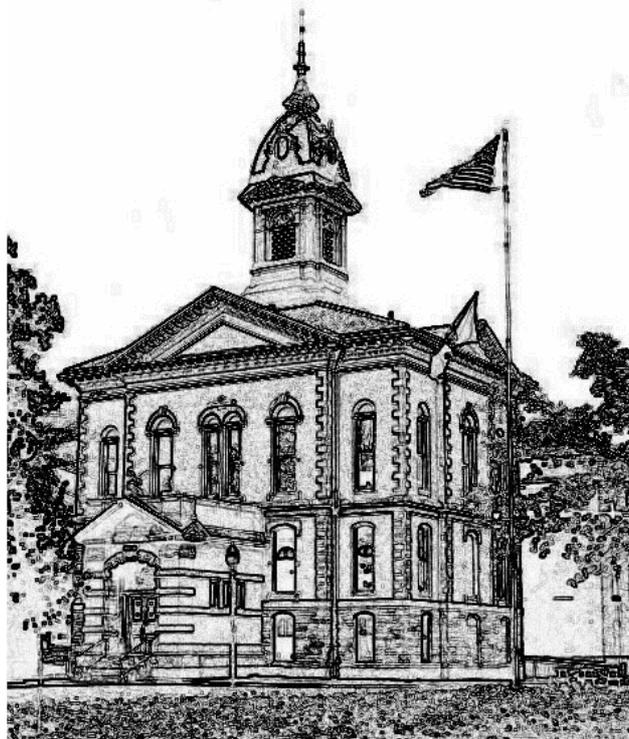


# MENOMINEE COUNTY



# PERSONNEL MANUAL

Amended 4/23/2007



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SECTION 1

PURPOSE AND INTENT

The interpretation and operation of the benefits and provisions of this Policy are within the sole discretion of the Menominee County Board of Commissioners (hereinafter sometimes referred to as "County Board"). The Policies outlined in this document may be added to, expanded, reduced, deleted or otherwise modified by the Menominee County Board of Commissioners and any such modifications in the manual shall be solely within the discretion of the County Board. The Employer reserves and retains, solely and exclusively, all rights to manage and operate its affairs, and neither the constitutional nor the statutory rights, duties and obligations of the Employer shall in any way whatsoever be abridged by the terms of this manual.

For the purposes of this Personnel Manual, the term "Employer" shall mean:

- A. The County Board of Commissioners and Elected Officials, as co-employers in the case of employees working in the County Clerk's office, County Treasurer's office, County Prosecuting Attorney's office, County Drain Commissioner's office, the County Sheriff's Department, and the Court Systems.
- B. The County Board of Commissioners in the case of all other county employees.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is a policy of the Menominee County Board of Commissioners to provide equal employment opportunities to qualified persons without regard to race, creed, color, sex, age, religion, national origin, marital status, height, weight, or handicap as required by law.

SECTION 2

COVERAGE OF THE PERSONNEL MANUAL

- A. This Manual applies to all employees of the County of Menominee; except that they shall not apply to:
  - (1) The Menominee County Library Board employees.
  - (2) County officers elected by popular vote, and persons appointed to fill vacancies in such elected position.

DEPARTMENT

CLASSIFICATION

County Clerk's Office	County Clerk
Register of Deed's Office	Register of Deeds
Prosecuting Attorney's Office	Prosecuting Attorney
Sheriff's Department	Sheriff
Drain Office	Drain Commissioner
Treasurer's Office	County Treasurer

B. This Manual applies to employees of the County of Menominee in recognized collective bargaining units that are represented by a certified collective bargaining representative, except to the extent that the policy indicates that it is not applicable. In all where a conflict exists between this Personnel Manual and an applicable collective bargaining agreement, the collective bargaining agreement shall be deemed to prevail over the provisions of this Manual.

C. The Board of Commissioners shall have the final determination as to who will be covered within the intent of this Manual.

### SECTION 3 EMPLOYMENT STATUS

#### Definition of Employees

Regular Full-Time Employees. Regular employees are hired to fill job positions/classifications that are classified in accordance with assigned job duties, and are authorized by the County Board of Commissioners. Funds for regular status positions are budgeted specifically to support the positions/ classifications. To be considered a regular full time employee, he/she must be scheduled a minimum of 32 hours a week. Regular full time employees will be paid at the hourly rate of the wage rate of the position/ classification they occupy unless otherwise provided in a negotiated labor contract.

Regular Part-Time Employees. Regular part-time employees are hired to fill job positions/ classifications that are classified in accordance with assigned job duties and are authorized by the County Board of Commissioners. Funds for regular status positions are budgeted specifically to support the positions. Regular part-time employees are regularly scheduled to work less than forty (40) hours per work week. Regular part-time employees will be paid at the rate to be determined or otherwise provided in a negotiated labor contract or established by the County Board of Commissioners. Regular part-time employees shall receive no benefits unless otherwise provided in a negotiated labor contract.

Temporary/Substitute Employees. Temporary/substitute employees may be full-time or part-time, are employed by the County in a specified position/classification for no more than twelve (12) months and are authorized by the County Board of Commissioners. These employees are generally hired for the purpose of relieving regular employees who are absent due to illness, vacation, or leave of absence. Temporary/substitute employees will generally be paid at the rate to be determined; any exceptions to this must be authorized in advance by the County Board of Commissioners. Temporary/substitute employees shall receive no benefits.

Seasonal Employees. Seasonal employees may be full-time or part-time and do not work more than seven hundred eighty (780) compensated hours in any one (1) year, unless otherwise provided in a negotiated labor contract or established by the County Board of Commissioners. Seasonal employees are generally hired to address the seasonal demands, such as camping season in the parks. Seasonal employees will be paid at the rate to be determined; any exceptions to this must be authorized in advance by the County Board of Commissioners. Seasonal employees shall receive no benefits.

