until their return. In any other

circumstances for which a supervisor is considering a delay in conducting a performance review, consultation with Human Resources must occur.

## **Section 9 – Corrective Action & Group Offenses**

### **9-1: Corrective Action**

Each employee has the duty and responsibility to be aware of and abide by existing City rules and policies. Employees also have the responsibility to perform their duties to the best of their ability and to the standards as set forth in their job description or as otherwise established or directed.

The City supports the use of Corrective Action to address issues such as poor work performance, poor behavior, or misconduct. The City's Corrective Action policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues.

The major purpose of a Corrective Action is to correct the problem, prevent it from happening again, and prepare the employee for satisfactory performance in the future. Any language regarding Corrective Action procedures governing covered employees in collective bargaining agreements contrary to this policy shall prevail over the language of this policy.

Corrective action is not always progressive, or does it always start at the lowest level since it is dependent on each situation. When deciding which discipline to impose, the City will administer disciplinary actions on a case-by-case basis depending on how severe the problem is and how often it has happened.

Corrective action may be any of the following types:

- 1) Oral and Written Reprimand
  - a. Supervisors and department heads should provide the human resources department a copy of all verbal and written reprimands given.
  - b. Probationary employees may be terminated at any time and may not grieve this action, or any other corrective action taken.
  - c. This type of corrective action should be applied to offenses of a relatively minor degree or in situations where the employee's performance needs to be discussed.



- d. Verbal warnings are not grievable.
- e. Written Reprimands will be issued if in case the employee continues to disregard a verbal warning or if the offense is severe enough to necessitate a written reprimand.

2) Suspension without pay

- a. This type of corrective action may be taken as result of a severe offense(s) of City of Ecorse Ordinances, Citywide and Departmental policies, and procedures, and/or any applicable laws standardized by an outside authority and including, but not limited to, theft, insubordination, illegal or destructive acts or for repeated violations.
- b. An employee may also be suspended after repeated offenses of a less serious nature if the supervisor has documented the offenses and appropriate behavioral changes have not resulted from previous corrective action.
- c. Suspensions shall not exceed thirty (30) scheduled workdays or a maximum of 240 scheduled work hours.
- d. Suspensions will be scheduled at the discretion of the Human Resources Department or City Administrator.

3) Termination of employment

- a. Employees may be suggested for termination in instances involving, offense(s) of City of Ecorse Ordinances, Citywide and Departmental policies, and procedures, and/or any applicable laws regulated by an outside authority for repeated violations, and including, but not limited to, insubordination, theft, illegal or destructive acts.
- b. An involuntary termination will require the Human Resources Director consultation prior to being administered.

4) Demotion

- a. Demotion may be considered in certain situations when an employee is unwilling or unable to perform the responsibilities of the position.
- b. Demotion is not to be used as a substitute for discharge when discharge is warranted.
- c. The pay rate of a demoted employee may be decreased to the appropriate rate of the new pay grade of the position into which the employee is demoted.

Employees that receive discipline are always subject to further discipline up to and including the termination of employment when poor performance, poor behavior, misconduct or other policy violations occur.

In very serious situations, some types of employee problems may justify either a suspension, or, in extreme situations, immediate termination of employment. The City of Ecorse reserves the right to:

- suspend the operation of any disciplinary action that it may take, during improved behavior for a specified term, at its exclusive discretion.
- determine the appropriate level of discipline for any inappropriate conduct, including written warnings, written reprimands, suspension without pay and termination of employment.
- retain any documents related to employee disciplinary actions in employee personnel files in accordance with all applicable federal and state laws.

Examples that are given in any rule do not limit the generality of the rules. The rules and regulations in this Employee Handbook are not to be construed as a limitation upon the retained rights of the City, but are merely guidelines for supervisors and employees.

Employees who are members of bargaining units have certain rights regarding representation and appeal. Those employees should consult with their collective bargaining agreements. Some collective bargaining agreements may outline discipline retention time frames as well.

The following Rules of Conduct have been grouped together based on similarity or the seriousness of the infraction committed. However, supervisors and department heads reserves the right to issue appropriate disciplinary measures up to and including termination upon the severity of the violation. A more severe or less than severe penalty may be imposed than that recommended below if it is deemed necessary due to the seriousness and nature of the offense, the record of the employee or other applicable factors.

