



## Additional Compensation for Salaried Employees Policy

### PURPOSE

Grand Traverse County Additional Pay for Exempt Employees Policy is designed to allow for special compensation for work performed by exempt employees aside from their normal responsibilities.

### POLICY & PROCEDURE

Exempt employees are paid a guaranteed salary for each workweek in which work is performed, regardless of the hours worked. However, occasionally exempts may be required to perform duties above and beyond the call of their usual duties, or work may be available in other departments for which an exempt employee may be eligible for additional pay.

#### Procedure

Grand Traverse County recognizes that some additional compensation may be paid to Exempt Employees without loss of exempt status under the Fair Labor Standards Act (FLSA), and that there are circumstances in which such payments may be in the County's interest. Such payments shall not be for the normal work expected of the employee or on an ongoing basis, but shall be for specific situations as approved. As an example, if a grant requires a volume of work to be accomplished for which it is more expedient to pay additional compensation to a salaried employee rather than hire a temporary employee, such work is outside normal work hours and responsibilities, and does not displace normal work expectations for the salaried employee, then such compensation may be approved, provided it is calculated at the pay rate of the classification under which such work would generally fall.

The Human Resource Director and Administration shall approve the circumstances prior to such compensation being paid, or promised to be paid. If timeliness is an issue, and if the funds are included in an approved budget or grant, the Human Resources Director may approve the compensation be paid until such time as the Administration meets. Each individual payment does not need to be approved. The Human Resources Director shall determine the appropriate rate for such pay that is in keeping with the intent of the County policy and minimizes the County's risk under the FLSA.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Americans with Disabilities Act Policy

### PURPOSE

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of Grand Traverse County to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is the company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

### POLICY & PROCEDURE

#### Procedure

When a qualified applicant with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodations will not be hired.

The County will undertake an interactive process with an employee to determine the need for, and extent of, an offered reasonable accommodation. The County may require the employee to provide information from the employee's doctor, appropriate releases, and possible meetings. Failure or refusal of an employee to timely provide such information may result in the denial of a request. If needed, the County will provide a reasonable accommodation—an adjustment or modification that allows the employee to do the job—to a qualified employee with a disability. The County is not required to guess whether a reasonable accommodation is needed. Also, the County is not required to provide the particular accommodation an employee requests if another accommodation will suffice. However, the County must engage in the "interactive process", a dialogue with the employee about accommodations that will meet that person's needs. Contact Human Resources with any questions or requests for accommodation.

Human Resources is responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat and undue hardship issues.

#### Terms Used in This Policy

As used in this ADA policy, the following terms have the indicated meaning:

- Disability: A physical or mental impairment that substantially limits one or more major life activity of the individual, a record of such an impairment, or being regarded as having such an impairment.
- Major life activities: Term includes caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.
- Major bodily functions: Term includes physical or mental impairment such as any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. Also covered are any mental or psychological disorders, such as intellectual disability (formerly termed "mental retardation"), organic brain syndrome, emotional or mental illness and specific learning disabilities.
- Substantially limiting: In accordance with the ADAAA final regulations, the determination of whether an impairment substantially limits a major life activity requires an individualized assessment, and an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include epilepsy, hypertension, asthma, diabetes, major depressive disorder, bipolar disorder and schizophrenia. An impairment, such as cancer that is in remission but that may possibly return in a substantially limiting form, is also considered a disability under EEOC final ADAAA regulations.
- Direct threat: A significant risk to the health, safety or well-being of individuals with disabilities or others when this risk cannot be eliminated by reasonable accommodation.
- Qualified individual: An individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.
- Reasonable accommodation: Includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.
- Undue hardship: An action requiring significant difficulty or expense by the employer. In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include:
  - The nature and cost of the accommodation.
  - The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation, the number of persons employed at such facility, the

effect on expenses and resources, or the impact of such accommodation on the operation of the facility.

- The overall financial resources of the employer; the size, number, type and location of facilities.
- The type of operations of the County, including the composition, structure and functions of the workforce; administrative or fiscal relationship of the particular facility involved in making the accommodation to the employer.
- Essential functions of the job: Term refers to those job activities that are determined by the employer to be essential or core to performing the job; these functions cannot be modified.

The examples provided in the above terms are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered to be disabilities, impairments or reasonable accommodations covered by the ADA/ADAAA policy.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy Amendment 6/03.



## Classification and Compensation Plan Policy

### PURPOSE

The salary and benefits provided by Grand Traverse County are for the purpose of obtaining and retaining competent individuals to perform the services the County provides to our citizens. The County will provide salaries on the basis of internal equity and external competitiveness as it is fiscally able to do so.

### POLICY & PROCEDURE

#### Definition

The Classification Plan provides a complete inventory of all positions in the County and accurate descriptions and specifications for each class of employment. The plan standardizes titles, duties, and responsibilities, provides a sound basis for establishing and maintaining an equitable pay system and provides uniform qualification standards for employment and promotion.

#### How jobs are compared?

Comparing and ranking jobs that are quite dissimilar can be a very difficult task. To do this, the County needed a system that was:

- Internally fair (equal pay for equal work)
- Competitive with jobs outside the County
- Flexible and easily administered
- Well communicated and understood

The County has chosen to use a point-factor system, established in 1990 by a consultant, with language modified by an employee committee in 1998. Factors of significant value to Grand Traverse County were identified and are described in this plan. Weights were assigned to each of the factors based on the importance to the organization. Points, based on a 1,000 point scale, were distributed to each of the classifications. Classifications were then grouped into grade levels. It is important to remember that only the work content required for each job is considered in evaluation of the position. The personal attributes and/or performance of the employee who fills the job does not play a role in this process. The job being measured should be viewed in light of its normal or standard activities and accountabilities, not on the basis of an unusual, one-time task or assignment.

## Factors, weights, and distribution of points

FACTORS	WEIGHTS	#LEVELS	1	2	3	4	5
Education	12%	5	24	48	72	96	120
Work Experience	9%	4	4	23	45	68	90
Freedom of Action	14%	5	28	56	84	112	140
Mental Capacity	20%	5	40	80	120	160	200
Job Impact	14%	5	28	56	84	112	140
Communication	18%	5	36	72	108	144	180
Supervision	9%	4	23	45	68	90	
Physical Risks	4%	3	13	27	40		
	100%						

### How are new classifications added to the plan?

When a department head requests a new job, they shall submit a Job Task and Responsibility Questionnaire detailing job tasks to Human Resources. Human Resources shall review the request for placement into the proper classification. If the job does not reasonably fit into a current classification, the department head, Human Resources, and others as needed, shall develop a new classification description based on the job tasks, and the Human Resources Director shall determine point factors for recommendation.

### What if a point factor is in error?

Jobs change over time, and in an attempt to keep point factors accurate, Human Resources shall go over both the classification description and point factors with Department Heads for all jobs at least every five years.

### How are salary schedules determined?

The Board of Commissioners, during the budget process, approves adjustments to the salary schedule to keep salaries in line with cost of living as determined by the Consumers Price Index and Detroit Index for the prior June. The index amount is reduced by the increased cost of health coverage and the cost of any benefit improvements purchased by the individual bargaining group.

### What if the market indicates a different wage range?

Internal equity is the basis of the classification plan, however, external market is also important to confirm that our salary schedules are in keeping with our identified employer market in order to recruit and retain qualified employees. Therefore we will survey the market:

- At least once every 5 years for benchmark classifications
- Whenever difficulty in recruitment or retention becomes a factor
- At the request of the County Administrator or Director of Human Resources

### Any questions?

We believe that our people are our most important resource. The County's salary administration program is designed to provide you with a more effective, objective and fair compensation system. If you have any questions about the classification or compensation system, feel free to talk with your supervisor or call the Human Resources Department.

## FACTOR DESCRIPTIONS

### EDUCATION

This factor measures the minimum level of formal schooling as required by the job description for the position. The job description is established at an entry level which provides a reasonable expectation that the employee will be successful on the job. The factor does not address knowledge or skills acquired as a result of work experience, nor does it address orientation programs or internships.

1. This job requires communication skills (grammar, punctuation, written organization), arithmetic skills (operations using fractions and decimals), and/or other skills that are normally acquired through high school level courses, or through vocational/applied skills courses. These skills are used in activities such as basic typing, completion of schedules and records, and the operation of equipment. Requires a high school diploma or GED equivalency.
2. The job requires knowledge of a specialized nature, normally acquired through a general high school education and specialized training such as that acquired in the first year of college, technical, or business school and which cumulatively is viewed as equivalent to a minimum 24 credit hours of college level training.
3. The job requires advanced training such as that acquired in the first two or three years of college, technical or business school. If the job requires an associate's degree it should be rated at this level.
4. The job requires a professional level of knowledge in a specialized field, equivalent to that which is normally acquired by completing a regular four year college program. If the job requires a bachelor's degree it should be rated at this level.
5. The job requires a professional level of knowledge in a specialized field, equivalent to that which is normally acquired by completing a post-bachelor degree. If the job requires a master's degree it should be rated at this level.

### WORK EXPERIENCE

This factor measures the minimum level of previous work experience related to the job as required by the job description for the position. The job description is established at an entry level which provides a reasonable expectation that the employee will be successful in the job. Individuals do not get additional points for experience which exceeds the minimum required by the job description.

1. Related experience up to one year.
2. Minimum one year experience in an area or combination of areas required by the job description.
3. Minimum three years' experience in an area or combination of areas required by the job description.

4. Minimum five years' experience in an area or combination of areas required by the job description.

## **FREEDOM OF ACTION**

Freedom of Action measures the extent to which decision making, on a routine basis, is controlled by existing policy, procedures, and instructions and the amount of discretion allowed without supervisor involvement. Initiative is expected from all employees in maintaining a workflow.

1. Work is routine and well covered by existing policies, procedures or instructions, and supervision is readily available.
2. Employee performs the work independently within established policies and procedures, and supervision consists of general instructions in new assignments with advice and assistance normally available.
3. Employee exercises considerable discretion for independent decisions based on technical or professional knowledge, with a manager available for consultation in difficult situations.
4. Work is accomplished with freedom to establish, implement and oversee policies in a department or selected division restricted only by broad county wide policies.
5. Job has the freedom to oversee and implement policies that affect the county organization. Coordinates the planning for many large and diverse organizational components with substantial discretion in determining course of action.

## **MENTAL COMPLEXITY**

This factor measures the complexity of issues to be resolved. Complexity is defined as the level of "thinking process" that is required to gather data, analyze situations, make plans, solve problems, make decisions and/or be creative.

1. The methods used in carrying out planning, problem solving, or decision making are defined by standard practices or procedures. A supervisor or coworker is contacted if a task is outside the scope of standard practice.
2. Job tasks require gathering and analysis of information which may be varied. Completion of task may require subjective judgment within defined parameters. Supervisor may be contacted if task is outside scope of technical knowledge.
3. Job tasks require interpretation, analysis, and anticipation of effect. Diverse tasks or situations must be analyzed, solved, and remedial action taken for modification or adaptation as required.
4. Complex issues must be analyzed and planned ahead of execution, frequently without precedent. Trends must be evaluated to reach sound conclusions and frame recommendations on specific matters.
5. Substantial time and effort must be devoted to researching, obtaining and organizing needed data and information. Issues frequently involve analysis of abstract problems which affect the county as a whole or a large division, and where effects are not readily predictable.

## **JOB IMPACT**

This factor reflects the opportunity for decision making and the impact from those decisions. The degree of impact is the extent to which proper or improper performance of duties and responsibilities can either contribute to or interfere with the day to day operations and long term direction of the County, and or its citizens.

1. The duties and responsibilities of the job will have little impact on the image or financial stability of the county and/or the well-being or rights of its citizens. Errors are picked up in subsequent operations.
2. The duties and responsibilities of the job have limited or short term impact on the image or financial stability of the county and/or the well-being or rights of its citizens. Errors will affect the work of others to the extent of requiring time and effort to trace and correct.
3. The duties and responsibilities of the job will have moderate impact on the image or financial stability of the county and/or the well-being or rights of its citizens. Errors would be difficult to detect but have limited public impact.
4. The duties and responsibilities of the job will have significant and/or long term impact on the image or financial stability of the county and/or the well-being or rights of its citizens. Significant impact may include actions or recommendations that affect the safety, life, or incarceration of an individual, or major financial decisions.
5. Critical goals and objectives would not be achieved. The interests of County government would be adversely and very seriously affected.

## **COMMUNICATION**

This factor measures the level of interpersonal and communication skills required in handling business relationships, both internal and external, that are essential to adequate performance of the job and the frequency with which the skill is used.

1. Job duties require interpersonal and communication skills with internal associates regularly, generally on routine matters such as furnishing or obtaining information.
2. Regular customer contact usually in routine situations such as obtaining and/or providing information, may refer difficult contacts to a supervisor.
3. Job requires regular communications with customers that are of a service nature involving the ability to present problems and/or resolve questions. Employees are expected to handle difficult contacts.
4. Frequent customer contacts which require considerable public relations skills. Contacts involve non-routine problems and require in-depth discussion and/or persuasion in order to gain concurrence or to resolve case problems and gain cooperation.
5. Frequent contacts in which the employee may act as a principal spokesman for the County and/or be authorized to make commitments on behalf of the County in important matters.

## **SUPERVISION**

This factor measures the level of authority and span of control of the position in supervising or managing the job performance of other county employees, including the professional development and discipline of staff. Jobs which involve the occasional direction of other employees "in the absence of the supervisor or manager" are not considered to have supervisory or managerial authority.

1. Regularly coordinates, organizes and assigns the work of others. This may include one or more employees, volunteers or non-employees doing the same or closely related work.
2. Working Supervisor who may perform the same duties and responsibilities of his/her subordinates, and/or other distinct non-supervisory duties, while having delegated authority to begin disciplinary actions and guide staff in professional development goals.
3. As a supervisor, has the authority to make important personnel decisions or to "effectively recommend" such decisions, including hiring, disciplinary actions, and promotions. Develops training programs and guides staff in professional development goals.
4. A department head level having full supervisory authority in important personnel decisions including hiring, disciplinary actions, termination and promotion. Additionally, is responsible to initiate, coordinate and evaluate work processes for a particular division or department. May have supervisors between him/her and departmental staff.

## **PHYSICAL RISKS**

This factor measures both the regular physical demands and hazards of the job, including visual concentration, repetitive motion, manual labor, and exposure to safety and health hazards that cannot be eliminated by use of safety devices or recommended safety practices.

1. Job tasks offer regular opportunity for movement, including sitting, standing, walking, some lifting and carrying, visual attention at a computer screen, and operation of machines and equipment. Exposure to accidents and health hazards are unlikely. Most office and administrative positions are classified at this level.
2. Job requires frequent physical effort required in lifting, carrying and moving materials and equipment. Job tasks, such as field work, produce exposure to injuries such as minor burns, cuts, abrasions or falls. Little or no health hazard is involved.
3. Job requires significant strength or stamina in order to perform regular manual labor or job tasks, produce exposure to serious injuries such as cuts, burns, or fractures obtained from use of equipment, hazardous materials, and contact with dangerous people, etc., or to significant health hazards.