Casual Employees. Casual employees are employed to be on-call to fill shift vacancies created by regular employees who are absent due to illness, vacation, or leave of absence. Casual employees will work irregular hours. Unless

otherwise provided in a negotiated labor contract or established by the County Board of Commissioners, casual employees will be paid at the hourly rate to be determined while in training. When qualified, the employee will be compensated at the base pay of the classification/position they occupy. Casual employees shall receive no benefits.

Conversion of Time Earned. Part Time employees shall receive prorated time for credit years for the purpose of calculating vacation and sick leave.

#### SECTION 4

##### EMPLOYEE HIRING AND SELECTION PROCEDURE

A. Selection for employment by Menominee County will be through open competition. The selection process will stress ability and subscribe to the principles of Equal Opportunity Employment. Race, color, creed, country of origin, ancestry, sex, age, height, weight, marital status, physical disability, political affiliation, or other factors not pertinent to performance shall not be considered in recruitment, training, promotion, retention, salary determination, or any other conditions or employment, except in cases where they constitute a bona fide occupational qualification.

The County Administrator, Elected Official or applicable Judge, where applicable will ultimately be responsible for selecting the qualified applicant, but the selection process must follow the guidelines set forth in this procedure.

When a vacancy occurs, it will be the responsibility of the County Administrator, Elected Official or Judge, where applicable, to obtain the approval of the Board of Commissioners and to adhere to the following procedure or as otherwise directed by resolution of the Board of Commissioners.

The County Administrator, elected Official or applicable Judge will be responsible for the advertising, receipt of applications, testing (if required), and the screening process. Before an employee is placed on the payroll, the selection process and placement of the salary schedule must be certified to the Personnel Committee by forwarding the "new employee" check list (Appendix "A").

B. Recruitment. Recruitment shall be conducted based on current staff needs. The recruiting efforts will be directed by the hiring County Administrator or Elected Official. Recruitment will be tailored to the various classifications of positions to be filled and will be directed to appropriate sources of applicants in order to attract an adequate number of candidates for consideration.

In order to attract qualified applicants for openings, the following procedures will be followed:

1. Notices of vacant positions will be posted on the public bulletin board in the County Courthouse and Jail. Notices will also be sent to the Hannahville Indian reservation.
2. Concurrent with the posting, the position will be advertised. Other sources will be utilized in accordance with the County's Affirmative Action Plan.
3. All position openings will be listed with the local Michigan Employment Security Commission.

Posted job notices and advertisements shall contain the job title, job summary, minimum qualifications, wage rate, application deadline, and the logo: "An equal opportunity employer M/F". Department heads will be responsible for composing the notices and advertisements. All notices and advertisements will be screened by the County Administrator, prior to publication, to assure compliance to equal employment guidelines and regulations. The application deadline will be established by the department head in conjunction with the County Administrator.

C. Promotion of a Present County Employee. For a vacancy, a County Administrator or Elected Official may promote a present County employee who meets all of the following considerations:

1. The employee has regular status in classification in the same department.
2. The employee meets the minimum qualifications for the vacancy.
3. The employee applies for the vacant position through the recruitment process.

D. Applications.

1. Each applicant shall be required to fill out the County application form. These completed application forms will be considered active for six (6) months only, unless renewed by the applicant.
2. Current County employees wishing to be considered for an opening must also be fill out an application.
3. All applications shall be retained for a period of at least three (3) years.

E. Employee Selection and Processing.

1. The County Administrator or Elected Official shall be responsible for screening and interviewing candidates for the position.
2. No new employee shall start work until they have signed a Drug-Free Workplace Policy statement.
3. No new employee shall start work until they complete an employment physical examination which may include x-rays, tests for alcohol and controlled substances, and any other indicated tests and examinations which are determined to be job related. This shall be paid for by the County and shall be taken from a County appointed physician. No new employee covered under this section shall commence work for the County until the results of the employment physical examination are received and are determined satisfactory by the County Administrator.
4. When the results of the employment physical are determined satisfactory, the official starting date shall be set for the employee. The County Administrator or Elected Official shall notify the Personnel Committee, in writing, as to the candidate selected for the position.
5. The new employee shall be requested to fill out the appropriate paperwork (including benefit enrollment forms) and will review the programs and policies of the County

and their new department prior to commencing work. The responsibilities and duties of the position will also be reviewed by the County Administrator or Elected Official, as appropriate, so that the new employee understands what is expected of him/her. The County Administrator shall verify that these steps have been taken by filling out the "New Employee Checklist", which shall be forwarded to the Personnel Committee.

6. Current County employees, who are changing positions, and the affected departments shall be notified by the County Administrator in writing, of the promotion or transfer and the official starting date will be determined (up to two [2] weeks notice should be given to affect an orderly transition). Appropriate paperwork will then be filled out, and if the County Administrator or hiring Elected Official deems it appropriate for the new position, a physical examination may be required. County employees transferred or promoted will meet with their new Department Head in order to discuss the duties and responsibilities of the new position and to be familiarized with the new department prior to commencing work.

## SECTION 5

### EMPLOYMENT DATES

A. Date of Hire. The effective date on which an individual officially hired as an employee of Menominee County shall be designated as that individual's "Date of Hire". This date is used to determine vacation time, sick time and retirement benefits. An employee's "Date of Hire" will remain in effect throughout the employee's continuous consecutive years of Employer paid employment with the County. The following shall alter an employee's Date of Hire:

1. Layoffs which exceed one (1) year, which shall change one's hire date to the date of return to employment.
2. Authorized medical leaves of absence or other authorized leaves of absence exceeding one (1) year, which will change one's hire date to the date of return.
3. Termination of employment for any reason.