## **9-2: Offenses**

The following is not intended to be a complete list of every offense or act for which disciplinary action may be necessary. In addition, individual departments (especially Fire and Police) establish rules and regulations which may call for disciplinary action not listed herein. If there is a conflict, the stricter policy/rule will prevail.

### **Group A Rules**

1 <sup>st</sup> Offense	Oral Reprimand
2 <sup>nd</sup> Offense	Written Reprimand
3 <sup>rd</sup> Offense	One-Day Suspension
4 <sup>th</sup> Offense	Five-Days Suspension
5 <sup>th</sup> Offense	Discharge

**9-2.1: Group A Offenses:**

- Absences and Tardiness:
- Minor Preventable Vehicle Accident:
- Smoking
- Electronic Communication Systems and Telephone Usage
- Attire/Personal Hygiene
- Unsanitary Conditions
- Job Performance

**Group B Rules**

1 <sup>st</sup> Offense	Written Reprimand
2 <sup>nd</sup> Offense	Two-Days Suspension
3 <sup>rd</sup> Offense	Five-Days Suspension
4 <sup>th</sup> Offense	Discharge

**9-2.2: Group B Offenses:**

- Major Preventable Accident with Injury
- Failure to Report Accidents and Injuries Within 24 Hours
- Expired/Suspended Driver’s License
- Unauthorized use of Overtime
- Disobeying Safety Practices
- Using City Property without Permission
- Unauthorized Use of Software and Social Media

**Group C Rules**

1 <sup>st</sup> Offense	Five-Days Suspension
2 <sup>nd</sup> Offense	Discharge

**9-2.3: Group C Offenses:**

- Alcohol and Substance Abuse
- Releasing Confidential Information
- Extensive Preventable Vehicle Accident (exceeding \$7,000)
- Falsifying Information, Records, and/or Time

- Harassment and Discrimination
- Insubordination
- Using City property to Perform Outside/Private Work
- Threats or Threatening Behavior
- Unfit for Duty
- Damaging Electronic Equipment
- Sleeping While on Duty

### **Group D Rules**

1 <sup>st</sup> Offense	Discharge
-------------------------	-----------

#### **9-2.4: Group D Rules**

- False Claims
- Fighting
- Conflict of Interest
- Neglect of Duty
- Theft or Similar Conduct
- City Vehicle Accident Causing Death or Dismemberment
- Drug or Alcohol Testing Refusal
- Weapons Possession Except for Authorized Employees

#### **9-3: Grounds for Corrective Action**

The continued employment of City employees shall be based on reasonable standards of job performance and personal and professional conduct. Refusal to meet these standards or comply with City policies shall constitute just cause for corrective action including, but not limited to verbal or written reprimands, suspensions, demotions, termination, arrest, and/or prosecution.

#### **9-4: Type of Action Administered**

Corrective action is not primarily intended to be punitive, but rather to maintain the efficiency and integrity of City service. The degree of corrective action administered will depend on the nature and severity of the infraction and the employee's prior record. Management has the right to bypass the progressive discipline process. Corrective action shall be in accordance with any applicable City

policies and procedures as well as local, state, and federal laws and regulations

Each supervisor and department director shall thoroughly assess the circumstances and facts as accurately as possible, follow the corrective action procedures outlined in this Employee Handbook, and apply the most sufficient form of corrective action.

If a city employee is charged and convicted, the City reserves the right to take additional corrective action up to and including termination, as allowed by law.

### **9-5: Corrective Action Procedures**

There are different procedures required for distributing corrective action that is based on the type of action that needs to be administered. Some of these procedures are required by law. The City's designated Corrective Action form is required for all corrective actions.

Corrective actions including verbal warnings shall be given confidentially unless the warning applies evenly to all employees of a division or department. Corrective actions that has been documented may be used as a foundation for further progressive discipline.

The following list outlines details of each corrective action that shall be reviewed with the employee and shall be documented within all corrective actions:

- The nature of the infraction;
- The specific reasons supporting the cause;
- The discipline to be imposed;
- The effective date;
- What action must be taken by the employee to avoid further corrective action, up to and including termination;
- When correction of the infraction is expected;
- Policies or procedures violated; and

The employee shall sign the corrective action to acknowledge receipt and given a copy for their own records. In the case of a refusal to sign the acknowledgement, then the supervisor and a witness of supervisor capacity shall document on the corrective action form that the employee received a copy and refused to sign it.