## **TERMINOLOGY**

**Job:** The assigned group of tasks for each employee (specific assignment), i.e. "Small Claims Clerk", used for identification within a department only, not always given a title.

**Job Task List:** List of tasks for a specific assignment prepared by the Department Head/Supervisor for each specific position, used for employee understanding of their job and to determine proper classification. This can be done through the Job Task and Responsibility Questionnaire.

**Classification (or Class):** Title of a group of jobs with similar requirements and tasks, i.e. "Secretary".

**Classification (or Class) Descriptions:** Sometimes called Job Descriptions or Position Descriptions, finalized by Human Resources, and used for determining factor levels in the Classification Plan.

**EEO Group:** Broad collection of similar classifications as defined by the Equal Employment Opportunity Commission, i.e. Administrative, Professional, Technical, Paraprofessional, Service/Maintenance, Administrative Support, Skilled Craft, and Protective Service.

**Factors:** Various items determined to be of value in determining Compensation.

**Weight:** The amount of value given to each factor, the weight of all factors will total 100%.

**Factor levels:** Various levels within each a factor. Each Classification should fit one level in each factor better than any other level. Each job within the classification may not fit the level, but the preponderance of the jobs in the Classification should.

**Points:** Each factor level is assigned a number of points, calculated by the weight given the Factor and the number of factor levels within the factor. The total of all points is 1,000.

**Grade:** Grouping of Classifications within specific point spreads. Each grade is assigned a salary level, determined originally by market comparisons of benchmark jobs to counties of similar population size and the larger local employers.

**Benchmark job:** One to three specific jobs within each Grade which has a market comparable readily available. All benchmark jobs shall be surveyed against the market at least once every five years.

**Market:** When one particular classification within a grade is found to be way off in the market (usually determined by difficulty in recruiting), it may be assigned a market multiplier to bring it up (or down) to market. Such market multiplier will be removed at any time that the market is found to change to fit the County's internal comparable.

**Internal Comparison:** The comparison to other county positions, this is the first and most important item in the review of any classification for appropriate factor levels.

## PROCESS FOR REQUEST FOR SPECIAL EVALUATION

BY AN EMPLOYER OR THEIR SUPERVISOR

Sometimes jobs change suddenly, but more often jobs change gradually over a period of time. If, at any time during the year, you believe that your job tasks and responsibilities have changed significantly:

- A. Employees/supervisors will review the employee's task list as identified on the Job Task and Responsibility Questionnaire. (HR strongly recommends that all job assignments have a task list) for changes that have occurred in the employee's job. (This could be a group of employees who have the same job assignment)
- B. If (rule of thumb) at least 25% of the employee's time is spent in new tasks that do not fit the current classification, the employee/supervisor should document these changes and present them to the Department Head.
- C. The Department Head will give careful consideration to the request, reviewing the task changes, comparing to the classification description of the current job and to other classifications that may more closely fit the job. The Department Head will forward the request to HR along with documentation only if they feel that there is merit for review.
- D. HR will review and meet with the Department Head, and others as needed, to review the documentation and determine if the job:
  - Better fits another classification - the Department Head will then present a Staffing Plan Amendment to the County Administrator or designee
  - Doesn't reasonably fit any existing classification - determine appropriate point factors for recommendation of a new classification
  - Still reasonably fits the current classification - Department Head will respond to employee/supervisor as appropriate

### **SHIFT OF JOB TASKS FOR AN ENTIRE CLASSIFICATION**

When a Department Head or Human Resources feels that there has been a substantial shift in job tasks of all or most jobs assigned to a classification OR point factors do not fit the classification description:

- A. HR will meet with all the Department Heads who have staff assigned to the classification in question to review the task list changes to revise the classification description.
- B. If the change is significant, HR will recommend amendment to the Point Factors to the County Administrator.

### **How about dollars?**

The total factor points determines the grade, which determines the wage range on the appropriate pay scale. The new pay rate shall be determined by the Compensation policy. If the reclassification is to a higher grade, the policy for Promotion shall be followed. If the reclassification is to a lower grade, current employees will be grandfathered in their current wage range. It is up to the department to find funds in their budget to cover any increased expense.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Amended 12/02; Amended 12/03; Amended 10/18



## Code of Ethics Policy

### I. PURPOSE

Grand Traverse County maintains certain policies to guide its employees and appointed and elected officials with respect to standards of conduct expected in fields where improper activities could damage the County's reputation and otherwise result in serious adverse consequences to the County and to employees involved.

The purpose of this policy is to set forth and affirm, in a comprehensive statement, required standards of conduct and practices. All employee and appointed or elected official's actions are significant indications of the individual's judgment and competence. Accordingly, those actions constitute an important element in the evaluation of the employee for retention, position assignments, and promotion. Correspondingly, insensitivity to or disregard of the principles of this policy will be grounds for appropriate management disciplinary action.

### II. POLICY & PROCEDURE

Where government is based on the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his/her government. The public judges its County government by the way County employees and appointed and elected officials conduct themselves in the performance of their respective duties. Devotion to the public trust is an essential part of public service. County employees and appointed and elected officials are the trustees of an important branch of our system of government in which the people must be able to place their absolute trust for the preservation of their health, safety, and welfare.

The proper operation of democratic government requires that County employees, elected and appointed officials be independent, impartial and responsible to the people. County employees and appointed and elected officials must avoid all situations where prejudice, bias, or opportunity for personal gain could influence their decisions. Even the appearance of improper conduct should be avoided.

The purpose of these standards is to provide each employee and appointed and elected officials with clear expectations regarding his/her conduct in the performance of his/her public responsibilities and to give the citizens a standard by which they may be assured that these responsibilities are being faithfully performed.

### III. APPLICATION

The standards of ethical conduct set forth in the Code of Ethics shall be applicable without exception to all employees. Nothing in the Code shall be interpreted as denying any employee his/her rights under the law. In every proceeding with regard to these standards, fundamental due process shall be provided. Employees and officials must faithfully discharge their duties to the best of their ability

without regard to age, race, creed, sex, national origin, or political belief. The public interest must be their primary concern and their conduct in official affairs should be above reproach.

#### **IV. REGULATIONS**

1. A County Commissioner shall disclose his or her relationship or interest on a matter where he or she has a conflict of interest.
2. A County Commissioner shall disclose his or her relationship or interest on a matter where he or she believes that there is a reasonable appearance of a conflict of interest.
3. A County Commissioner shall refrain from deliberating and shall abstain from voting if he or she believes that he or she has a conflict of interest.
4. If a County Commissioner believes that there is a reasonable appearance of a conflict of interest but that no conflict actually exists, then he or she shall disclose that potential conflict and, if choosing to deliberate or vote on the matter, explain why he or she feels that he or she can still weigh the merits of the matter fairly and objectively and vote in the best interests of the public. He or she shall consider the 13<sup>th</sup> Circuit Court decisions of *Elmwood Citizens for Sensible Growth, et al. v Charter Township of Elmwood, et al.* <http://www.gtchd.org/DocumentCenter/View/178> and *Garfield Neighborhood Watch, et al. v Charter Township of Garfield, et al.* and the potential effects of his or her vote.
5. Confidential Information - An employee or elected or appointed official shall not divulge any confidential information to any unauthorized person or release any such information in advance of the time prescribed for its authorized release for his/her own personal gain or for the gain of others.
6. Personal Business - An employee or elected or appointed official shall not be a party, directly or indirectly, to any contract between himself or herself and the County, unless disclosure and approval is made as required by MCL 15.322 <http://legislature.mi.gov/doc.aspx?mcl-15-322> (Contracts of Public Servants with Public Entities).
7. Favors - An employee or elected or appointed official shall not grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.
8. Gifts – An employee or elected or appointed official shall not accept any gifts which are made to him or her in his or her public capacity or reasonably could be interpreted as having been given to that person in his or her public capacity.
9. County Personnel or Property – An employee or elected or appointed official shall not use County personnel, property, or funds for personal gain or benefit.
10. Representation of Private Interests – An employee or elected or appointed official shall not directly or indirectly solicit any contract between himself or herself and the County, committee, board, commission or authority he or she represents, unless disclosure and approval is made as required by MCL 15.322. <http://legislature.mi.gov/doc.aspx?mcl-15-322>

11. Supplementary Employment - An employee or elected or appointed official shall not engage in or accept private employment or render services for private interest when such employment or service is incompatible or in conflict with the proper discharge of his/her official duties or would tend to impair their independence of judgment or action in the performance of his/her official duties.
12. Investments in Conflict with Public Responsibilities -- A County employee or elected or appointed official who participates in the making of loans, the granting of subsidies, the fixing of rates, or the issuance of valuable permits or certificates to any business entity shall not have, directly or indirectly, any financial or private interest in the business entity.
13. Respect and Fair Treatment - Public employees as well as elected and appointed officials shall treat all individuals fairly and with respect, regardless of their race, religion, national origin, culture, age, sex, disability, or any other factor.
14. Harassment - An employee or elected or appointed official shall not harass any other person.
15. Employee Privacy - Grand Traverse County respects the privacy of its employees. Employee records will be used only as necessary for business needs. Employee information shall only be shared for business reasons consistent with applicable law.
16. Responsible Use of County Assets - All employees and elected and appointed officials shall protect County assets, such as equipment, supplies, cash, inventory, and information against misuse and/or misappropriation.
17. Information Management - All County information which is considered to be confidential or sensitive in nature shall be adequately secured and safeguarded. Such information includes documents, files, and databases that may be kept on paper, electronically, or on film. Retention and destruction of such information shall be done in accordance with guidelines set by state laws and regulations.
18. Use of E-mail, Internet, and County Intranet – Grand Traverse County has developed specific policies regarding employee use of County e-mail, the Internet, and the County's Intranet while on County time or using County computers. All employees and elected and appointed officials shall comply with these policies. All data stored on County computers and networks, including email either received or sent is considered to be County property and is not private, unless required as such by law.
19. Compliance with applicable laws and regulations - All employees and elected and appointed officials shall comply with all laws, regulations, rules of professional conduct, and County policies that are applicable to their departments.
20. Special Treatment - An employee or elected or appointed official shall not grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
21. County Seal - Unless expressly authorized by the County Administrator, an employee or elected or appointed official shall not use the official County seal for any private use.
22. An employee or elected or appointed official may express his/her personal views with respect to public issues. However, he or she shall not, by use of his or her position or otherwise, represent those personal opinions as those of the County.

If there is no reportable financial interest applicable to the disclosing party or his or her spouse/partner, then the Annual Disclosure Statement shall contain a certification to that effect.

## **V. DEFINITIONS**

*Conflict of Interest* means either of the following:

- a) A direct personal interest of: the Commissioner, a current business partner of the Commissioner, a Commissioner's immediate family member, or a Commissioner's immediate family member's current business partner in the outcome of a cause, proceeding, application, or other matter pending before the body.
- b) A direct financial interest of: the Commissioner, a current business partner of the Commissioner, a Commissioner's immediate family member, or a Commissioner's immediate family member's current business partner in the outcome of a cause, proceeding, application, or other matter pending before the body.

*Current Business Partner*: a person or company with which the Commissioner or the Commissioner's immediate family member is sharing business ownership or management. This would also include the Commissioner's or immediate family member's employer.

*Direct*: an interest—whether personal or financial—is direct if it is all of the following: (1) not common to other members of the Commission, (2) connected to the Commissioner, immediate family member, or current business partner without conjecture, and (3) connected to the Commissioner, immediate family member, or current business partner without multiple intervening parties or factors.

*Disclose*: a full and honest description of the relationship or interest that underlies the conflict of interest or reasonable appearance of a conflict of interest. This disclosure must take place either (1) in writing prior to an open meeting where the matter or cause is to be deliberated or acted upon, or (2) during the open meeting but prior to the matter or cause being deliberated or acted upon.

*Financial Interest*: a pecuniary interest that could accrue gain or suffer loss due to the outcome of the cause, proceeding, application, or other matter. Financial interest includes, but is not limited to:

- (1) Any interest as a partner, member, employee, or contractor in or for a co-partnership or other unincorporated association;
- (2) Any interest as a beneficiary or trustee in a trust;
- (3) Any interest as a director, officer, employee, or contractor in or for a corporation;
- (4) Any legal or beneficial ownership of 10% or more of the total outstanding stock of a corporation;
- (5) Any legal or beneficial ownership of any real property.

*Gift*: the term "gift" does not include promotional items of nominal value such as calendars or pens. "Gift" also does not include "give-away" items or prizes that are provided at conferences, seminars, formal training sessions, so long as such items are equally available to all attendees. "Gift" also does not include any donations that have been made to a County office or department for the general use by the office, or persons served by the office.

*Immediate Family Member*: a Commissioner's spouse, domestic partner, child, parent, grandparent, sibling, aunt or uncle, or brother or sister-in-law.

*Personal Interest*: an interest where a non-financial benefit would inure to the Commissioner, immediate family member, or current business partner.

## **VI. REPORTING PROCESS**

All employees, elected and appointed officials have a responsibility for reporting concerns about potential unethical behavior. Such concerns and/or questions about whether actions are considered unethical or a violation of the State Ethics Reform Act and/or this Ethics Policy can be reported to the Human Resources Director.

It shall also be a violation of this policy for any informant to make a baseless allegation of unethical behavior that is made with reckless disregard for truth and that is intended to be disruptive or to cause harm to another individual. Any violation of this section will result in disciplinary action.

## **VII. INVESTIGATIVE PROCEDURE**

Allegations of violations of the State Ethics Reform Act and/or this Ethics Policy Statement shall be promptly investigated by an individual or a team of individuals designated by the County Administrator. The results of this team's investigation shall be communicated in writing to the County Administrator and/or other appropriate designated personnel.

## **VIII. ENFORCEMENT**

Any employee or appointed official who violates the provisions of this Code shall be subject to disciplinary action up to and including discharge.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92 (12/03) Amended 5/07



## County Communications Systems Policy

### PURPOSE

This policy defines acceptable use of all communication systems such as, but not limited to, computers, the internet/intranet, telephones, cell phones, voicemail, and personal digital assistants (PDAs) by any authorized users while using Grand Traverse County owned or leased equipment, facilities, internet/intranet addresses, or domain names registered to Grand Traverse County herein known as the County. The County reserves the right to change these policies at any time. Notice will be given to employees of such changes and effective date. The County's communication systems shall be used in a manner consistent with its public service, business, and administrative objectives.

### POLICY & PROCEDURE

#### Definitions

Users - Any Grand Traverse County employee (full-time, regular or irregular part time, job share, co-op or temporary), volunteers, interns, contractors, vendors, or any other individual having approved access to the County's communication systems.