B. Anniversary Date. The effective anniversary date of employment shall be their first day of work. A part-time employee or casual employee moving to full-time status will receive a new anniversary date corresponding to the first day of full-time work.

## SECTION 6

### HOURS OF WORK

Hours of work are to be determined by Department Heads with approval of the County Board.

## SECTION 7

### OVERTIME

A. Overtime. Employees working more than 80 hours a pay cycle shall receive time plus one-half (1/2) of their hourly rates. This provision will exclude bargaining units and exempt employees of the county.

B. Compensatory Time. Time will be earned on an equal hour for hour basis. This will be allowed for exempt employees at the discretion of their Department Heads.

C. Exempt Employees. "Exempt" employees, as used in this Article, shall refer to employees exempt from the overtime provisions of the Federal Fair Labor Standards Act, being 29 USC 201, et seq. These employees shall be compensated on a salary basis. These employees include, by way of example and not limitation:

1. Officers elected by popular vote and persons appointed to fill vacancies in such offices.
2. Officers and employees for whom the Constitution specifically directs the manner of appointment.
3. Members of the boards and commissions specifically required by law to be appointees of the Board of Commissioners, the Governor or other non-County officials or official bodies.
4. Persons appointed by elected official to policy making positions (generally the one chief deputy or assistant to each of the elective officers.)
5. Bona fide Executive, Administrative and Professional employees as defined by the Fair Labor Standards Act legislation and in its implementing rules and regulations.
6. Non-Exempt Employees. "Non-exempt" employees, as used in this Article, shall be employees that are not exempt from the overtime provisions of the Federal Fair Labor Standards Act, being 29 USC 201, et seq.

## SECTION 8

### CLASSIFICATION PLAN

A. The County has adopted a classification plan provided by its consultant, DMG - Maximus, which is labeled Exhibit B, and is a part of this Personnel policy. All of the positions in the County are grouped into classifications so that all positions doing the same general type of work or with the same general level duties and responsibilities shall have the same classification. The classification of each position has been determined by the Study adopted by the Board of Commissioners on September 24, 2001. The Study will be effective starting October 1, 2001.

Requests for reclassification due to the assignment of significant additional duties will require the completion of a new compensation questionnaire by the Department Head and be approved by the Board of Commissioners. It will then be submitted to DMG who will provide a new job description and pay classification for the position. The

request for new positions will follow the same process. The Board of Commissioners may, at its discretion, initiate the reclassification process.

B. **Establishment and Classification of New Positions.** New positions shall be established only by the Board of Commissioners on the recommendation of the Personnel Committee. A Department Head wanting a new position established and classified shall make such a request to the Personnel Committee, through the County Administrator. A DMG Position Questionnaire must be completed by the Department Head and forwarded to DMG for a job description and classification, if approved by the Board

C. **Reclassification Determination of Existing Positions.** A Department Head wishing to recommend the reclassification of a position within their department shall make such a request to the Personnel Committee through the County Administrator, only if there has been a substantial addition or deletion of requirements to the position. The same position questionnaire as mentioned in B. must be completed by the Department Head. This process, if approved by the Board, will begin during the budget construction process for the next fiscal year. Implementation action will begin at the start of the next fiscal year, if funded.

## SECTION 9

### COMPENSATION

A. All County wages and salaries shall be set by the Board of Commissioners. All employees covered by these policies will be classified and placed on the approved Wage Schedule for each year. This wage rate shall not include longevity, shift differential, or other bonuses.

B. **Starting Wage Rates.** The starting wage rates for an employee in a given classification will normally be the base rate of the wage range, except:

1. When the employee enters the new classification by way of promotion from another County classification with a lower maximum wage rate, the employee shall be started at the lowest rate in the new classification which is at least three percent (3%) higher than the employee's current rate of pay.
2. When the employee brings recent directly comparable work qualifications to the classification, the Department Head may petition the Board of Commissioners to start the employee at a rate up to the two (2) year level, provided this rate will be within the Department's budget and the Department Head notifies the County Board of the starting rate.
3. Menominee County utilizes a six (6) year wage progression range.

C. **Longevity Bonus.** As of this contract those employees who have not received longevity will receive it effective on their 3<sup>rd</sup> anniversary date. Employees currently receiving longevity pay will continue receiving it on December 1<sup>st</sup> of each year, one hundred dollars (\$100) plus twenty-five dollars (\$25) for each additional year above three (3) years, up to a maximum of six hundred and fifty dollars (\$650).

SECTION 10

RETIREMENT PLAN

A. MERS. The County participates in a retirement program administered by the Michigan Municipal Employees Retirement System (MERS) as provided by Act 135, of the Public Acts of 1945, as amended.

B. Plan. Individual Employees who were previously covered under individual contracts will continue under those plans, all others or any new hires after January 1, 2005 shall follow the same plan as the Courthouse bargaining unit.

C. MERS Regulations. The above benefits are subject to amendments of Act 135, of the Public Acts of 1945 and the MERS regulations. Additional information explaining the retirement system is available through the County Administrator.

SECTION 11

LIFE INSURANCE

The Employer will provide life insurance for all regular full-time employees who are eligible for life insurance pursuant to the policy terms, a group life insurance policy in the amount of Ten Thousand Dollars (\$10,000).

SECTION 12

HOSPITALIZATION AND MEDICAL INSURANCE

A. Health Insurance. The Employer agrees to provide a health insurance program for employees and his/her dependents. Coverage provided will be substantially equal to the coverage including premium co-pay as negotiated with the Courthouse bargaining unit.