### **9-6: Probationary Termination**

Probationary employees may be terminated at any time and may not grieve this action or any other corrective action taken.

## **SECTION 10 – PERSONNEL FILE AND PRACTICES**

### **10-1: Personnel File and Practices**

The City will maintain personnel records for applicants, employees and past employees in order to document employment-related decisions, evaluate and assess policies, and comply with government record keeping and reporting requirements.

#### **10-1.1: Contents**

Your personnel file is a record keeping device that documents your employment history and your performance. The contents of your personnel file may be inspected at any reasonable time by visiting the Human Resources Department. You must call ahead to make an appointment. Employees may copy, but not remove, documents in the file and all inspections will be conducted in the presence of the Director of Human Resources.

#### **10-1.2: Privacy**

For your protection, the contents of your personnel file are kept in strictest confidence and can only be accessed by authorized personnel for administrative purposes only. No part of your personnel file will be released except under the guidelines of the Bullard-Plawecki Employee Right to Know Act, MCL 423.501 et seq. as amended.

Medical records are kept in separate files and are protected under HIPPA regulations.

### **10-2: Personal Information**

If you have a change in your home address, telephone number, marital status, number of dependents, or emergency notification data, you must complete a Change of Status form and send to the Human Resources Department. This information is required for insurance and personnel file purposes. If insurance records are not kept current, it may adversely affect the payment of your medical expenses.

### **10-3: Beneficiary Designations**

For your protection you should keep beneficiary designations for insurance and retirement benefits current. You may change these beneficiary designations at any time by acquiring the necessary forms from the Human Resources Department.

## **REFERENCES**

Administrative Regulations

Americans with Disabilities Act of 1990 (Federal Mandate) Civil Service Rules and Regulations

Drug Policy (Administrative Regulation No. 29) Fair Labor Standards Act (Federal Mandate)

Family Medical Leave Act (1993) (Federal Mandate)

Immigration Reform and Control Act of 1986

Social Security Number Privacy Act: Act 454 of 2004

Workers' Disability Compensation Act 317 of 1969 (State of Michigan)





## **Employee Handbook Acknowledgment Form**

The policies described in the Employee Policies and Procedures Handbook are not conditions of employment and are provided to me solely for the purpose of information. I understand that the contents of the Employee Policies and Procedures Handbook should not be construed to constitute a contract between the City of Ecorse and myself or for the providing of any benefits described in the Employee Policies and Procedures Handbook. I agree to conform to the rules and regulations of the City of Ecorse, unless otherwise modified or superseded by a collective bargaining agreement under which I am governed. I understand that the City of Ecorse reserves the right to alter, amend, modify, change, or terminate any of the rules, policies or benefits described in the Employee Policies and Procedures Handbook at any time it chooses with or without notice to me, unless otherwise modified or superseded by a collective bargaining agreement under which I am governed.

In consideration of my employment, I agree to conform to the rules and policies of the City of Ecorse and agree that my employment and compensation can be terminated with or without cause and with or without notice at any time at the option of either the City of Ecorse or me, unless otherwise modified or superseded by a collective bargaining agreement under which I am governed. I understand that no supervisor or representative of the City of Ecorse, other than the City Administrator, has the authority to enter into any agreement contrary to the foregoing and that any such changes must be in writing directed exclusively to me and signed by the City Administrator and me and which specifically refers to the Employee Policies and Procedures Handbook.

EMPLOYEE'S NAME (printed): \_\_\_\_\_

EMPLOYEE'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_



## Harassment Policy Acknowledgement Form

### **Harassment Policy**

The purpose of implementing and enforcing this policy is to define workplace harassment, prohibit it in all forms, provide procedures for placing alleged complaints about conduct that violates this policy, investigate claims of unlawful harassment, and carry out appropriate disciplinary measures in the case of violations.

### **Outlook**

This policy applies to all employees full-time, part-time, seasonal, interns, temporary, volunteers, and citizens, vendors, visitors, elected officials or contracted employees. All employees, including supervisors, and directors will be subject to discipline, up to and including termination, for any violation of this Policy.