Communication systems - Electronic modes of communication including, but not limited to, computers, email, telephones, cell phones, voicemail, personal digital assistants (PDAs), peripherals, Internet/Intranet Protocol addresses, domain names registered to the County, and other equipment.

#### Offenses

The County promotes communication systems that assist employees in performing County missions. It is expected that employees will use the communication systems to improve their job knowledge, to access technical and other information on topics which have relevance to the County, and to communicate with their coworkers, other Government agencies, and industry.

Limited personal use of County's Communications Systems is allowed. Such use should be kept to a minimum, and must not interfere with the employee's work and must not result in additional cost to the County. As property of the County, activities involving the communications systems are not private, and users should have no expectation of privacy in the use of these resources in compliance with applicable laws. This includes personal data stored on these systems.

The following uses of the County's communication systems are not permitted unless approved by the IT department or County Administration.

- Opening any communication system equipment with the intention of changing the hardware configuration. Vendor supported equipment is excluded.

- Attaching equipment to the County network, or allowing another person to attach equipment to the County network. This includes equipment brought in for vendor demonstrations.
- Relocating County equipment with the exception of portable devices, such as laptops, tablets, and/or mobile devices. Transferring or disposing of County equipment to another department or agency. Vendor supported equipment is excluded.
- Engaging in downloading, copying, or installation of software. All software must be approved by the IT department. This includes, but is not limited to, freeware, shareware, screensavers, and personal software.

Users should note that if they arrive at a point in downloading where they are asked if they would like to "install", they must contact their designated IT Technician before proceeding.

- Use, access, display or distribution of files containing obscenity, profanity, pornography or expressions of discriminatory bias or animosity toward legally protected classes; unless for a legitimate County function.
- Engaging in any activity that would compromise the security of the communication systems. This includes, but is not limited to, sharing passwords, downloading software or allowing others access to communication systems resources.
- Installing County-owned software on home computers is prohibited.
- Using the communication systems for promoting a personal business or for-profit work including, but not limited to, lobbying, solicitation, fundraising, and gambling.
- Using the internet to listen to the radio, watch movies/video clips, etc. that may cause the network bandwidth to be over-taxed, unless it is specifically worked related content.
- Knowingly access or attempt to access restricted portions of the network, operating system, security software or other applications for which authorization has not been granted.

## **Enforcement**

Anyone aware of a suspected violation of this policy will report their concerns to the Human Resources (HR) Director. Information Technology (IT) personnel will report violations, in written form, to the users' department head, HR Director, IT Director, and the user. The HR Director will follow up with the department head. In the case of a vendor/contractor, the HR Director will follow up with the IT Director and the County Administrator.

Violation of this policy may result in confiscation of the Communication System, or disciplinary action, up to and including termination, and/or referral to legal authorities. Grand Traverse County may limit, suspend, monitor, or revoke communications access at any time in accordance with applicable laws.

## **Application to Other Policies/Laws**

This policy is in addition to other county policies and does not replace such. Users should understand that this policy may be less restrictive than other County / Departmental policies. In such cases, the more restrictive policy takes precedence. Exceptions to this policy may be made with the County Administrator's written approval.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Compensation for Travel Time Policy

### PURPOSE

This policy describes how travel time is calculated and the proportion that is included into working time (contact and the proportion of travelling time combined) calculation to ensure that employees are paid at least National Minimum wage for all working time. This policy applies to all modes of transport used.

### POLICY & PROCEDURE

Normal travel (commute travel) from home to work, and vice versa at the end of the workday, is not considered hours worked.

Time spent traveling to conferences, seminars, or other training shall be compensated as required by the Fair Labor Standards Act (FLSA). The principles which apply in determining whether time spent in travel is compensable time depends upon the kind of travel involved, as detailed below.

For required training when the employee must spend the night away from home, the FLSA requires all time spent traveling during the employee's normal working hours, even on regular days off, (excluding regular meal periods) to be compensated. Overnight travel outside of regular working hours as a passenger on an airplane, train, boat, bus or automobile is not considered work time.

For required training that does not require an overnight stay, the FLSA requires that all travel time (excluding meal periods and travel between home and the point of departure) to be compensated. Where possible the supervisor may approve the employee to travel during their regular work hours.

When a conference or other training (possibly required for certification renewal but not necessarily required by the employer) is available during the employee's regular work schedule, but is of mutual benefit to the employee and to the County, the supervisor may release the employee from their regular duties to attend. In such case the employee shall be compensated only up to their normally scheduled hours.

Employees who are exempt under the Fair Labor Standards Act may travel during normal work hours without loss of salary. Employees doing so must make prior arrangements with their supervisor.

### Travel between Work Locations

Once employees start their workday, and the employee's job involves traveling from one work place to another after reporting for the day's work, the travel time must be counted as hours worked.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Compensation Overview Policy

### PURPOSE

The purpose of this policy is to provide guidelines for establishing and administering compensation. Grand Traverse County aspires to provide compensation that is equitable and competitive.

### POLICY

#### Initial Salaries

New appointments are generally at the first step of the new position's pay grade. Appointments above the minimum rate may be authorized if the department head submits reasons in writing to the County Administrator. Approval will be based, among other things, on the exceptional qualifications of the appointee, extensive past service, or the inability to employ eligible candidates at the minimum rate of the class, as well as the availability of budgeted funds. Training steps may be used for temporary or on-call employees. In addition, training steps may be used for new employees who do not meet the minimum requirements of the job, but whom the employer has hired for such reasons as a lack of fully qualified applicants, or pending a degree or certification which is expected shortly. In such instances the new employee will be moved to the minimum of the grade as soon as the minimum qualifications of the classification are met.

#### Step Increases

Each step within the salary range shall be of one year duration. Step increases may be granted before the scheduled time in exceptional cases in which the employee's productivity or rate of development warrants special recognition to stimulate continued growth or as a reward for specific accomplishments of major value to the County. Such actions require written justification on the part of the department head and the approval of the County Administrator. The step increase may be withheld for the specific period of time until expectations are met if the employee is not meeting the expectations of the job.

#### Pay Rates

#### Transfer

If the transferred employee's former pay rate is less than the minimum rate in the new class, it shall be advanced to the minimum rate for the class. If the current pay rate is more than the maximum rate in the new class, it shall be reduced to the maximum rate for the class. If the current pay rate falls within and is at the established step of the new class, it shall remain at his/her current rate. If the current pay rate falls within the new class but does not correspond to an existing step, it shall be advanced to the next higher step. The employee's anniversary date (for step increase) will stay the same.

#### Promotion

If the promoted employee's former pay rate is less than or falls within the range for the new class, it shall be adjusted to the lowest step which gives a minimum of a 4.5% increase. Consideration will be given for an extra step in the event the employee was eligible for a step increase within the next six months, under the guideline that the combination of the rate increases shall not exceed 10%. The employee's anniversary date (for step increase) will change to the effective date of the new class.

### **Demotion**

If the current pay rate is more than the maximum rate of the new class, it shall be adjusted to the maximum or an intermediate step as determined by the department head. If the current pay rate falls at an established step within the range of the new class, it shall remain the same or be adjusted to the next lower step as determined by the department head. If the current pay rate falls within the range of the new class, but doesn't correspond to an established step, it shall be adjusted to the next lower step, or any lower step as determined by the department head.

### **Reemployment**

If an employee is reemployed within one year in the same class, the employee shall be paid at the same grade and step he or she received at the time of termination if this rate does not exceed the prevailing maximum salary assigned to the class. If the rate for the grade and step at the time of termination exceeds the maximum rate assigned to the class, the employee shall be paid at the maximum rate.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved: Board of Commissioners 4/92, amended 9/95, 7/99



## Contracts between County Employees or Officials Policy

### PURPOSE

To establish the requirements related to contracting with current or former employees of Grand Traverse County for the provision of goods and/or services.

### POLICY & PROCEDURE

#### Principles

Grand Traverse County is committed to ensuring its contractual process and standards are consistent, transparent, provide sound financial stewardship, facilitate delivery of quality services, and balance efficiency of operations with operational and financial risk.

To ensure contracts, particularly sole source contracts, with current or former Grand Traverse County employees are held up to the utmost scrutiny, accountability, are consistent with the Grand Traverse County's Conflict of Interest Bylaw, and reflect fairness in spending public funds.

Restrictions on contracting with current or former employees apply whether the employee is providing the goods or services directly to Grand Traverse County or through a company that is owned, controlled, or managed by the employee or by an immediate family member of the employee. The current or former employment relationship must be disclosed by the current or former employee as part of the normal procurement process and/or during the negotiation of any contract in accordance with Grand Traverse County policy.

#### Full time Officials and Employees

An officer or employee who is paid for working an average of more than twenty-five (25) hours per week for the County shall not be a party, directly or indirectly, to any contract between himself or herself and the County. A full time employee shall not participate, directly or indirectly, in the solicitation, negotiation or approval of any contract between himself and the County.

#### Part time Officials and Employees

An officer or employee who is paid for working an average of twenty-five (25) hours or less per week for the County shall not be a party, directly or indirectly, to any contract between himself or herself and the County unless all of the requirements of MCL 15.323 have been met. A part time employee shall not participate, directly or indirectly, in the solicitation, negotiation or approval of any contract between himself and the County unless all of the requirements of MCL 15.323 have been met.

#### Conflict of Interest Questions

Officers and employees who are unsure about whether a conflict exists should consult the prosecuting attorney.

It is important to note that the definitions of full time and part time apply to this particular "Contracts with County Employees or Officials" policy only.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 5/07



## Disciplinary Action Policy

### PURPOSE

The purpose of the disciplinary policy and procedure is to set and maintain standards of conduct within the County, and in doing so, ensure that all employees are treated fairly and consistently. It is designed to help and encourage all employees to achieve and maintain satisfactory standards of conduct. The disciplinary procedure is normally only used where other interventions have failed to produce the required improvement or when the conduct matter is sufficiently serious to require immediate formal action.

The County may apply the concept of progressive discipline. Progressive discipline may include verbal warnings, written reprimands, suspensions with or without pay, and termination of employment. However, the County retains and reserves the discretion to apply any level of disciplinary action and nothing in this policy acts to change or limit the at-will employment relationship.

### GUIDELINES

The County expects employees to follow rules and regulations of the County and its Departments. Such rules and regulations are necessary for the orderly and efficient operation of County business. The failure to follow these rules and regulations may result in discipline. Whether to impose any discipline, and if so, the degree of discipline is a discretionary decision which management will make based on the nature of the offense, the employee's history and other facts and circumstances deemed relevant. Whenever a notice of disciplinary action is placed in the personnel file, the employee may respond in writing and have the response included in the personnel file consistent with the Bullard-Plawecki Employee Right to Know Act (MCL 423.501 et seq.).

This policy applies to any and all employee conduct that the County, in its sole discretion, determines must be addressed by discipline. Of course, no discipline policy can be expected to address each and every situation requiring corrective action that may arise in the workplace. Therefore, the County takes a case by case approach regarding discipline and will attempt to consider all relevant factors before making its determination.

Most often, employee conduct that warrants discipline results from unacceptable behavior, poor performance or violation of the County's policies, practices or procedures. However, discipline may be issued for conduct that falls outside of those identified areas. Equally important, the County need not resort to progressive discipline, but may take whatever action it deems necessary to address the issue at hand. This may mean that more or less severe discipline is imposed in a given situation. Likewise, some County policies like sexual harassment and attendance, contain specific discipline procedures.

Progressive discipline may be issued even when the conduct that leads to more serious discipline is not the same that resulted in less severe discipline. That is, violations of different rules may be

considered the same as repeated violations of the same rule for purposes of progressive discipline.

The following is a general outline of the disciplinary process:

**1. Verbal Warning:** An employee will be given a verbal warning when a problem is identified that justifies a verbal warning or the employee engages in unacceptable behavior. Verbal warnings may be documented and placed in the employee's personnel file.

**2. Written Warning:** A written warning is more serious than a verbal warning. A written warning will be given when an employee engages in conduct that justifies a written warning or the employee engages in unacceptable behavior during the period that a verbal warning is in effect. Written warnings are maintained in an employee's personnel file.

**3. Suspension:** A suspension without pay is more serious than a written warning. An employee will be suspended when he or she engages in conduct that justifies a suspension or the employee engages in unacceptable behavior during the period that a written warning is in effect. An employee's suspension will be documented and maintained in an employee's personnel file.

**4. Termination:** An employee will be terminated when he or she engages in conduct that justifies termination or does not correct the matter that resulted in less severe discipline.

Again, while the County may take disciplinary action in a progressive manner, it reserves the right, in its sole discretion, to decide whether and what disciplinary action will be taken in a given situation.

### **Professional Development Plan**

When needed the County utilizes the Professional Development Plan as a method of developing an action plan for meeting the employee's career goals, providing for improved communication and understanding of each other's needs between supervisor and employee, understanding how the employee's job fits the department's strategic plan, and determining skill development needed to do the job more effectively.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 7/99



## Dispute Resolution Policy

### PURPOSE

Employees have a right to a regular process of expression of employee concerns and disputes. Many employee concerns can be resolved informally in the course of day-to-day communications between the employee and his or her immediate supervisor. Employees are expected to make reasonable attempts to resolve concerns informally. However, in those cases in which an employee is unable to informally resolve his or her concern, he or she may initiate a dispute resolution request through the Staff Dispute Resolution Procedure below.

### POLICY & PROCEDURE

A dispute is a written claim or complaint filed by the employee. Disputes are limited to matters of interpretation or application of express provisions of County policies related to employment. This procedure is the exclusive remedy through which to address complaints. Nothing in this process should be read to conflict with the at-will nature of employment with the County.

Any complaints shall first be taken up with the department head or his/her designated representative within five (5) working days after occurrence of the circumstances giving rise to the dispute or five (5) days from when the employee should reasonably have known of the occurrence, otherwise the right to file a dispute is forfeited. If no satisfactory resolution is received within one (1) working day, the employee has three (3) working days to file a formal dispute resolution request by using form PER017.

1. The employee shall within three working days after the discussion with the department head or his/her designated representative, put the dispute in writing on form PER017 stating all facts in detail and submit same to the department head or his/her designated representative. If no satisfactory resolution is received within five (5) working days, the employee has five (5) working days to proceed to step 2.
2. The employee shall contact the Human Resources Director or designated representative to arrange a meeting between the employee and the respective Department Head to discuss the dispute. This meeting shall be scheduled at a mutually agreeable time, which time shall not exceed five (5) working days from the time the employee contacts the Human Resources Director unless a longer time is mutually agreed upon. If no satisfactory resolution is received at this step, the employee has five working days to proceed to step 3.
3. The employee shall notify the Human Resources Director or designated representative to arrange a meeting between the employee, the County Administrator, Human Resources Director or designated representative and respective Department Head to discuss the dispute. This meeting shall be scheduled at a mutually agreeable time, which time shall not exceed five (5) working days from the time the employee contacts the Human Resources Director unless a longer time is

mutually agreed upon. The County Administrator shall make any final decisions regarding the dispute resolution.