B. Retirement Insurance. Upon retirement from the County's service, the Employee may elect to remain in the group hospital insurance program subject to the same being approved by the Employer's group hospitalization carrier. In the event that an employee shall remain a member of the group hospitalization program, he must pay the full cost of the insurance premium charged by the group carrier for said benefit. The premium will be paid to the Employer, who shall forward the same to the group carrier.

SECTION 13

TRAVEL ALLOWANCE

The following schedule of mileage allowance shall apply to employees required to drive their own vehicle in the course of their employment.

1. Mileage Allowance.

- (a) The County shall provide a mileage allowance. The rate shall be the Internal Revenue Service standard mileage rate. Any changes in the standard IRS mileage reimbursement rate, either upward or downward, shall be effective prospectively only from and after the first full calendar month after the IRS announces such a change in writing.
- (b) Miles shall always be computed on the basis of the shortest distance between the point of departure and destination.
- (c) There shall be an explanation given on all claims made to the County for reimbursement expenses for all trips. The parameters of what is sufficient explanation will be established by the County.

2. Conferences, Conventions or Seminars. The following regulations shall apply to all claims for reimbursement of expenses for attending meetings, conventions, conferences, or seminars on behalf of the Employer:

- (a) Attendance at a meeting, convention, conference or seminar shall have the prior approval of the County Administrator.
- (b) Travel by private automobile shall be reimbursed at the rate as provided in section 1 (a) above.
- (c) If transportation is by an Employer-owned vehicle, no mileage shall be allowed. Actual expenses of operation of said vehicle will be paid by the Employer.
- (d) If travel is by common carrier, coach fares will be reimbursed.
- (e) Reimbursement for meals will follow the policy and rate adopted by the County.
- (f) When a member of an employee's family, i.e. wife, husband, son or daughter, shares the hotel or motel room, the single occupancy rate only will be reimbursed to the employee.
- (g) Business expenses such as tolls, telephone and fax expenses will be reimbursed when it is necessary as a part of the trip on behalf of the Employer.
- (h) Parking fees during the conference, convention, seminar or meeting will be reimbursed.
- (I) Expense Vouchers shall be submitted within two (2) weeks following the convention, conference, seminar or meeting attended by the employee. All vouchers that contain

reimbursement requests for personal out of pocket expenses such as meals, tolls, or fuel must be submitted with a receipt documenting the expense.

- (j) The Board of Commissioners may determine that certain items will not be reimbursed under any circumstances, including, but not limited:
  - 1) Travel insurance;
  - 2) Laundry or dry cleaning; or
  - 3) Hospitality or entertainment expense.

3. Advance Payment.

Employees may receive an advanced payment for meals prior to traveling on the employer's business. The advancement requires the prior approval of the Department Head and the County Administrator and must be in compliance with the following provisions:

- 1. The request shall be in writing and received in the County Administrator's office at least five (5) days prior to the requested issuance date.
- 2. The advance shall be limited to meal expenses and shall be calculated based on the number of days and meals that the employee is out of the area on employer's business.
- 3. Within five (5) days after the employee's return, all receipts must be turned in with a travel report. All advance funds that are not accounted for with receipts must be turned in at the same time.

SECTION 14

HOLIDAYS

- 1. **Recognized Holidays.** Recognized County holidays are: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, the Friday after Thanksgiving, Thanksgiving, Christmas Eve, Christmas, and New Year's Eve.
- 2. **Holiday Pay.** Full-time employees not required to work on a recognized holiday shall receive eight (8) hours pay at their regular rate for the holiday.
- 3. **Holidays Worked.** Non-exempt employees required to work on a holiday shall receive time and one-half(1 1/2) times their regular rate of pay for hours worked on the holiday. Exempt employees will not receive additional compensation when working holidays.
- 4. **Designation.** Any of the recognized holidays falling on a Saturday shall be observed on the preceding Friday; any of the recognized holidays falling on a Sunday shall be observed on the following Monday, with the exceptions of holidays for employees working in a seven (7) day a week operation, for whom holidays will be recognized on the nationally designated date.

## SECTION 15

### PERSONAL LEAVE

The intent of the personal Leave policy is to allow employees the ability to take time from their employment during a year.

It is further understood that an employee, whenever possible, will attempt to schedule personal leave time in advance with the department head so normal operations will not be affected.

**Vacation Eligibility:** Vacation leave with pay will be granted to all permanent full-time and regular part-time employees who have completed one (1) year of service; said vacation to be credited to the employee on each anniversary date of County employment.

**Vacation Benefit:** The vacation benefit will follow the Collective Bargaining Agreement of the Menominee County Courthouse Employees Association in all aspects including but not limited to: amount earned, payment, accumulations, use, scheduling, payment upon separation, etc.

**Sick Leave:** Sick leave benefits shall follow the Collective Bargaining Agreement of the Menominee County Courthouse Employees Association in all aspects including but not limited to: accumulation, use, payment upon separation, notification, verification, etc.

**Personal Days:** as per the Collective Bargaining Agreement of the Menominee County Courthouse Employees.

## SECTION 16

### FUNERAL LEAVE

Funeral leave will be granted in the event of a death in the immediate family as follows: three (3) days funeral leave will be granted in the case of the death of the spouse, mother, father, child, grandchildren, step-father, step-mother, step-son, step daughter, sister, brother, mother-in-law, father-in-law, son-in-law, and daughter-in-law of the employee. One (1) day funeral leave will be granted in the case of death of grandmother, grandfather, or step grandparent of the employee.

Funeral leave will not extend more than three (3) consecutive working days; provisions for taking such funeral leave must be approved by the Department Head.