### **Workplace Harassment**

The City of Ecorse expects employees to respect the dignity and rights of others. Consistent with our policy of equal employment opportunity, harassment or discrimination in the workplace based on a race, color, ancestry, religion, sex, sexual orientation, national origin, age, physical or mental disability, citizenship status, veteran status, gender identity or expression or any other characteristic protected by applicable law, workplace harassment, including cyber harassment and cyber sexual harassment, will not be tolerated. It is the City's policy that all employees are responsible for assuring that the workplace is free from discrimination and unlawful harassment against any employees, vendors, contractors, applicants, visitors, or members of the public including sexual harassment and harassment on the basis of their protected characteristics. Actions, words, jokes, or comments based on or ridiculing an individual's protected characteristic will not be tolerated. Any employee found in violation of this policy will be subject to disciplinary action, up to and including termination.

I certify that I have received, read, and understand the Harassment policy of the City of Ecorse. I agree to comply with the policy and understand that failure to do so could result in disciplinary action, up to and including discharge.

EMPLOYEE'S NAME (printed): \_\_\_\_\_

EMPLOYEE'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_



## **Alcohol and Substance Abuse Acknowledgement Form**

This is to acknowledge that I have received a copy of the City of Ecorse Employee Handbook and I understand that it contains information about the Alcohol and Substance Abuse. I agree to read and comply with the Alcohol and Substance Abuse Policy located in this Employee Handbook.

The City of Ecorse specifically prohibits and will discipline, up to and including termination, any employee for any of the following activities:

- (1) Use, consumption, possession, being under the influence of, sale, transfer, manufacture or possession of drugs or drug paraphernalia during work time (including breaks and meal periods), on City's business, on any City's premises or work sites, including in City supplied vehicles. City vehicles or private vehicles used while on City's business are included within this prohibition.
- (2) The illegal possession, use, consumption, sale and/or distribution of drugs or controlled substances off-duty. This does not prohibit possession and use of medication prescribed for the employee and taken in the manner and dosage prescribed.
- (3) Use, consumption, sale, transfer, or possession of alcohol on any City premises (excluding off-duty use at parks or other City property where alcohol use is allowed) or work sites, including private vehicles while on City business or City supplied vehicles, where permitted by law.
- (4) Being impaired by or under the influence of alcohol, drugs or controlled substances while on City premises or work sites, including City supplied vehicles or private vehicles, during working hours (including breaks and meal periods) or while on City's business.
- (5) Conviction under any criminal drug statute or other off-the-job conduct, which adversely impacts the employment relationship in the judgment of the City. (6) Failure to report to the Supervisor or Human Resources Department the use of any prescribed medication, which may alter behavior, physical ability or mental functions.
- (6) Refusing to submit to an inspection or required test that is requested by management or failure or refusal to sign any required document or cooperate fully with any investigation associated with the enforcement of this policy.

EMPLOYEE'S NAME (printed): \_\_\_\_\_

EMPLOYEE'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**THIS PAGE IS INTENTIONALLY LEFT BLANK**

**CITY OF ECORSE, MICHIGAN**



**Approved:**

---

City Administrator

---

Director of Human Resources

**HUMAN RESOURCES POLICIES AND PROCEDURES**

---

Section: 2-5    Effective date: 01/2023

**SUBJECT:        REST/MEAL POLICY**

**PURPOSE:**        To provide uniform guidelines for employee rest/meal breaks with consistent practices to improve our service to the public.

**POLICY:**

The City shall provide for regular and appropriate rest/meal breaks for all City employees. Department Heads and Supervisors shall assign and schedule rest/meal breaks to meet the operational needs of work crews or work units. All City employees shall be expected to use good judgement during rest/meal breaks while serving as representatives of City of Ecorse based on the guidelines and intent of this policy, and in all cases presenting a favorable image to the public.

**REST/MEAL PERIOD:**    All full-time employees who work more than five (5) hours are entitled to a one (1) hour for a rest/meal period in the middle of a work shift unless otherwise specified in a collective bargaining agreement. The rest/meal period is commenced at 12 p.m. to 1 p.m. on workdays unless otherwise directed by a department head or City Administrator. The meal period includes travel to and from eating site. Employees may not waive their meal period for the purpose of leaving work early or to compensate for arriving to work late.

**CLOSING: All departments will be closed during the rest/meal period (12 p.m. to 1 p.m.).** The City wants to ensure that our services is rendered efficiently and effectively on a consistent basis.