Any and all disputes resolved at any step of the procedure shall be final and binding on the County and any employee involved in the particular dispute.

Disputes shall be processed from one step to the next within the time limit prescribed in each of the steps unless a time limit is mutually extended. Any dispute upon which a disposition is not made by the County within the time limits or extension agreed to may be referred to the next step in the dispute procedure, the time limit to run from the date when time for disposition expired. Any dispute not carried to the next step by the employee within the prescribed time limits or such extension which may be agreed to, shall be automatically closed upon the basis of the last disposition.

Saturdays, Sundays, and holidays shall not be counted under the time limits.

The County retains the ultimate authority to decide when and in what circumstances an employee may be subject to discipline.

### **Back Pay**

The County shall not be required to pay back wages for periods prior to the time the incident occurred except in the case of a pay shortage of which the employee had not been aware before receiving his/her pay. Any adjustments made shall be retroactive to the beginning of the pay period providing the employee files his/her dispute within three working days after receipt of such pay. All claims for back wages shall be limited to the amount of wages that the employee would otherwise have earned from Grand Traverse County less any unemployment compensation or compensation for personal services that he/she may have received from any source during the period in question except outside income which normally would have been earned while employed with Grand Traverse County.

### **Strikes**

Any employee who violates a state statute regarding strikes and walkouts shall be subject to disciplinary action.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policies 4/92, amended 7/99, amended 5/03





## DISPUTE RESOLUTION REQUEST

- ◆ You are required by County Policy to discuss your dispute with your supervisor within five (5) days of the occurrence of circumstances giving rise to the dispute, or five (5) days from when you should have reasonably known of the occurrence, or you forfeit the right to file a dispute.
- ◆ If no satisfactory resolution is received within one (1) day, you have three (3) working days to file this form.
- ◆ Employer shall indicate time received and give copy to Employee immediately
- ◆ Employer shall keep original and give copy to Employee with response within five (5) working days
- ◆ The same process shall be used at each successive step

SUPERVISOR: \_\_\_\_\_ Date Discussed with Supervisor: \_\_\_\_\_

EMPLOYEE (S): \_\_\_\_\_

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

Policy you feel was violated (attach copy) \_\_\_\_\_

Brief explanation of dispute: \_\_\_\_\_

Remedy requested: \_\_\_\_\_

I hereby declare that all statements herein are to the best of my knowledge true and accurate and hereby request that this dispute be handled through the County Alternate Dispute Resolution Procedure.

Employee's Signature \_\_\_\_\_ Date: \_\_\_\_\_

ACTION STEP	Date	Received By:	Response:	Date of Response:
INCIDENT				
<b>STEP:</b> <u>Verbal Discussion with Supervisor</u>				
<b>STEP 1:</b> Submit form PER 017 to Department Head/Representative				
<b>STEP 2:</b> Contact Human Resources Director/representative to arrange meeting				
<b>STEP 3:</b> Contact County Administrator/representative to arrange meeting.				

Dispute Resolution





## Drug and Alcohol Policy

### PURPOSE

To establish a policy that describes the County's expectations regarding alcohol and illegal drugs in the workplace. This policy is based on the belief that a working environment free of drug and alcohol abuse is healthier, safer and more productive for all Employees.

### POLICY & PROCEDURE

This policy applies to all Grand Traverse County employees (including temporary/interns) at all Grand Traverse County locations. This policy does not include Department of Transportation (DOT) regulated Employees to the extent that a testing situation falls within DOT's mandatory testing regulations; however, it does cover DOT-regulated Employees in situations not covered by such regulations. To the extent any provision of this policy conflicts with a Collective Bargaining Agreement, the latter shall control.

### Definitions

Illegal Drugs shall mean:

- All forms of narcotics, depressants, stimulants, hallucinogens, or other drugs, including marijuana (with or without a medical marijuana card, patient registry number, and/or prescription), whose use, possession or transfer is restricted or prohibited by federal, state, or local law.
- Prescription drugs or over-the-counter medications not used in accordance with product and/or Physician instructions or pursuant to a valid prescription.
- Prescription drugs or over-the-counter medications that impair the Employee's ability to perform their work safely.

Employee includes all Grand Traverse County employees, including temporary employees, interns, and DOT regulated drivers in situations not covered by DOT testing regulations. "Employee" does not include un-emancipated minors under the age of 18, who fall outside the scope of this policy and are not subject to drug testing.

**Positive Test shall mean the following:** For alcohol, a confirmed blood alcohol test or, where and as permitted by law, a breathalyzer test, with a result of 0.02 or higher, or its equivalent; for Illegal Drugs, a test confirmed as positive using a laboratory and method of analysis that meets or exceeds those of Michigan's Statute 421.29, or for employees tested in Michigan, a laboratory that meets all requirements of Michigan's code, including the use of breathalyzer equipment and personnel that meet the requirements of regulations adopted by the United States Department of Transportation for alcohol testing under the federal Omnibus Transportation Employee Testing Act of 1991.

Significant Damage means damage to physical property or product, the value of which, or cost to repair, is equal to or greater than \$1,000.

Supervisor shall mean a Salaried Employee or Hourly Lead Person overseeing the work of other Employees.

## **Policy**

In all cases, this policy shall be administered in accordance with applicable law, including state laws that may be more restrictive.

It is Grand Traverse County's policy to maintain a safe, drug-free workforce and workplace. While on County time, premises, or while operating County-owned or -operated equipment or vehicles, Employees may never use, sell, purchase, transfer, manufacture or possess Illegal Drugs or drug paraphernalia. All Employees are expected to come to work free of the presence or effects of substances that may impair their ability to perform their work in a safe and productive manner.

This policy extends to cannabis and cannabis products (e.g. hash oils or pills). The federal government still classifies cannabis as an illegal drug, although it is lawful in the State of Michigan. Employees should understand that this policy still applies and will be enforced even in Michigan where use or possession of cannabis is lawful, or if the employee has a medical marijuana card or prescription, or a patient registry number.

The language of the Michigan Regulation and Taxation of Marijuana Act (MRTMA) clearly states, "This act does not require an employer to permit or accommodate conduct otherwise allowed by this act in any workplace or on the employer's property. This act does not prohibit an employer from disciplining an employee for a violation of a workplace drug policy or for working while under the influence of marijuana. This act does not prevent an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against a person with respect to hire, tenure, terms, conditions, or privileges of employment because of that person's violation of a workplace drug policy or because that person was working while under the influence of marijuana."

Employees may not possess, serve, consume, or be under the influence of alcohol while operating County-owned or -leased equipment or vehicles. For purposes of this policy, to "be under the influence" of alcohol means where such influence may impair safe and productive work performance. Except as noted below, Employees may not possess, serve, consume, or be under the influence of alcohol while on County premises or when conducting County business. Employees with safety-sensitive positions may not consume any amount of alcohol within eight (8) hours before the time they are scheduled to report to work or during any work period, including meal and rest breaks. Alcohol may only be served and consumed at functions on County premises if authorized by the County Administrator.

Alcohol may be served and consumed at external events where Employees are representing Grand Traverse County. Alcohol should only be served by a person (or entity) that is licensed and trained to serve alcohol. Alcohol may never be served to any person under legal age or to any person who is obviously intoxicated. Consumption at any such event by Employees of legal age is completely voluntary, and should always be in moderation and never in a manner that would embarrass the County or harm the County's reputation.

## **Testing**

Drug and alcohol testing supports the County's efforts to maintain a drug-free workplace. All drug and alcohol testing will be conducted in conformance with applicable law. Operation of this policy will be modified if and as necessary to conform to applicable law.

**Applicants:** Testing for the presence of Illegal Drugs is required of all individuals to whom a conditional offer of employment has been made. Applicants will be informed in writing of the testing requirement as part of the application process and must be tested within seventy-two (72) hours of receiving such notice.

**Employees:** Employees are subject to drug and/or alcohol testing under any of the following circumstances:

1. **Reasonable Suspicion:** If a Supervisor has reasonable suspicion that the Employee is currently in violation of this policy, the Employee may be asked to submit to a reasonable suspicion drug and/or alcohol test. "Reasonable suspicion" will be based upon specific observations and facts and reasonable inferences drawn from them that the individual may have violated this policy. The Supervisor's determination will be reviewed with another management representative unless circumstances reasonably prevent such review. An Employee referred for reasonable suspicion testing will be removed from his or her position and suspended pending the results of the test.
2. **Accident/Injury:** When a violation of this policy may have been a contributing factor in an on-the-job accident that results in either an injury requiring any individual to seek medical treatment beyond first aid from a health care professional or in Significant Damage to property or equipment, then the Employee reasonably suspected of violating the policy will be required to submit to reasonable suspicion testing and will be removed from his or her position and suspended pending the result of the test.
3. **Return-to-Work:** If the Employee returns to duty after completion of an accredited substance abuse treatment program as described below, he or she will be subject to a return-to-work drug and/or alcohol test, and may be subject to unannounced follow-up testing for at least twelve (12) months and no more than twenty-four (24) months following completion of the program.
4. **Other:** In addition to any other testing specifically described in this policy, the County will conduct testing when required or permitted by government statute or regulation.

#### **Testing Outcomes:**

**Refusal to Test:** An applicant may refuse drug testing; however, the job offer will be rescinded in accordance with this Policy. Applicants who refuse to be tested may reapply for positions with the County one year after refusing to submit to testing. Employees who refuse a drug test will be terminated.

**Right to Receive Test Results:** Applicants and Employees have the right to request and receive from the County a copy of a test result report.

**Inconclusive or Diluted Tests:** In the event any test result is inconclusive, Applicants or Employees may be required to submit to an unannounced retest as soon as reasonably practicable after the inconclusive results are obtained. A second inconclusive result will result in withdrawal of a conditional offer to hire or termination except where limited by law. In the event a test result is diluted, the individual will be subject to an unannounced retest as soon as reasonably practicable after the diluted results are obtained. If the individual cannot produce a non-diluted sample in two attempts, and there is no documented medical reason for the diluted sample, it will be treated as a refusal to test.

**Tampering/Adulteration/Other:** In all cases, tampering with or adulterating a test specimen, taking any action to circumvent or avoid testing authorized by this policy, failing to cooperate with the investigation of a violation of this policy, and/or refusal or failure to comply with conditions imposed by corrective action will be grounds for withdrawing a conditional job offer/termination of current employment.

**Negative Tests:** Applicants who test negative may proceed to hire. An Employee who was suspended pending test results and who receives a negative test result will be returned to work as soon as possible. The Employee may be paid for the time spent while on suspension, unless suspension without pay is appropriate under another County policy.

**Positive Tests:** Any applicant or Employee who tests positive for Illegal Drugs or alcohol may present information to a Medical Review Officer challenging or explaining the test results. If the test results could be explained by the use of a prescription drug or over-the-counter medication, the Employee will be asked to provide documentation considered sufficient by the Medical Review Officer, such as a doctor's note, stating that the Employee has a valid prescription, is taking the drug in accordance with the prescription and is able to safely perform all of the assigned job functions while taking the drug. The Medical Review Officer has the authority to convert a Positive Test result into a negative one.

If an initial drug test is positive, and no information is presented to the Medical Review Officer that would warrant reversing the test result, those who test positive will be offered the opportunity to have a confirmatory retest, at their own expense. A confirmatory retest must be requested within seven days of being notified of the Positive Test result, and must be conducted either at the same laboratory that conducted the first test, or another laboratory that carries the same testing credentials. If the confirmatory retest does not confirm the Positive Test, it will be handled as though the initial test results were negative.

If a confirmatory retest is not requested, or if a confirmatory retest confirms the initial test, the consequences are as follows:

1. **Applicants:** the conditional job offer will be withdrawn.
2. **Employees:** It is the County's intent to offer Employees who have tested positive for the first time the opportunity to enter into and abide by a return-to-work agreement which will require, among other things, the Employee's agreement to undergo a substance abuse evaluation and to comply with any resulting recommendations for counseling and/or treatment. If the Employee successfully complies with and completes the recommended rehabilitation, no further action will be taken based on the positive test. If the Employee does not comply with the recommended plan, the Employee will be terminated from employment. If the Employee tests positive a second time, regardless of how much time has passed since the first positive test, the Employee will be terminated.

In the State of Michigan the County reserves the right to terminate an Employee who tests positive the first time in lieu of offering a return-to-work agreement. All such terminations will be approved by Human Resources and the County Administrator prior to implementation. Nothing in this policy limits the right of the County to discipline or discharge an employee on grounds other than a Positive Test result, including for use, sale, purchase, transfer, manufacture or possession of Illegal Drugs on County time, County premises, or while operating County-owned or -operated equipment or vehicles, or for other violation of this Policy.

Employees may be suspended following notice of a Positive Test result while a decision is made as to continued employment.

There is no other appeal for the consequences of a Positive Test result other than those described in this Policy.

### **Other important information:**

**Confidentiality:** Test results and other information acquired in the testing process are considered confidential information. The employee or applicant tested will be provided with copies of Positive Test reports and the County and any of its agents will use best efforts not to share the results with others without the individual's consent except as follows: in connection with grievance/complaint processing or arbitration, administrative or judicial proceedings to which the report may be relevant; to a substance abuse treatment facility and/or professional for the purpose of evaluation or treatment of the individual; on a need-to-know basis internally; or as otherwise required by law.

### **Required Employee Notification**

An Employee whose job duties include the use of machinery and/or operation of vehicles or other equipment and who takes a prescription or over-the-counter medication that contains a cautionary label regarding the use of machinery or operation of vehicles must notify his or her Supervisor or other appropriate County personnel before commencing work. If an Employee fails to notify and the County confirms use of such medication (including confirmation by testing as authorized by this policy) such failure to provide notification is subject to disciplinary action, up to and including termination.

### **Resources for Addressing Workplace Drug/Alcohol Issues**

**Employee Assistance Program (EAP):** EAP provides eligible Employees with access to resources for substance abuse counseling and treatment. An Employee who thinks she/he may have a drug- or alcohol-related problem is encouraged to use this resource. Contact with EAP is confidential, except that the County may require confirmation that the Employee is meeting EAP participation requirements when formally referred to EAP as part of a corrective action. Although voluntary use of EAP resources is strongly encouraged, it will not excuse any violation of this policy or other failure to satisfy job expectations.

### **Responsibilities**

**Employees:** are responsible for complying with this policy and for cooperating with any testing or investigation conducted in support of this policy. An Employee who becomes aware of a violation of this policy should report the matter to his/her Supervisor or Human Resources.

**Human Resources:** interprets, administers and coordinates communication relating to the policy, and develops procedures for its implementation.

**Supervisors and Managers:** are responsible for the day-to-day implementation of this policy.

**Law Department:** monitors legal requirements affecting drug/alcohol use and testing and provides legal advice and counsel.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Employee Assistance Program Policy

### PURPOSE

Grand Traverse County will provide confidential and voluntary assistance through its Employee Assistance Program (EAP) to all employees and their family members who may be faced with challenges of financial concerns, legal issues, work concerns, alcohol or drug problems, marital problems, illness of a family member, emotional worries, child care problems, etc. For the welfare of employees as well as for effective business operations, Grand Traverse County encourages its employees to take advantage of this valuable benefit.