## SECTION 17

### MILITARY RESERVE TRAINING LEAVES

Upon presentation of official orders requiring training, a full time employee who is a member of an armed forces reserve unit or National Guard will be granted a leave of absence to engage in annual training. Upon presentation by a regular full time employee of compensation records identifying the date of and payment made for

the training program, the County shall pay the difference between the compensation that would have been received had the regular full time employee worked as scheduled for up to ten (10) working days annually. In the event that the annual training required for an employee exceeds the ten (10) days specified above, the additional days shall be granted as a leave of absence without pay (or charged against the employee's accumulated vacation leave, if requested by the employee.)

## SECTION 18

### WORKER'S COMPENSATION

A. Employees are covered by the Worker's Compensation Laws of Michigan. Any employee involved in a work related accident or injury must report that accident or injury to his/her supervisor and the County Clerk as soon as possible after the mishap and fill out the proper reporting forms. Failure to properly report an injury may disqualify you for benefits under Workers' Compensation Insurance.

B. Regular employees covered under this manual who have been employed for one (1) year or more sustaining all occupational injury for which compensation is paid by the Workers' Compensation Insurance carrier may use accumulated sick or vacation leave pay to equal the difference between the compensation benefits and his/her regular bi-weekly salary less normal tax withholdings. An employee receiving Worker's Compensation payments shall not earn vacation and sick leave credits while on Worker's Compensation nor shall they be eligible to receive holiday pay. In the event a regular employee is off work and is being compensated under the Workers' Compensation Law for an on-the-job injury or illness, the Employer will continue, for eligible employees for a maximum of six (6) months from the date of the injury, to pay the premiums on health insurance, where applicable. Thereafter, the employee may make arrangements to pay the premiums to continue those insurances, provided that the insurance carrier permits the same. All other fringe benefits shall cease while on Worker's Compensation.

## SECTION 19

### LEAVES OF ABSENCE FOR JURY DUTY OR COURT APPEARANCES

A. Court appearance time during scheduled working hours. This type of leave is caused by an employee being subpoenaed as a witness to appear in Court on behalf of the County because of their County position. The employee shall suffer no loss of salary and benefits from that which they would have normally accrued and been paid while on this leave, provided all witness fees, less mileage, are deposited with the Office of the County Treasurer.

B. Court appearance time during non-scheduled working time. When a County employee that is not exempt from overtime is required because of their County position to appear in Court on behalf of the County during their nonscheduled working time, the time so spent in Court shall be counted as hours worked for salary and benefits. The court appearance must be verified, in writing, by the court involved in order to receive payment for this leave.

C. Jury Duty. This is an absence from work caused by an employee being ordered to serve as a juror in a court of law. Employees ordered to serve as a juror must show proof and will be required to deposit the jury fee, less mileage and expense allowances, in the Office of the County Clerk. Then the employee will be paid and will

accrue all benefits that they would have normally received while not on jury duty. Employees excused from Jury Duty are expected to return immediately to their County duties.

## SECTION 20

### LEAVES OF ABSENCE WITHOUT PAY WITHOUT BENEFITS

A. Administrative Leaves. At his/her request, a regular employee in good standing may be granted an administrative leave of absence without pay with the initial approval of the County Administrator and final approval of the Board of Commissioners and under the following conditions:

1. The employee will indicate the duration of such leave in his/her initial request.
2. The requested leave is for additional training to better qualify him/her in work assignments, or the leave is needed because of reasons sufficient in the opinion of the County Administrator and Board of Commissioners to warrant such leave of absence.
3. Extensions of administrative leaves may be granted provided a written request is made, where possible, at least seven (7) days prior to the expiration of the leave.
4. All paid vacation and personal leave accumulations must be used prior to approval of an administrative leave.

Administrative leaves under this section shall be granted to employees to the extent required by the federal Family and Medical Leave Act of 1993 (PL 103-3), and any applicable amendment to such Act.

B. Health Leave. A leave of absence without pay due to sickness and injury which prevents the employee from discharging his/her normal duties, may be granted on the following basis:

1. A regular employee may be granted a leave of absence upon the initial approval of the County Administrator or Elected Official and final approval of the Board of Commissioners for the period of disability, but not to exceed twelve (12) weeks, provided the employee's request is supported by a physician's statement verifying the need for a leave, the diagnosis and expected duration of the leave. Upon the employee's request, the County Administrator and the Board of Commissioners may grant extension periods for such health leave if, when requested, the need for such extensions are medically verified and the County Administrator and Board of Commissioners both feel such extension is justified. The Employer may request the employee to provide the County with a physician's statement attesting to an employee's continued inability to work on a reasonable basis. Upon the employee's return to work from such leave, the employee shall furnish the County a physician's statement as to his/her fitness for work.
2. The employee must utilize his/her personal leave before requesting an unpaid leave of absence for illness or injury.

3. The employee shall submit a medical certification as the employee's ability to resume work after (1) all unpaid leaves in excess of thirty (30) days taken for the employer's health or injury reasons; (2) all unpaid leaves taken for the employee's mental health reasons; and (3) after any absence from work during which the employee received worker's compensation benefits. Employees shall be provided specific notice that a return to work certificate is required when they go on unpaid leave, or when it is determined that the leave will require such a return to work certification.
4. The Employer may request an employee to submit to a physical examination with a physician designated by the County in the event the employers question the necessity for a health or injury leave.

C. When a leave of absence without pay under this Article is granted for a specific time period of not more than twelve (12) weeks, and is not extended beyond such period, the individual shall normally be entitled, at the termination of such leave, to reinstatement to his/her former position. When a leave of absence is required for a period of more than twelve (12) weeks, the employee's position will not automatically be held open for him/her. The employee may be reinstated after return from leave if and when comparable employment is available.

D. Benefits. All leaves of absence under this Article will be without pay and fringe benefits, including, but not limited to, employer paid insurances, except that the County will continue Employer paid health insurance for the duration of a duly approved health leave of absence, up to a maximum of twelve (12) months. No benefits or seniority shall accrue during such leaves. To the extent required by federal law, the County will also continue to make available group health coverage for leaves other than Employer approved health leaves which are covered by the Federal Family and Medical Leave Act of 1993 (PL 103-3), as amended. Employees may also continue health insurance coverages under the County group policies at the employee's expense to the extent required by Federal law.

E. Failure to Return. In the event that any employee fails to return from an unpaid leave after the end of the approved leave period, the employee will be considered to have voluntarily resigned from County service.

F. The County reserves all employer rights relating to leaves of absence that may be provided under Federal Family Leave Act.

## SECTION 21

### PERSONAL CONDUCT

- A. All County employees are expected to adhere to the following rules of conduct. The list of rules is not intended to be an all-inclusive list of rules of conduct expected of employees. Further, the list may be added to, modified or supplemented by the Board, the Department Head or elected County officers. The purpose of these rules is to set forth some rules of conduct which will result in disciplinary action, including possible discharge. Other type behavior can subject an employee to disciplinary action including discharge.

The examples of behavior listed below are considered unacceptable conduct:

1. Habitual tardiness at commencement of the workday or after lunch (habitual shall be interpreted to be two instances in one month without sufficient reason, as determined by the Department Head).
2. Absenteeism without sufficient reason or proper notification.
3. Disregard of safety rules or common safety practices.
4. Abuse of break time.
5. Use of profanity or obscene language in the presence of fellow employees or the public.
6. Faulty work and/or covering up faulty work.
7. Failure to complete work assignments.
8. Inefficient work, incompetence or neglect of duty.
9. Conduct disruptive to the work of other employees.
10. Dress inappropriate for work areas and/or which fails to take into consideration public contacts, public expectations and safety or sanitation.
11. Unprofessional conduct.
12. Injurious or dangerous pranks.
13. Fighting on the premises (quarreling not considered fighting).
14. Gambling during working hours.
15. Making or publishing false, vicious, or malicious statements concerning any County employee.
16. Malicious destruction of County property.
17. Unjustified abuse toward the public, either verbal or physical.
18. Willful disobedience to the proper directive of a supervisor, or other acts of insubordination.
19. Unauthorized use of County property, equipment or facilities (including telephones and duplicating equipment).
20. Violation of any County work rules, this manual, or Department rules established by your Department Head.

21. Carelessness or negligence which results in injury to another employee, client or visitor.
22. Sleeping on duty.
23. The misuse of, or removal from the premises without authorization of, any County records or confidential information, or any other County property.
24. Theft of any property of fellow employees or of the County.
25. Knowingly falsifying any timekeeping records, or intentionally giving false information to any whose duty it is to make such records.
26. Possession, consumption or use of any alcoholic beverages on the County premises or while on duty.
27. Possession, consumption or use of a non-prescribed controlled substance.
28. Reporting to work while impaired by the use of alcoholic beverages or controlled substances.
29. Absence on workdays without notice or leave, and without justifiable reason for failure to report.
30. Violation of departmental rules on confidentiality.
31. Immoral conduct.
32. Failure to abide by the standards of conduct established by State law in 1968 PA 317, as amended (being MCL 15.321-15.330) and/or the standards of conduct applicable to State employees in 1973 PA 196, as amended (being MCL 15.341-15.348), which statutes relate to conflicts of interest.
33. Instigating, aiding or participating in any illegal strike or work stoppage.
34. Illegal activity on County premises (misdemeanor or felony) during work or non-work hours.
35. Criminal conviction of a felony, or a serious or work related misdemeanor.
36. Unauthorized possession of firearms, dangerous weapons for personal protection devices, while on duty or on County premises.
37. Falsification or unauthorized altering of employment application information, or County records.
38. Sexual harassment of any other employees or members of the public while on duty or in connection with County assignments.

## SECTION 22

### COUNTY POLICIES

A. Telephone Calls. Use of County telephones is not permitted for personal long distance calls except in emergencies. Department Heads may require employees to log all telephone calls.

B. Change of Name, Address or Telephone Number. If you change your name, marry, have children, change your phone number, or change your address, it is important that you inform your supervisor and the County Clerk's Office as soon as possible so that your records and insurances may be adjusted. It is your responsibility to keep the Clerk's Office up to date regarding these matters.

C. Resignation. Should an employee decide to leave employment, a minimum of a two (2) weeks notice in writing must be given to your Department Head.

D. Employment of Relatives. It is the policy of the County to permit the employment of qualified individuals who are related to an existing employee, provided a *direct* supervisory-subordinate relationship would not exist as a result of that employment, or such persons do not work in the same department. Relatives are defined as spouse, brothers, sisters, parents, in-laws, and natural or adopted children.

If a *direct* supervisory-subordinate relationship occurs as a result of a marriage between two employees working or if such persons would work in the same department, then the County will attempt to transfer one of the individuals, but it is not required to do so. If a transfer does not occur, one of the employees will be required to resign within sixty (60) days of the marriage.

E. Personnel Records. Personnel records are maintained for employees with the County Clerk. These records include information on initial employment or re-employment, professional credentials, salary increases, promotion, demotions, disciplinary actions and other pertinent employment information. You may have access to review and have a copy made of your personnel file provided the County Clerk or their designee, are present during the review.

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

The following guidelines shall be applicable to all employees engaged in outside or supplemental employment.