### POLICY & PROCEDURE

Grand Traverse County recognizes that all employees are individuals and occasionally have unique personal problems which sometimes affect their job performance. These problems may be related to marriage, family, finances, stress, alcohol or drugs. In most cases these conditions can be effectively treated and controlled. Therefore, the County has established the Employee Assistance Program which will provide employees with an opportunity to seek assistance with difficulties which may be affecting their job performance, and which will provide supervisors with an additional resource in dealing with employee problems.

While the County encourages employees and their family members who think they may have a problem which is affecting their lives at home or at work to seek treatment, the primary concern as an employer is limited to problems which affect the employee's attendance and performance on the job. Although an employee's involvement with this program will not be the basis for any disciplinary action, the program is not intended to replace normal performance appraisals or disciplinary procedures.

### Confidentiality

All contact between an employee and the EAP is held strictly confidential. In cases where an employee's continued employment is contingent on calling the EAP, the EAP counselor will only verify whether the employee has contacted the EAP and, if ongoing treatment is necessary, that the employee is following through on the treatment. Information given to the EAP counselor may be released to Grand Traverse County only if requested by the employee in writing. All counselors are guided by a professional code of ethics.

Participation in the program will not excuse continued poor job performance. Failure to attend a recommended program will not be grounds for discipline in the face of a completely satisfactory job performance.

EAP Services are currently provided by Mutual of Omaha. Contact EAP at 1-800 316-2796 or visit them at [mutualofomaha.com/eap](http://mutualofomaha.com/eap).

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Employee Status Policy

### PURPOSE

It is the intent of Grand Traverse County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment relationship at-will at any time is retained by both the employee and Grand Traverse County.

### POLICY & PROCEDURE

#### Fair Labor Standards Act Job Classifications

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws:

- Nonexempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are *not* exempt from the law's requirements concerning minimum wage and overtime.
- Exempt employees are generally executives, managers, professional, administrative or outside sales staff who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

Grand Traverse County has established the following categories for both nonexempt and exempt employees:

**Regular full-time employee** - Nearly all employees of the County hold appointments as regular full-time employees. They are regularly scheduled to work 37.5 or 40 hours per week, whichever is considered to be the normal departmental work week, and are eligible for all County benefits.

**Regular part-time employee** - These employees are regularly scheduled on an annual basis to work less than the number of work week hours considered to be the normal departmental work week. Employees will be covered by social security, workers' compensation, and, if they work a minimum of 50% of the normal departmental work week, they shall be covered under the County retirement plan. Short term disability, Long term disability, life and accidental death and dismemberment insurance will be covered by the county if the employee works a minimum of 15 hours per week. If the employee meets the minimum hours required in the plan document, he/she may elect to be covered by the County's health, vision and dental programs, with the County covering the prorated amount of the premium (or illustrative rate in lieu of premium) based upon the number of hours the employee is regularly scheduled to work, with the employee reimbursing the County through a payroll deduction for the remainder. All regular part-time employees will accumulate and be paid for vacation leave, personal leave, and holidays prorated to the number of hours they are regularly scheduled to work. Any temporary increase or decrease in regularly scheduled hours of thirty (30) days or less shall not affect benefit coverage. If the department submits a request for a change in

standard hours in excess of 30 days, leave accumulation shall be adjusted. If the employee is already on the health insurance, their payroll deduction shall be adjusted. However, an increase in standard hours must be expected to last at least six (6) months in order to enroll in health insurance.

**Temporary employee** - These employees will receive definite, limited time appointments. Continuation beyond the expiration date of such appointments will be only as a result of specific personnel action. Temporary employees are covered only by social security and workers' compensation, and are not eligible for pension or health, life, or disability insurance. They will not earn personal, vacation, or holiday pay. These employees may work either full-time or part-time hours, involving tasks which would not normally be performed by the County on a year-round basis, but in relation to the needs of a specific County program or activity. They may be hired to cover a temporary increase in work load, or to replace an employee on a leave of absence.

Temporary employees who are later hired to fill a regular position without a break in service of over thirty (30) days between the temporary employment and the regular appointment shall keep their date of hire into the temporary position as their service date for the regular appointment (for purposes of longevity bonus and amount of vacation leave accrual), however they shall use the date of the regular appointment for pension and insurance. At no time shall retroactive vacation or personal leave be credited for the period of temporary appointment. If the employee fills a regular position in the same classification and at the same pay grade and step, their anniversary date shall remain the same for purposes of step increase, otherwise the anniversary date shall be changed in accordance with the Compensation Plan.

**On-Call Employee** - These employees do not have regularly scheduled hours, but work when required. On-call employees are covered only by social security and workers' compensation and are not eligible for any other fringe benefits. They will not earn personal, vacation, or holiday pay. They also will not receive annual step increases. However, if they are on the salary schedule, they will receive any adjustment made to the salary schedule.

These definitions may differ for employees who are members of recognized unions, organizations, or associations.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 9/95, 7/99, 9/01



## Employee Vision Plan

### FUNDS FOR PAYMENT OF VISION CLAIMS ARE PAID FROM THE ASSETS OF THE COUNTY

Grand Traverse County (Employer) hereby establishes a plan for payment of certain expenses for the benefit of its eligible employees, to be known as the Grand Traverse County Employee Vision Plan (Plan). The Employer assures its covered employees that during the continuance of the Plan all benefits hereinafter described shall be paid to or on behalf of them in the event they become eligible for benefits. The Plan is subject to all the terms, provisions and conditions recited on the following pages.

**Eligibility:** All Regular Full-Time and Regular Part-Time (on a pro-rated basis) employees and eligible elected officials are eligible for coverage under the Plan. You are not eligible for the County provided Vision Plan if you are enrolled in EyeMed.

To be covered, an eligible employee or elected official must fill out the enrollment form provided by Grand Traverse County and return it to Human Resources within 30 days of the effective date of coverage. If the employee enrolls under the Plan their eligible dependents may also be covered under the plan. However, if your spouse is also an employee of Grand Traverse County, neither you, your spouse, nor your dependents shall have double coverage.

The employee must agree to, and pay for, any applicable premium contributions required to maintain eligibility for the Plan.

**Retiree Eligibility:** If you retire from County employment, and if you are eligible to draw a pension benefit immediately upon retirement, you may elect to be covered under the County's group by reimbursing the County for the premium amount of your coverage. If you defer your pension benefit you may choose the County's group coverage upon written notification to the Human Resources Office within thirty (30) days of starting to draw your pension benefit. If you choose not to continue the group coverage upon retirement you may enroll during the open enrollment period.

**Eligible Dependents:** An eligible dependent includes your lawful spouse, natural children, step-children who reside with you, adopted children, spouse's adopted children who reside with you, or children under court appointed permanent or limited guardianship. Dependent children are eligible if you claim them as a current income tax exemption and are not in the active military service of any government. Dependent children will be covered until the end of the year in which they reach age 19.

Eligible members of Teamsters Health Department, Teamsters Dispatch, TPOAM, and COAM Dispatch Supervisory group may continue their dependent children until the end of the year in which they reach age 25, provided they are dependent upon you for more than half of their support, you claim them as a current tax exemption, and they reside with you or are in temporary residence at school or camp.

Dependent children who are mentally or physically handicapped and totally disabled prior to their nineteenth (19th) birth date are eligible under the Plan.

You must notify the Human Resources Department within 30 days if any of your enrolled dependents no longer qualify under this plan. Human Resources reserves the right to request documentation to prove dependent eligibility.

**Special Enrollment of Newly-Eligible Employees and Dependents:** You may also apply for coverage for yourself and your eligible dependents if you become eligible for coverage between open enrollment periods. You must apply within 30 days after becoming eligible for coverage. Otherwise, coverage will be delayed until the next open enrollment period.

**New Dependents:** If you gain a new dependent as a result of marriage, birth, adoption, or placement for adoption, you may enroll the new dependent or spouse effective the date of the qualifying event. You must apply within 30 days after becoming eligible for coverage otherwise, coverage will be delayed until the next open enrollment period.

**Loss of Other Coverage:** If you did not previously enroll under the Plan because you had other vision coverage and that coverage is lost, you may enroll yourself, spouse, and dependents. You must apply within 30 days after becoming eligible for coverage. Otherwise, coverage will be delayed until the next open enrollment period. Proof of the loss of other coverage that is acceptable to the Employer must be provided. If you lose other coverage for the following reasons, you and your dependents (including spouse) are not eligible for Special Enrollment.

1. You fail to pay your share of the premiums on a timely basis.
2. Your coverage was terminated for cause such as making a fraudulent claim.
3. You voluntarily drop your other coverage for any reason, including an increase in premium or change in benefits.

**Exception:** You drop the other coverage during the annual open enrollment period for the other coverage.

**Change of Status:** If you did not previously enroll under the Plan and you are a regular part-time employee changing to full-time status (on a regular basis), you are eligible to enroll yourself, spouse, and dependents under the Plan effective the date of the change of status. If you had previously elected to enroll under the Plan and you are a regular full-time employee changing to regular part-time status (on a regular basis), you are eligible to drop the coverage.

#### **Schedule of Benefits:**

**Waiting Period:** First day following 30 days of service.

**Frequency:** Once in every 24 consecutive months, from the last date of service, for each covered individual.

#### **Reimbursement:**

Contact Lenses after a \$7.50 co-pay, to a maximum of \$78

Frames to a maximum of \$35 after a \$7.50 co-pay (waived if frames are purchased at the same time)  
Lenses after a \$7.50 co-pay to a maximum of:

- Single focal \$43
- Bifocals \$60 plastic or \$70 glass
- Trifocals \$90 plastic or \$100 glass

**Exceptions: The Plan does not cover:**

- a. Expenses covered under Workers' Compensation or employer liability laws.
- b. Expenses covered by any governmental agency or under any governmental program or law, except as to charges which the person is legally obligated to pay.
- c. Expenses incurred prior to the date the person became covered under this Plan.
- d. Expenses incurred that are not provided by a Medical Doctor (MD), Doctor of Osteopathy (DO), Doctor of Optometry (OD), an optical laboratory or an optician.
- e. Additional charges for oversized, tinted lenses, or protective coating unless prescribed for medical reasons. (Documentation for medical reasons must be provided.)

**Filing Vision Claims:** Submit your itemized paid receipt or paid bill, along with a completed claim form, to the Human Resources Department. Claims must be submitted within one year from the date of service to be eligible for reimbursement.

**Individual Termination of Coverage:** The coverage of any employee shall terminate on any of the following dates:

- a. The date of termination of the Plan; or,
- b. The end of the month that he/she ceases to be an "eligible employee" or "eligible dependent" unless coverage is continued under COBRA regulations; or,
- c. The date he/she fails to make a required contribution, if applicable.

**Coordination of Benefits:** The purpose of this Plan is to help you meet the cost of needed vision care. It is not intended that anyone receive benefits greater than actual expenses incurred. Benefits payable by this Plan shall be the lesser of Grand Traverse County Plan's schedule or the balance after the payment by other plans, the total of which shall not exceed the maximum expense. All benefits provided hereunder are subject to this provision.

**Plan Amendment or Termination:** The Plan may be amended or terminated by the Employer at any time. In the event of Plan termination, the County will have no obligation under the Plan beyond paying the difference between the claims incurred (even though later filed) and expenses of the Plan due up to the date of termination. Such claims and expenses shall be paid as normal expenses of the Plan. Any termination of the Plan will be communicated to participants.

**Plan is Not a Contract:** The Plan shall not be deemed to constitute a contract between the County and any employee or to be consideration for, or an inducement or condition of, the employment of any employee.

**Appealing a Claim:** If your claim is denied in whole or in part, you will receive written notification from Human Resources within 30 days of the date you filed the claim. If additional information is needed for payment of a claim, Human Resources will contact you. You may request a review by filing a written application with the Human Resources Director. On receipt of the written request for review of a claim, the Human Resources Director will review the claim and furnish copies of all documents and all reasons and facts relating to the decision. You may submit your opinion of the issues and your comments in writing. Requests for review must be filed within 60 days after you receive notice of denial. A decision will be made promptly within 60 days and will be delivered to you in writing setting forth specific reasons for the decision and specific references to the pertinent plan provisions upon which the decision is based. The decision will be final.

**Acceptance of Legal Notice:** The Plan is a legal entity. Legal notices may be filed with, and legal process served upon, Grand Traverse County.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

12/97; Amended 6/99, 1/02, 2/03, 6/05, 7/11



## Equal Employment Opportunity Policy

### PURPOSE

Grand Traverse County is an equal opportunity employer. In accordance with anti-discrimination law, it is the purpose of this policy to effectuate these principles and mandates. Grand Traverse County prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, age, national origin, disability status, protected veteran status, or any other characteristic protected by law. Grand Traverse County conforms to the spirit as well as to the letter of all applicable laws and regulations.

### Scope

The policy of equal employment opportunity (EEO) and anti-discrimination applies to all aspects of the relationship between Grand Traverse County and its employees, including:

- Recruitment
- Employment
- Promotion
- Transfer
- Training
- Working conditions
- Wages and salary administration
- Employee benefits and application of policies

The policies and principles of EEO also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with Grand Traverse County.

### Dissemination and Implementation of Policy

The County Administrator will be responsible for the dissemination of this policy. Directors, managers and supervisors are responsible for implementing equal employment practices within each department. The Human Resources department is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations.

### Procedures

Grand Traverse County administers our EEO policy fairly and consistently by:

- Posting all required notices regarding employee rights under EEO laws in areas highly visible to employees.
- Advertising for job openings with the statement "*We are an equal opportunity employer and all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, disability status, protected veteran status, or any other characteristic protected by law.*"
- Posting all required job openings with the appropriate state agencies.
- Forbidding retaliation against any individual who files a charge of discrimination, opposes a practice believed to be unlawful discrimination, reports harassment, or assists, testifies or participates in an EEO agency proceeding.
- Requiring employees to report to a member of management, a Human Resources representative or the County Administrator any apparent discrimination or harassment. The report should be made within 48 hours of the incident.

- Promptly notifying the County Administrator of all incidents or reports of discrimination or harassment and takes other appropriate measures to resolve the situation.

## **Harassment**

Harassment is a form of unlawful discrimination and violates Grand Traverse County policy. Prohibited sexual harassment, for example, is defined as unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:

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

Harassment also includes unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age, disability or genetic information. Harassment becomes unlawful where:

- Enduring the offensive conduct becomes a condition of continued employment, or
- The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Grand Traverse County encourages employees to report all incidents of harassment to a member of management or the Human Resources department. Grand Traverse County investigates all complaints of harassment promptly and fairly, and, when appropriate, takes immediate corrective action to stop the harassment and prevent it from recurring.

## **Remedies**

Violations of this policy, regardless of whether an actual law has been violated, will not be tolerated. Grand Traverse County will promptly, thoroughly and fairly investigate every issue that is brought to its attention in this area and will take disciplinary action, when appropriate, up to and including termination of employment.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.





## FMLA Policy

### PURPOSE

Grand Traverse County will provide Family and Medical Leave Act (FMLA) leave to its eligible employees. The County posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the FMLA. The FMLA is posted outside the Human Resources Office.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact Human Resources in writing.

### POLICY & PROCEDURE

#### A. General Provisions

Under this policy, County will grant up to 12 weeks of leave during a 12-month period to eligible employees (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness). The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

#### B. Eligibility

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

1) The employee must have worked for the County for 12 months or 52 weeks immediately preceding the date the employee uses any FMLA leave. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed 7 years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the County's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

2) The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid or

unpaid leave. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

3) The employee must work in a worksite where 50 or more employees are employed by the County within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

### **C. Type of Leave Covered**

To qualify as FMLA leave under this policy, the leave must be for one of the reasons listed below:

1) The birth of a child and in order to care for that child (leave must conclude within 12 months of the birth).

2) The placement of a child for adoption or foster care and in order to care for the newly placed child (leave must conclude within 12 months of the placement).

3) To care for a spouse, child or parent with a serious health condition (defined below).

4) The serious health condition (defined below) of the employee that makes the employee unable to perform the functions of his or her position.

Under the FMLA, a child is a "son or daughter" defined by the FMLA regulations as a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either under 18 years of age or is 18 years of age or older and "incapable of self-care because of a mental or physical disability" at the time FMLA leave is to commence. The FMLA regulations provide separate definitions of "son or daughter" for its military family leave provisions that are not restricted by age.

In order for a parent to take FMLA leave for a child who is 18 or over, the son or daughter must:

- a) Have a disability as defined by the Americans with Disabilities Act (ADA) at the time the leave is to commence,
- b) Be incapable of self-care because of the disability,
- c) Have a serious health condition, and
- d) Need care because of the serious health condition.

Under the FMLA, a "spouse" means a husband or wife. Husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either:

- a) was entered into in a state that recognizes such marriages; or
- b) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state.

A "serious health condition" means a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of 3 consecutive days of incapacity with the first visit to the health care provider within 7 days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the County's sick leave policy are encouraged to consult with Human Resources.

If an employee takes paid leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the County may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

5) Qualifying exigency leave for families of members of the National Guard or Reserve or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:

- a) short-notice deployment
- b) military events and activities
- c) child care and school activities
- d) financial and legal arrangements
- e) counseling
- f) rest and recuperation
- g) post-deployment activities
- h) additional activities that arise out of active duty, provided that the County and employee agree, including agreement on timing and duration of the leave

Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserve, or a member of the Armed Forces, the National Guard or Reserve who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserve, or members on the permanent disability retired list.

(6) To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the covered service member.

- a) A "son or daughter of a covered service member" means the covered service member's biological, adopted, or foster child, stepchild or legal ward, or a child for whom the covered service member stood in loco parentis, and who is of any age.

- b) A "parent of a covered service member" means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. This term does not include parents-in-law.
- c) The "next of kin of a covered service member" is the nearest blood relative, other than the covered service member's spouse, parent, son or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin. For example, if a covered service member has 3 siblings and has not designated a blood relative to provide care, all 3 siblings would be considered the covered service member's next of kin. Alternatively, where a covered service member has siblings and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered service member's next of kin. The County is permitted to require an employee to provide confirmation of covered family relationship to the covered service member pursuant to § 825.122(k).

"Covered active duty" for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. *Covered active duty or call to covered active duty status* in the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as "child" for other types of FMLA leave, except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

(7) Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran (for definition refer to No. 6 above).

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks of leave in a single 12-month period to care for that service member.

Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term "covered service member" means:

- (a) a member of the Armed Forces (including a member of the National Guard or Reserve) who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness; or

- (b) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserve) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

The term "serious injury or illness" means:

- (a) in the case of a member of the Armed Forces (including a member of the National Guard or Reserve), an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating;
- (b) in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserve) at any time during a period when the person was a covered service member, a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.
- (c) Outpatient status, with respect to a covered service member, the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

#### **D. Amount of Leave**

An eligible employee can take up to 12 weeks for the FMLA circumstances (No. 1) through (No. 5) (above) under this policy during any 12-month period. The County will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (No. 6) (above) during a single 12-month period. For this military caregiver leave, the County will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the County and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the County and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

These limitations apply even if the spouses are employed at different locations that are more than 75 miles apart. If only 1 of the spouses is eligible for FMLA leave, that individual is entitled to the full 12 workweeks of leave. These limitations do not apply to 2 employees working for the same employer.

who are not legally married, even if they are living together or have a child or children together, or to siblings or other relatives who are working for the same employer.

#### **E. Employee Status and Benefits During Leave**

While an employee is on leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, or leaves employment within 30 calendar days of the end of the FMLA leave period, the County will require the employee reimburse the County the amount it paid for the employee's health insurance premium during the leave period.

The County will maintain health, dental, and vision benefits for the employee at the same level and under the same conditions as if the employee continued to work while on FMLA leave. If required to pay a portion of their premium, the employee must make payment to the County Treasurer's office by the last business day of the month. If payment is not made as stated, the employee's health, dental, and vision coverage may be cancelled for the duration of the leave. The employee will be given notice of potential cancellation at least 15 calendar days prior to the effective date of cancellation. For purposes of retirement benefits, FMLA leave is treated as "continued service" for purposes of vesting and eligibility to participate.

If the employee contributes to a life insurance or disability plan, the County will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the County may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the County may discontinue coverage during the leave. The employee will be given notice of potential cancellation at least 15 calendar days prior to the effective date of cancellation. If the County maintains coverage, the County may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

#### **F. Employee Status After Leave**

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from a health care provider. This requirement will be included in the County's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits and working conditions. The County may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

An employee may request an extension of leave beyond the 12-week period because of a serious medical condition. The employee must submit the request in writing to the department head with medical certification of a continued serious health condition a minimum of 2 weeks prior to the end of their FMLA Leave. The department head will review such request on a case-by-case basis in order to determine whether it can reasonably accommodate such a request with the unpaid leave policy.

Reinstatement is not guaranteed when an employee is granted extended leave and will depend on the business needs of the County. If an employee fails to return to work, or is unable to return to perform the essential functions of the job at the end of his or her leave, the employee will be considered to have voluntarily resigned their position with Grand Traverse County.

Certain highly-compensated employees are "key employees" and may be denied restoration to their prior or equivalent position. Key employees are those employees who are among the highest paid 10% of employees within the County. Denial is based on the following conditions:

- a. The denial is necessary to prevent substantial economic injury to the County;
- b. The County has notified the employee of his/her key employee status, as well as the decision to deny restoration should the leave take place or continue; and
- c. The employee elects not to return to work after being notified of the County's decision.

#### **G. Use of Paid and Unpaid Leave**

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave, unless such leave is covered under Workers' Compensation Insurance or Disability Insurance, in which case the employee may only use accumulated leave time for the purpose of satisfying any waiting period. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy. Accrual of vacation or any applicable leave time will continue while under FMLA leave.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if a County provides 6 weeks of pregnancy disability leave, the 6 weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave or sick leave (as long as the reason for the absence is covered by the County's sick leave policy) prior to being eligible for unpaid leave.

#### **H. Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period). If the employee plans to take intermittent leave or work a reduced schedule, the certification must also include the dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

Leave due to a serious health condition, a serious illness or injury of a service member or a qualifying exigency may be taken intermittently (in separate blocks of time due to a single health condition) in minimum 15 minute increments or on a reduced leave schedule (reducing the number of hours you

work per workweek or per workday) if medically necessary. If the leave is unpaid, the County will adjust an employee's salary based on the amount of time actually worked.

In addition, while on intermittent or reduced-schedule leave, the County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care. An employee on an intermittent or reduced leave schedule will need to work with his/her department head to the extent possible to arrange a schedule that best suits the needs of the department.

For the birth, adoption or foster care of a child, the County and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Otherwise, such leave must be taken within 1 year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach an agreement with the County before taking intermittent leave or working a reduced-hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

### **I. Certification for the Employee's Serious Health Condition**

The County will require certification for the employee's serious health condition. The certification must include the first anticipated date of absence from service, a diagnosis, a brief statement describing treatment, and the expected date of return. The physician must state the employee is unable to perform the essential functions of the employee's job. Occasional updates to the medical certification may be required. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

The County may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The County will not use the employee's direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the County will obtain the employee's permission for clarification of individually identifiable health information.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee to get a certification from a second doctor, which the County will select. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion. The County may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion.

#### **J. Certification for the Family Member's Serious Health Condition**

The County will require certification for the family member's serious health condition. The certification to support a leave for family medical reasons must include the dates on which treatment is expected and its duration as well as a statement indicating that the employee's presence is necessary or would be beneficial for the care of the family member and the period of time, care, or presence needed. Occasional updates to the medical certification may be required. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

The County may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The County will not use the employee's direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the County will obtain the employee's family member's permission for clarification of individually identifiable health information.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee's family member to get a certification from a second doctor, which the County will select. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion. The County may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion.

#### **K. Certification of Qualifying Exigency for Military Family Leave**

The County will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Occasional updates to the medical certification may be required. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

#### **L. Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave**

The County will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Occasional updates to the medical certification may be required. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service member.

#### **M. Recertification**

The County may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days unless circumstances have changed significantly, or if the County receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the County may request recertification for the serious health condition of the employee or the employee's family

member every 6 months in connection with an FMLA absence. The County may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

#### **N. Procedure for Requesting FMLA Leave**

When requesting leave, the employee must provide Human Resources with at least 30 calendar days of advance notice, whenever possible, by submitting a Request for Leave of Absence Form, and a Medical Certification form. If the need for the leave is not foreseeable, the employee must provide notice to his/her supervisor as soon as possible (within the same or next business day), consistent with the County's absence notification policies, and provide sufficient information for the County to reasonably determine the reason for the leave and its anticipated duration. Failure to provide timely notice may result in denial of leave until notice is provided.

Employees should inform their supervisor if an absence is for FMLA leave, and if approved for more than one leave, which FMLA leave applies. The County may credit an absence to an FMLA leave if there is any indication the absence is covered by the FMLA. When leave is needed for planned medical treatment, employees must attempt to schedule treatment so as not to unduly disrupt the County's operations. Failure to provide appropriate notice may result in the denial of leave.

#### **O. Designation of FMLA Leave**

Within 5 business days after the employee has submitted the appropriate certification form, Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

#### **P. Intent to Return to Work from FMLA Leave**

On a basis that does not discriminate against employees on FMLA leave, the County may require an employee on FMLA leave to report periodically (at least every 2 weeks) on the employee's status and intent to return to work.

#### **Q. Notice Upon Return from Leave**

If an employee returns from any period of absence which has not been designated as FMLA leave, and the employee wishes to have the leave counted as FMLA leave, the employee must notify the County within 2 business days of returning to work that the leave was for FMLA reasons. Failure to provide the necessary notice will prevent any subsequent assertion of FMLA protection for that absence.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Frozen Sick Leave Bank Policy

### PURPOSE

The purpose of the Sick Leave Bank is to provide a means of obtaining additional sick leave days to avoid loss of compensation due to a catastrophic illness or injury of the employee sick leave bank member that requires intermittent or continuous absence from work. A Sick Leave Bank provides sick leave to qualifying member employees who are unable to work as a result of a personal illness, injury, disability, or medical condition.

### POLICY & PROCEDURE

Employees who have a frozen sick bank may use such bank in the following instances:

- a. For absences due to illness (including illness in the immediate family - spouse, children, parents, or guardian - if the employee is the only person available to render such care) after their eight personal days have been exhausted.
- b. For any regularly scheduled hours during the first seven calendar days when an employee qualifies for the short term disability benefit.
- c. When an employee qualifies for the short term disability benefit, but chooses to use their frozen sick bank first in order to receive full pay.

Upon retirement (eligible to begin drawing a benefit payment from MERS or Social Security) or death of the employee, the County shall pay to the employee (or the employee's estate) fifty percent (50%) of the employee's frozen sick bank up to a maximum of one hundred and twenty (120) days or sixty (60) full days, such payment to be made at the employee's regular rate of pay at the time of retirement or death.

Employees who are elected to public office at the County level without a gap in service and who remain covered under MERS and on the County's payroll, and who have a sick bank, shall be paid for their sick bank, at their "employee" rate of pay, as stated above if they meet the eligibility requirements for retirement, or shall have their sick bank remain on record at the time they take office. When the elected official reaches retirement eligibility, they may request in writing to be paid for their frozen sick bank as stated above, such payment to be made at their rate of pay at the time of request. Should any bank remain at the time the elected official leaves office but is not reinstated as an employee of the County, and the elected official is eligible for retirement, the elected official shall be paid for their sick bank as stated above.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. This policy is in no way affiliated with Michigan Mandatory Paid Sick Leave (Public Act 369). Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved: Board of Commissioners 4/92, amended 1/01, 9/01



## Anti-Harassment Policy

### PURPOSE

Grand Traverse County is committed to fostering an environment that is welcoming and free from all forms of discrimination and harassment based on race, color, creed, religion, national origin, sex, sexual orientation, disability, age, marital status, status regarding public assistance, veteran or military status or any other legally protected status. A harassment-free environment is one in which conduct is based on respect for others and which does not in any way exploit power and/or status differences, such as those that exist between (but not limited to) colleagues, employees and those seeking employment. It also includes conduct based on respect in peer-to-peer relationships.

### POLICY & PROCEDURE

Grand Traverse County strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment of the County should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Grand Traverse County will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, Grand Traverse County will seek to prevent, correct and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment.

Managers and supervisors who knowingly allow or tolerate discrimination, harassment or retaliation, including the failure to immediately report such misconduct to human resources (HR), are in violation of this policy and subject to discipline.

### Prohibited Conduct under This Policy

Grand Traverse County, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

#### Discrimination

It is a violation of Grand Traverse County's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information or marital status.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1967 and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

## **Harassment**

Grand Traverse County prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker, or any person working for or on behalf of Grand Traverse County.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's national origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital status or other protected status.

## **Sexual Harassment**

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under Grand Traverse County's anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature ... when ... submission to or rejection of such conduct is used as the basis for employment decisions ... or such conduct has the purpose or effect of ... creating an intimidating, hostile or offensive working environment."

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.
- Is used as a basis for an employment decision.
- Unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, tweets and Internet postings; or other forms of communication that are sexual in nature and offensive.

- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, non-coercive interactions between employees that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

### **Consensual Romantic or Sexual Relationships**

Grand Traverse County strongly discourages romantic or sexual relationships between a manager or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee.

Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others, or at a later date by the staff member, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different department or other actions may be taken.