1. Employees engaged in outside or supplemental employment shall:
  - (a) Not use County facilities as a source of referral for private customers or clients.
  - (b) Not be engaged in during the employee's regularly scheduled working hours.

- (c) Not use the name of the County or any County agency as a reference or credential in advertising or soliciting customers or clients.
  - (d) Not use County supplies, facilities, staff or equipment in conjunction with any outside or supplemental employment or private practice.
  - (e) Maintain a clear separation of outside or supplemental employment from activities performed for the County.
  - (f) Not cause any incompatibility, conflict of interest, or any possible appearance of conflict of interest, or any impairment of the independent and impartial performance of employee's duties.
2. The County shall not be liable, either directly or indirectly, for any activities performed during outside or supplemental employment.

G. Tardiness. Employees who are late may be docked for time lost, and may be otherwise disciplined and/or dismissed at the discretion of the Department Head.

H. Absenteeism. Employees are required to notify their immediate supervisor prior to any absence as soon as possible.

I. Dress and Grooming. Employees are expected to maintain a neat and well groomed appearance in accordance with their position and working conditions. A Department Head may implement a code for his/her department.

J. Public Decorum. All employees must maintain a pleasant and helpful attitude in dealing with members of the public and co-workers, whether by telephone or in person.

K. Acceptance of Gifts. Employees shall not accept any gifts or gratuity from any individual or agency that may be construed as influencing a decision of a County employee.

L. Personal Mail. Personal mail should not be addressed to the County address. Employees shall not use County postage or other County property for personal business.

M. Visitors. Friends, relatives and children of employees are not allowed in the working areas without the approval of the Department Head.

N. Sexual Harassment. Menominee County does not condone any form of sexual harassment in the workplace. Menominee County will provide employee a copy of the Menominee County's Sexual Harassment: Your Rights and Responsibilities policy. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission of such conduct is made either explicitly a term of condition of an individual's employment;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. 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.

Any employee engaging in an act of sexual harassment shall be subject to the disciplinary action, up to and including suspension and/or discharge.

If an employee is being sexually harassed he/she should:

1. Make an attempt to rectify the situation by direct confrontation with the harasser, stating that the advances are not welcome.
2. If direct confrontation is unsuccessful or if you are unable to confront the harasser, the employee may: 1) report the harassment to the Department Head who will investigate or attempt to resolve the problem; 2) Report the harassment to the County Administrator, then the complaint may be then heard in executive session of Personnel Committee; and/or 3) file a formal charge with the Michigan Department of Civil Rights or, under the Title BI, with the Equal Employment Opportunity Commission.

O. Personal Equipment and Valuables. It is impossible to secure insurance coverage for personal equipment and valuables brought on County premises. You are discouraged from having personal items at your office and the County cannot be responsible for any loss or damage to such items.

P. County Property. Employees shall conform to all rules for use and treatment of County facilities and property, and shall not use any County property, equipment, facilities or staff for personal matters or gain.

Q. Political Activities

1. Political activities on the part of County employees shall in all cases be in accordance with the applicable State law, being 1976 PA 169, as amended (MCL 15.401, et seq) and, where applicable to employees funded through Federal funds, by Federal law, being 5 USC '1501-1508 (commonly known as the "Hatch Act") and any applicable regulations relating to these statutes.
2. Any political activities on the part of County employees in violation of these laws may result in dismissal from County services.

R. Parking. Employees are to use designated parking areas only so that parking is available to the public.

S. Inclement Weather.

1. Upon notification of the County Administrator, the County Chair will determine if weather conditions are severe enough to close the Courthouse. Notice of closing will be broadcast

over local radio stations. All employees will be paid for their regularly scheduled hours that day if the Courthouse is closed.

2. Employees who are unable, due to weather conditions, to report for work when the Courthouse is open must use annual leave, sick leave, or compensatory time in order to be paid for that day.
3. If weather conditions or other acts of God make it necessary to close the Courthouse after the business day has started, all employees will be paid for their regularly scheduled shifts for the period the Courthouse is closed. This decision will be made by the County Administrator, then the County Chair. In the County Chair's absence, the Vice-Chair will be contacted and if Vice-Chair is absent the following steps will be taken: 1. Contact Finance Chair; 2. Contact Personnel Chair.

T. Time Records and Payroll Records.

1. All employees covered by this personnel policy must submit a Time Report with their payroll voucher. Time Reports must be fully completed with hours worked, vacation and sick leave accumulation, Compensatory Time, and reasons for any absence. Failure to submit a Time Report will be cause to withhold wages until the Time Reports are submitted.
2. In the event it becomes necessary for an employee to change any facet of their payroll information, such as number of deductions, address, wage scale, etc., the proper form must be completed and submitted with the payroll voucher prior to the change. All necessary forms will be furnished by the Clerk's Office upon request.

U. Departmental Policies.

Department Heads may have additional policies to be applicable to their employees as deemed necessary with prior approval of the County Board of Commissioners. These department policies must be on file at the County Administrator's office.

V. Identification Badge

1. County Employees, except Sheriff Department who will wear the uniform identification per department policy, are required to wear a photo identification badge.
2. Badges are to be worn in a highly visible manner to identify individuals as Menominee County employees.
3. The Sheriff Department shall produce an identification badge for all employees.

SECTION 23

DISCIPLINARY PROCEDURE

## Types of Disciplinary Actions

For each type of disciplinary action there is a separate disciplinary procedure. If the employee being disciplined is not satisfied with the action taken or the procedure used, the employee may submit a complaint in accordance with the complaint procedure. In the case of employees covered by a collective bargaining agreement, the procedures within the collective bargaining agreement shall also be followed.