If any employee of Grand Traverse County enters into a consensual relationship that is romantic or sexual in nature with a member of his or her staff (an employee who reports directly or indirectly to him or her), or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the Human Resources Director or the County Administrator. Because of potential issues regarding quid pro quo harassment, Grand Traverse County has made reporting mandatory. This requirement does not apply to employees who do not work in the same department or to parties where neither one supervises or otherwise manages responsibilities over the other.

Once the relationship is made known to Grand Traverse County, the County will review the situation with human resources in light of all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another job or department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot amicably come to a decision, or the party is not chosen for the position to which he or she applied, the Human Resources Director and the County Administrator will decide which party will be moved. That decision will be based on which move will be least disruptive to the County as a whole. If no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.

### **Retaliation**

No hardship, loss, benefit or penalty may be imposed on an employee in response to:

- Filing or responding to a bona fide complaint of discrimination or harassment.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.

Lodging a bona fide complaint will in no way be used against the employee or have an adverse impact on the individual's employment status. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation.

Any person who is found to have violated this aspect of the policy will be subject to discipline up to and including termination of employment.

## **Confidentiality**

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation, and the Human Resources Director will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files within the HR department.

## **Complaint procedure**

Grand Traverse County has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. The County will treat all aspects of the procedure confidentially to the extent reasonably possible.

1. Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The Human Resources Director may assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the Human Resources Director will dictate the verbal complaint.
2. Upon receiving a complaint or being advised by a supervisor or manager that violation of this policy may be occurring, the Human Resources Director will notify the County's Administrator and review the complaint with the County's legal counsel.
3. The Human Resources Director will initiate an investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
4. If necessary, the complainant and the respondent will be separated during the course of the investigation, either through internal transfer or administrative leave.
5. During the investigation, the Human Resources Director, together with legal counsel and the Deputy County Administrator, will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
6. Upon conclusion of an investigation, the Human Resources Director or the Deputy County Administrator conducting the investigation will submit a written report of his or her findings to the County Administrator. If it is determined that a violation of this policy has occurred, the Human Resources Director will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:
  - a) The severity, frequency and pervasiveness of the conduct;
  - b) Prior complaints made by the complainant;
  - c) Prior complaints made against the respondent; and
  - d) The quality of the evidence (e.g., firsthand knowledge, credible corroboration).

If the investigation is inconclusive or if it is determined that there has been no violation of policy but potentially problematic conduct may have occurred, the Human Resources Director may recommend appropriate preventive action.

7. The County Administrator will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the Human Resources Director and other management staff as appropriate, and decide what action, if any, will be taken.
8. Once a final decision is made by the County Administrator, the Human Resources Director will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

## **Alternative legal remedies**

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 7/99



## Health Insurance Policy

### PURPOSE

The purpose is to explain to Grand Traverse County employees what qualifies them for the County's Health insurance and for our employees to have a better understanding of the type of insurance offered. Health insurance can reimburse the insured for expenses incurred from illness or injury, or pay the care provider directly.

### POLICY & PROCEDURE

Regular full-time employees are eligible on the first of the month following thirty days of employment for coverage under the County's group health insurance plan. Regular part-time employees who elect to do so may be covered, with the County covering the pro-rated amount based on the number of hours the employee is regularly scheduled to work, and the employee reimbursing the County through payroll deduction for the remainder.

Employees are obligated to pay any applicable premium share whether actively at work or on an approved leave. Failure to make the required premium share payment in a timely manner will result in loss of coverage. The County offers a High Deductible Health Plan and Health Savings Account (HSA). These plans often have lower premiums and higher maximum-out-of-pocket amounts than other health plans. Employees may end up paying more for the medical care they receive while saving on premium costs. When the County provides HSA funds, employees who elect the County's Health Insurance will receive a prorated amount of HSA funding, based on number of hours the employee is regularly scheduled to work, and based upon months of service in the respective year of that benefit.

Employees whose spouses are also employed by Grand Traverse County will not be double covered under the health program. They may each select their own coverage when more than one plan is offered if they wish, and dependents will be covered under the employee whose birthdate comes first in the year unless otherwise agreed to by both employees. The Employer reserves the right to combine or separate contracts of family members under the group insurance in order to reduce costs, where it does not reduce the benefits to which each employee is entitled.

Regular Employees who are eligible for the County's health plan, and who have other medical coverage not including the marketplace, shall have the option of receiving an annual payment in lieu of such coverage in the amount of two thousand dollars (\$2,000) on a pro-rated basis based upon FTE status and months of service, subject to carrier regulations and applicable law. This payment shall be made on the first pay date in December. Payment is pro-rated for individuals who leave employment or drop coverage mid-year. Employees may choose between the payment and coverage in the County's Plan during the annual open enrollment period. This selection cannot be rescinded unless the employee loses their other group coverage.

The benefits provided under the Grand Traverse County Health Program shall be secondary to any personal protection or personal injury benefits carried by an employee through an insurer under a motor vehicle policy described in Section 3101(1) of the Michigan Compiled Laws.

Non-Contract Employees who retire from County employment after January 1, 2000, and who are hired or transferred into the Non-Contract Hourly or Exempt groups prior to January 1, 2009, may elect to be covered under the County's early retirees' group coverage up to age 65, or Medicare eligible, by reimbursing the County for the applicable premium amount. This benefit is for the retiree only. Retirees may cover eligible spouses and dependents by reimbursing the County the full amount of the premium for those individuals. Retirees may opt in for this benefit anytime during their eligibility but only at the time of open enrollment. Effective January 1, 2016, the County will contribute up to one-hundred (\$100) dollars per month per retiree.

At age 65, eligible retirees and their spouses may remain under the County's Medicare group plan by reimbursing the County the full amount of the premium.

Covered spouses of retirees who are enrolled in the group health plan, and whose coverage under the County's Health Plan terminates due to death, shall be allowed to remain on the County's group health plan by continuing to reimburse the County for the full premium amount until their death, or until they become covered by another group health plan. This benefit is closed to new entrants as of December 31, 2014.

In accordance with the Affordable Care Act, Grand Traverse County has identified the following periods for the purposes of identifying a full-time employee:

- Measurement Period: January 1 – October 31
- Administrative Period: November 1 – December 31
- Stability Period: January 1 – December 31

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved 4/92, as amended 1/93, 3/94, 2/96, 7/99, 11/99, 5/00, 1/02, 6/03, 7/04, 01/09, 12/14, 4/16,



## Hearing Conservation Program

### PURPOSE

The purpose of the Grand Traverse County Hearing Conservation Program (HCP) is to protect County employees from the effects of occupational exposure to noise. The program provides guidelines to ensure the effective use of hearing protection as well as establishes procedures for an effective HCP.

### Scope

This instruction applies to all Grand Traverse County employees that perform work with powered equipment including but not limited to lawn and maintenance equipment, saws, weed whackers, grass cutters, leaf blowers, all types of lawn mowers and other loud equipment.

### Background

The County is responsible for ensuring that each employee has a safe and healthful place of employment that complies with all safety and health standards and the Michigan Occupational Safety and Health Act (MIOSHA). Various County departments are responsible for providing lawn care and maintenance in the Grand Traverse County region. Many of these environments have the potential to have high levels of noise. Therefore, the County has proactively established a HCP for all staff who conduct this type of work.

### References

- Grand Traverse County Safety Policy.
- Occupational Health Standard Part 380, Rule R325.60107, Occupational Noise Exposure for General Industry.

### Definitions

**Action Level (AL)** - An 8-hour, time-weighted average noise exposure of 85 decibels measured on the A-scale, slow response, or equivalently, a dose of 50%.

**Audiogram** - A chart, graph, or table resulting from an audiometric test showing an individual's hearing threshold levels as a function of frequency.

**Baseline Audiogram** - The audiogram against which future audiograms are compared.

**Decibel (dB)** - A unit of measurement of sound pressure level.

**Health Care Provider** – A physician who has been contracted by the County to perform baseline and annual audiograms.

**Hertz (Hz)** - A unit of measurement of frequency and is numerically equal to cycles per second.

**Noise Dose** - The ratio, expressed as a percentage, of the time integral, over a stated time or event, of the 0.6 power of the measured, slow, exponential time averaged, squared A-weighted sound pressure and the product of the criterion duration (8 hours) and the 0.6 power of the squared sound pressure corresponding to the criterion sound level (90 dB).

**Slow Response** - A measurement time constant, or averaging time, of 1 second.

**Sound Level** - 10 times the common logarithm of the ratio of the square of the measured A-weighted sound pressure to the square of the standard reference pressure of 20 micropascals and is expressed in units of dBA.

**Sound Level Meter** - An instrument for the measurement of sound level.

**Standard Threshold Shift (STS)** - A change in the hearing threshold relative to the baseline audiogram of an average of 10 dB or more at 2000, 3000, and 4000 Hz in either ear.

**Time-Weighted Average Sound Level** - The sound level which, if constant over an 8-hour exposure, would result in the same noise dose as is measured.

**TWA** - Time-weighted average.

## **Responsibilities**

### **A. Department Manager/Supervisor is responsible for:**

1. Implementing the County's HCP as outlined.
2. Ensuring all staff that works with lawn and maintenance equipment are included in the HCP.
3. Ensuring that initial baseline and annual audiometric testing is scheduled and conducted.
4. Ensuring that reports of standard threshold shifts that meet the recording criteria are provided to Department Labor Economic Growth, Office of Human Resources (DLEG, OHR) for recording on the Injury/Illness Log.
5. Ensuring appropriate employee training on equipment and on the proper use and care of hearing protection devices.
6. Evaluating the HCP annually.

### **B. Grand Traverse County Human Resources Department is responsible for:**

1. Ensuring that the contract is in place to provide annual audiometric testing to County staff impacted by this policy.
2. Serving as medical administrator for the County's HCP.
3. Receiving and maintaining records in a confidential manner.
4. If the comparison of the audiograms indicates that an employee has experienced a standard threshold shift in hearing, the health care provider will advise the medical administrator. The medical administrator will notify an employee of all of the following:
  - a) A standard threshold shift has occurred. The employee will be notified, in writing, within 21 days of its determination.
  - b) The need for further evaluation or retesting, the reason for the referral, the purpose and outcome, and whether or not the shift may be related to the use of hearing protectors.

### **C. Health Care Provider is responsible for:**

1. Conducting a baseline audiogram for new County staff impacted by this policy.
2. Conducting audiograms on an annual basis for all County staff that work with powered lawn and maintenance equipment.
3. Providing a copy of audiogram to medical administrator.

- a) Notifying the medical administrator of all County staff who experienced a standard threshold shift for logging and further follow-up as needed.

**D. Employees that work with Lawn and Maintenance Equipment are responsible for:**

1. Complying with requirements of the County's HCP. Failure to do so will result in discipline, up to and including termination.
2. Participating in training on the selection and appropriate use of hearing protection.
3. Wearing hearing protection when working in environments that may pose the potential for excessive noise exposure.

**Medical Surveillance**

As part of the medical surveillance program, all County staff who work with powered lawn and maintenance equipment will be provided:

- Baseline audiometric test.
- Annual audiometric test.
- Information on test results and follow-up as needed.
- Audiometric testing will be provided at no cost to the employee.
- Baseline audiograms will be conducted within six (6) months of hire.
- County staff that have a standard threshold shift shall be refitted and retrained, if necessary, in the proper use of hearing protection.
- County staff experiencing difficulty wearing hearing protection (i.e. irritation of the ear canals, pain) should immediately report this to their supervisor. Arrangements should be made, if necessary, to go to the health care provider for evaluation.

**Recordkeeping**

**A. The Human Resources Department will maintain:**

- Medical evaluation and audiometric tests.
- Training records.

**B. Department Manager/Supervisor will maintain:**

- Department evaluations of the HCP.

Audiometric tests and medical evaluations performed for hearing conservation purposes will be a permanent part of an employee's medical record, maintained in Human Resources. An employee's medical record will be made available to the individual upon request to Human Resources.

**Training**

All County staff who work with powered lawn and maintenance equipment will be provided information about the adverse effects of noise and how to prevent noise-induced hearing loss. At a minimum, training will cover the following topics:

1. Effects of noise on hearing.
2. Purpose of hearing protection; advantages and disadvantages, of various types of hearing protection.
3. Selection, fitting, use, and care of hearing protection.
4. Purpose of audiometric testing and an explanation of the testing procedures.
5. The need to wear hearing protection by recognizing environments with noise that may require hearing protection.

All County staff that work with powered lawn and maintenance equipment will be provided with a copy of this document.

## **Program Evaluation**

- a) Every summer the Department Supervisor will conduct an annual evaluation of their departmental program, including wearer acceptance, appraisal of protection afforded, use of hearing protection, and training.
- b) The findings of the HCP evaluation will be documented, list plans to correct any deficiencies in the program, and set target dates for the implementation of the corrections.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## High Deductible Health Plan Policy

### PURPOSE

To educate employees on what a High Deductible Health Plan is and how to use a Health Savings Account with this plan.

### What is a High Deductible Health Plan?

A plan with a higher deductible than a traditional insurance plan. The monthly premium is usually lower, but you pay more health care costs yourself before the insurance company starts to pay its share (your deductible). A high deductible health plan (HDHP) can be combined with a health savings account (HSA), allowing you to pay for certain medical expenses with money free from federal taxes.

### What is an HSA?

A Health Savings Account is a savings vehicle that is tied to an HSA-qualified high-deductible health plan (HDHP). Anyone on a high deductible health plan (HDHP) can contribute to an HSA on a tax-free basis (when used to pay for qualified medical expenses). Employees are able to pay for their current medical expenses and save for future qualified medical and retiree health expenses on a tax-free basis.

As with 401k accounts and Flexible Spending Accounts (FSA), Health Savings Accounts offer tax benefits for employees. The money that employees deposit into HSA accounts reduces their taxable income rather than acting as a direct deduction like FSA funds. Employees can then spend the HSA funds on qualified medical expenses without any tax penalty.

As with 401K and FSA accounts, there are also limits on how much an individual or family may deposit annually. Employers also have the option to match HSA contributions. Unlike FSA funds, HSA funds can be kept in many different types of savings accounts. In fact, many HSA plans encourage employees to invest their funds in the stock market and earn a return.

The money in an HSA belongs to the employee. Our accounts provide employees with a credit card linked to their account, making it easier to pay for medical purchases. Employees can spend these funds on other items than approved medical expenses, but if they do so, then they pay a tax penalty on that spending. After age 65, an employee's HSA funds may be spent without penalty, much like other retirement investments. After age 55, employees can contribute an additional \$1,000 per year to their HSA as a "catch-up".

By law, HSAs are always attached to high-deductible health plans. These plans often have lower premiums and higher maximum-out-of-pocket amounts than other health plans. Employees may end up paying more for the medical care they receive while saving on premium costs. To get the most benefit from an HSA plan, an employee will need to contribute enough from each paycheck to pay the costs of their current medical care and prepare for unexpected costs.