Prior to any of the following disciplinary actions being taken by the County, the employee department head is required to conduct a thorough investigation into the alleged offense. The investigation is to be placed on the County's Personnel Action Form along with any other pertinent documents attached to this form. The investigation is to include giving the employee's an opportunity to respond response to any accusation. A report of the investigation will be submitted to the County Administrator's Office by use of the Personnel Action Form within one (1) business day. The County Administrator's Office will then distribute the Personnel Action Form as follows within one (1) business day of receiving the form: Original with Attachments - Personnel Records; Copy without attachments - Employee, Department Head(s), Payroll, County Board of Commissioners.

However, nothing herein shall bar the Employer from taking immediate and necessary action when necessary under the circumstances. This may include relieving an employee from duty pending completion of an investigation to avoid disruption of the Employer's operations when deemed necessary by the department head. Upon any employee being relieved of duty, the County Administrator shall be notified as soon as possible.

### a. Oral Reprimand

- 1) The employee's department head will discuss the offense with the employee.
- 2) The employee will be told what potential action may occur if misconduct continues and documentation of reprimand will be placed in his/her personnel file.

### b. Written Reprimand

- 1) The employee's department head will discuss the offense with the employee.
- 2) The employee will be told what potential action may be taken if another violation occurs.
- 3) A reprimand memo stating the offense and potential action will be prepared by the employee's department head. The employee will receive a copy and a copy will be placed in the employee's personnel file with another copy sent to the Personnel Committee and County Administrator. Signatures of the department head and employee must appear on all copies. The employee will sign the memo indicating he/she has read and received the reprimand memo.

### c. Suspension

- 1) The County Administrator and Elected Official will review the offense with the employee.
- 2) A record of the meeting stating the offense and length of suspension will be prepared by the County Administrator or Elected Official. The County Administrator ~~or~~ and Elected Official will review the suspension memo with the employee. The employee will receive a copy and

a copy will be placed in the employee's personnel file. Another copy will be sent to the Personnel Committee. Signatures of the County Administrator and Elected Official and the employee must appear on all copies. The employee will sign the memo indicating he/she has read and received the suspension memo.

- 3) The employee will be suspended for a specified period.
- 4) Only the County Administrator and Elected Official can suspend an employee.

d. Discharge

- 1) The County Administrator and Elected Official will review the offense with the employee.
- 2) A record of the meeting stating the offense and the action to be taken will be prepared by the County Administrator . The County Administrator and Elected Official will review the discharge memo with the employee. The employee will receive a copy and a copy will be placed in the employee's personnel file. Another copy will be sent to the County Board in the form of a personnel action form. Signatures of the County Administrator and Elected Official and the employee must appear on all copies. The employee will sign the memo indicating he/she has read and received the discharge memo.
- 3) The employee will be terminated. Only the County Administrator or Elected Official can terminate an employee.
- 4) Any discharged employee must appeal the discharge in accordance with the complaint procedure.

## SECTION 24

### COMPLAINT PROCEDURE

In any organization problems and differences of opinion occur. On important matters concerning the individual employee, the County wants to be sure the employee is treated fairly. An earnest effort shall be made to settle the problems in the following manner:

- Step 1. Employees who believe they have a justifiable request or complaint should discuss the grievance with the immediate supervisor. This will lead to a fair and speedy solution of most of the complaints arising out of the day-to-day operation of the County.
- Step 2. An employee not satisfied with the verbal decision received in step 1, should submit a grievance in writing to the immediate supervisor. The immediate supervisor shall give an answer to the grievance in writing within five ( 5 ) working days, after the written grievance has been received.
- Step 3. An employee not satisfied with the decision received in step 2, should submit the grievance in writing to the Department Head. The Department Head shall give an answer to the grievance in writing on the same form, within five ( 5 ) working days, after the written grievance has been received.

Step 4. An employee not satisfied with the decision received in step 3, should submit the grievance in writing to the County Administrator. The County Administrator, in concert with the Board Chair and the Personnel Committee Chair, shall give an answer to the grievance in writing on the same form, within five ( 5 ) working days, after the written grievance has been received.

Step 5. An employee not satisfied with the decision received in step 4, should submit the grievance in writing to the County Board thru the County Administrator. The County Board shall give an answer to the grievance in writing on the same form, after a regular scheduled meeting. This decision shall be considered as final.

APPENDIX "A"  
MENOMINEE COUNTY  
BOARD OF COMMISSIONERS, PERSONNEL COMMITTEE  
NEW EMPLOYEE CHECKLIST

1. Department: \_\_\_\_\_
2. Position: \_\_\_\_\_
3. Date of Position Vacancy: \_\_\_\_\_
4. Date Position Filled: \_\_\_\_\_
5. Starting Rate of Pay: Step: \_\_\_\_\_; being (\$ \_\_\_\_\_/hr.)  
(\$ \_\_\_\_\_/yr.)
6. Employee Hired: \_\_\_\_\_  
(name)  
\_\_\_\_\_  
(address)  
\_\_\_\_\_  
(social security no.)
7. Employee Status: \_\_\_\_\_ Full-Time \_\_\_\_\_ Regular  
\_\_\_\_\_ Part-Time \_\_\_\_\_ Temporary  
\_\_\_\_\_ Substitute
8. Position was Advertised through: \_\_\_\_\_  
\_\_\_\_\_  
(Name of Media Sources Used)
9. The New Employee's Pre-employment Application was submitted on:  
\_\_\_\_\_  
(Date)
10. a. The Employee's Post Employment Physical was Conducted by:  
\_\_\_\_\_  
(Name and Address of Physician)
- b. Employee's Physical Reflected no Limitations, except:  
(list any) \_\_\_\_\_  
\_\_\_\_\_
- c. If any Limitations reflected, was Employee Certified by