### How is my HSA funded?

An employee's HSA account is funded by individual contributions through either payroll deductions or after tax contributions. On an annual basis, Administration along with the Human Resource

Director will look at the County's ability to provide HSA funds or "seed money." Seed money is not guaranteed on a year-to-year basis. Employees that are a full FTE (1.0) will receive the full amount of any seed money based on their health insurance election, e.g., Single, Double or Family. Employees that are a partial FTE (0.9, 0.7, etc.) will receive seed money on a pro-rated basis e.g., if the County commits to \$1,000 in seed money for single coverage and you are a 0.7 FTE you will receive 70% of that seed money or \$700 which would be that employee's full amount. Seed money will also be pro-rated based on benefits eligibility date. Employees hired mid-year will receive a pro-rated amount based on months of eligible medical coverage. For example, an employee hired in January with a March benefits eligibility date would receive seed money at 10/12ths of the full amount.

### **Who can contribute to an HSA?**

The IRS defines an individual as eligible to contribute to an HSA if the employee meets the criteria as follows (Internal Revenue Service Bulletin 2004-2, Q/A-2):

- is covered under a high deductible health plan (HDHP) on the first day of such month;
- is not also covered by any other health plan that is not a HDHP (with certain exceptions for plans providing certain limited types of coverage);
- is not enrolled in Medicare (generally, has not yet reached age 65\*); and
- may not be claimed as a dependent on another person's tax return

\*Individuals become ineligible to contribute to an HSA on the first day of the month of their 65<sup>th</sup> birthday.

### **Can I withdraw money from a health savings account for nonmedical expenses?**

Yes, but if you withdraw funds for nonmedical expenses before you turn 65, you have to pay taxes on the money and a 20 percent penalty. If you take money out after you turn 65, you do not have a penalty, but you must still pay taxes on the money.

### **How much money can I deposit annually into a health savings account?**

The Internal Revenue Service sets the contribution limits for HSAs. In recent years, the limits have been about \$3,500 for individuals and about \$7,000 for family coverage. If you're 55 or older anytime during the year you turn 55, you will be able to contribute an extra \$1,000.

### **Pro-Rated Premium Deduction**

Regular Part-Time Employees will be subject to a pro-rated premium deduction. When employee's FTE status is as follows, the employee premium deduction will increase as follows:

F.T.E.	Premium Deduction
0.9 FTE	10% above 20% premium deduction
0.8 FTE	20% above 20% premium deduction
0.7 FTE	30% above 20% premium deduction
0.6 FTE	40% above 20% premium deduction
0.5 FTE	50% above 20% premium deduction
0.4 FTE	60% above 20% premium deduction
0.3 FTE	70% above 20% premium deduction
0.2 FTE	80% above 20% premium deduction
0.1 FTE	90% above 20% premium deduction

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Notice of Privacy Practices (HIPAA)

### PURPOSE

Grand Traverse County respects the privacy of protected health information and understands the importance of keeping this information confidential and secure. This Notice describes how we protect the confidentiality of the protected health information we receive.

The Standards for Privacy of Individually Identifiable Health Information (Privacy Rule) sets forth, for the first time, a set of national standards for the protection of certain health information. The U.S. Department of Health and Human Services (HHS) issued the Privacy Rule to implement the requirement of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

The HIPAA Privacy Rule is designed to be flexible and comprehensive to cover the variety of uses and disclosures that need to be addressed. Covered entities regulated by HIPAA privacy policy are required to comply with all of its applicable requirements.

### NOTICE

THIS NOTICE DESCRIBES HOW INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED BY THE GROUP HEALTH PLANS OFFERED BY GRAND TRAVERSE COUNTY AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW THIS NOTICE CAREFULLY.

This Notice applies to the privacy practices of all of the group health plans offered by Grand Traverse County (hereinafter collectively the "Plan").

If you have any questions about this notice, please contact the Director of Human Resources.

### Our Obligations Regarding Protected Health Information

We are committed to protecting the privacy of your protected health information. "Protected health information" means individually identifiable health information that is transmitted or maintained in electronic media or in any other medium or form. "Protected health information" does not include individually identifiable health information in education records covered by the Family Educational Rights and Privacy Act, as amended (20 USC § 1232g), in records described at 20 USC § 1232g (a) (4) (B) (iv), in employment records held by a covered entity in its role as employer, and regarding a person who has been deceased for more than 50 years.

We create a record of the health care claims reimbursed under the Plan for Plan administration purposes. This notice applies to the records of protected health information that we maintain. Your personal doctor or health care provider may have different policies or notices regarding the doctor's use and disclosure of your protected health information created in the doctor's office or clinic. This notice will tell you about the ways in which we may use and disclose health information about you. It also describes our obligations and your rights regarding the use and disclosure of protected health information.

In accordance with the law, we are required to:

- maintain the privacy of protected health information;
- give you this notice of our legal duties and privacy practices with respect to protected health information about you; and
- follow the terms of the notice that is currently in effect.

## **How We May Use and Disclose Protected Health Information**

The following categories describe different ways that we use and disclose protected health information to the extent permitted or required by law. For each category of uses or disclosures we will explain what we mean and may also present some examples. Not every type of use or disclosure within a category will be listed. However, all of the ways we are permitted to use and disclose protected health information will fall within one of the categories.

### **For Treatment**

We may use and disclose protected health information for your treatment and to provide you with treatment-related health care services. For example, we may disclose protected health information to doctors, nurses, technicians, or other personnel, including people outside our office, who are involved in your medical care and need the information to provide you with medical care. For example, a doctor treating you for a broken leg may need to know if you have diabetes because diabetes may slow the healing process. In addition, the doctor may need to tell the dietician so that appropriate meals can be prepared. We also may disclose medical information about you to people outside the treatment facility who may be involved with your medical care.

### **For Payment**

We may use and disclose protected health information about you to determine eligibility for Plan benefits, to facilitate payment for the treatment and services you receive from health care providers, to determine benefit responsibility under the Plan, or to coordinate Plan coverage. For example, we may tell your health care provider about your medical history to determine whether a particular treatment is experimental, investigational, or medically necessary or to determine whether the Plan will cover the treatment. We may also share protected health information with a utilization review or precertification service provider. Likewise, we may share protected health information with another entity to assist with the adjudication or subrogation of health claims or to another health plan to coordinate benefit payments.

### **For Health Care Operations**

We may use and disclose protected health information about you for other Plan operations. These uses and disclosures are necessary to run the Plan. For example, we may use protected health information in connection with: conducting quality assessment and improvement activities; underwriting, premium rating, and other activities relating to Plan coverage, submitting claims for stop loss (or excess loss) coverage; conducting or arranging for medical review, legal services, audit services, and fraud and abuse detection programs; business planning and development such as cost management; and business management and general Plan administrative activities. We may remove information that identifies you from this set of medical information so others may use it to study health care and delivery without learning the identity of the patients.

### **To Business Associates**

We may contract with individuals and entities known as Business Associates to perform various functions or provide certain services. In order to perform these functions or provide these services, Business Associates may receive, create, maintain, use and/or disclose protected health information, but only after they sign an agreement with us requiring them to implement appropriate safeguards regarding protected health information. All of our business associates are obligated to protect the privacy of your information and are not allowed to use or disclose any information other than as specified in our contract.

### **Other Insurance Carriers**

We may disclose or use protected health information with other care programs or insurance carriers (such as Medicare) in order to coordinate benefits.

## **Emergencies**

We may use or disclose your protected health information in an emergency treatment situation. If this happens, your physician will try to obtain your consent as soon as reasonably practicable after the delivery of treatment. If your physician, or another physician in the practice, is required by law to treat you and the physician has attempted to obtain your consent but is unsuccessful, he or she may still use or disclose your protected health information to treat you.

## **As Required By Law**

We will disclose protected health information about you when required to do so by federal, state or local law. The use or disclosure will be made in compliance with the law and will be limited to the relevant requirement of the law. For example, we may disclose protected health information when required by a court order in a litigation proceeding such as a medical malpractice action. You will be notified, if required by law, of any such uses or disclosures.

## **Public Health Activities**

We may use or disclose protected health information for public health activities and for purposes to a public health authority that is permitted by law to collect or receive information. For example, we may use or disclose protected health information for the purpose of preventing or controlling disease, injury, or disability, to notify a public health authority authorized to receive reports of abuse, neglect, or domestic violence, to report births or deaths, to report reactions to medications or problems with products, to notify people of recalls of products they may be using, to notify persons of exposure to disease. We may also disclose protected health information if directed by a public health authority to a foreign government agency that is collaborating with a public health authority.

## **Health Oversight Activities**

We may disclose protected health information to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure or disciplinary actions, civil, administrative, or criminal proceedings or actions, or other activities necessary for appropriate oversight of the health care system. Oversight agencies seeking this information may include government agencies that monitor the health care system, government programs, and compliance with civil rights laws.

## **To Avert a Serious Threat to Health or Safety**

We may use and disclose protected health information about you when necessary to prevent a serious or imminent threat to your health and safety or the health and safety of the public or another person. Disclosures, however, will be made only to someone who may be able to help prevent the threat. For example, we may disclose protected health information if it is necessary for law enforcement or other authorities to identify or apprehend an individual. We may also disclose protected health information about you in a proceeding regarding the licensure of a physician.

## **Legal Proceedings**

We may disclose protected health information in the course of judicial or administrative proceeding or in response to an order of a court or administrative tribunal. If certain conditions are met, we may also disclose your protected health information in response to a subpoena, a discovery request, or other lawful processes.

## **Law Enforcement**

We may release protected health information if asked to do so by a law enforcement official, so long as applicable legal requirements are met, in response to a court order, subpoena, search warrant, summons, or similar process; to identify or locate a suspect, fugitive, material witness, or missing person; if you are the victim of a crime and we are unable to obtain your consent; about a death we believe may be the result of criminal

conduct; in an instance of criminal conduct at our facility; in emergency circumstances to report a crime, the location of crime or victims, or the identity, description, or location of the person who committed the crime.

### **Criminal Activity**

Consistent with federal and state laws, we may disclose your protected health information if we believe that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. We may disclose protected health information if it is necessary for law enforcement authorities to identify or apprehend an individual.

### **Coroners, Medical Examiners, and Funeral Directors**

We may release protected health information to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death, or for the coroner or medical examiner to perform other duties authorized by law. We may also release protected health information about patients of the hospital to funeral directors as necessary to carry out their duties and in accordance with the law. Disclosure of such information may be made in reasonable anticipation of death.

### **Organ and Tissue Donation**

If you are an organ donor, we may release protected health information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank as necessary to facilitate organ or tissue donation and transplantation.

### **Research**

We may release your protected health information to researchers when their research has been approved by an institutional review board that has reviewed the research proposal and established protocols to ensure the privacy of your protected health information.

### **Military and Veterans**

If you are a member of the armed forces, we may release protected health information about you for activities deemed necessary by appropriate military command authorities or for the purpose of determination by the Department of Veterans Affairs of your eligibility for benefits. We may also release protected health information about foreign military personnel to the appropriate foreign military authority.

### **National Security and Intelligence Activities**

We may release protected health information about you to authorized federal officials for intelligence, counterintelligence, and other national security activities as authorized by law, including the provision of protective services to the President or others legally authorized.

### **Inmates**

If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release protected health information about you to the correctional institution or law enforcement official. This release would be necessary:

- for the institution to provide you with health care;
- to protect your health and safety or the health and safety of others; or
- for the safety and security of the correctional institution.

### **Workers' Compensation**

We may release protected health information about you for workers' compensation or similar programs to comply with workers' compensation laws and other similar legally established programs. These programs provide benefits for work-related injuries or illness.

## **Disclosure to Health Plan Sponsor**

We may disclose information to a health plan sponsor or another health plan maintained by Grand Traverse County for purposes of facilitating claims payments or to use to obtain premium bids for the health insurance coverage offered through the Plan or to decide whether to modify, amend, or terminate a plan. In addition, protected health information may be disclosed to Grand Traverse County personnel solely for purposes of administering benefits under the Plan.

## **Disclosures to the OHCA**

The various health plans which may be participating in an organized health care arrangement (OHCA) may share protected health information with each other, as necessary, to carry out treatment, payment, or health care operations relating to the organized health care arrangement.

## **Others Involved in Your Health Care**

We may disclose your protected health information to a friend or family member that is involved in your health care to the extent necessary to help with your care or with payment for your health care, unless you object or request a restriction. If you are unable to agree, such as in an emergency circumstance, and the situation indicates that it would be in your best interest, we may disclose your protected health information as necessary to a family member, friend or other person you identify to the extent necessary to help with your care.

## **Disclosures to the Secretary of the U.S. Department of Health and Human Services**

We may disclose protected health information to the Secretary of the U.S. Department of Health and Human Services to determine compliance with the requirements of 45 CFR Title II, §164; for example, when the Secretary is investigating or determining the Plan's compliance with the HIPAA Privacy Rule.

## **Disclosures to You**

We will disclose to you or your personal representative most of your protected health information when you request access to this information. We will disclose your protected health information to an individual who has been designated by you as your personal representative and who has qualified for such designation in accordance with relevant law. Prior to such a disclosure, however, we must be given written documentation that supports and establishes the basis for the personal representation.

## **Food and Drug Administration**

We may disclose your protected health information to a person or company required by the Food and Drug Administration to report adverse events, biological product deviations, product defects, or problems; to track products; to enable product recalls; to make repairs/replacements; or to conduct post marketing surveillance.

## **Data Breach Notification Purposes**

We may use or disclose your protected health information to provide legally required notices of unauthorized access to or disclosure of your health information.

## **Disaster Relief**

We may disclose your protected health information to disaster relief organizations that seek your protected health information to coordinate your care, or notify family and friends of your location or condition in a disaster. We will provide you with an opportunity to agree or object to such a disclosure whenever we can practically do so.

## **Other Uses and Disclosures**

Other uses and disclosures of protected health information that are not described above will be made only with your written authorization. You understand that we are unable to take back any disclosures we have already made with your permission, and that we are required to retain our records of the care we provided to you.

### **Revocation of Authorization**

If you provide us with an authorization, you may revoke the authorization in writing by mailing by first-class mail or hand-delivering a signed letter to the Director of Human Resources, stating (1) the authorization you would like to revoke, including the date the authorization was given, if known, and (2) your name and date of birth. Such revocation is not effective until received by the applicable covered entity. This revocation will be effective for future uses and disclosures of protected health information. However, the revocation will not be effective for information that we have used or disclosed in reliance on the authorization.

### **Your Rights Regarding Your Protected Health Information**

You have the following rights regarding protected health information we create, receive, and maintain about you:

#### **Right to Request Confidential Communications**

If you believe that a disclosure of all or part of your protected health information may endanger you, you may request that we communicate with you in an alternative manner or at an alternative location. For example, you may ask that all communications be sent to your work address. Your request must specify the alternative means or location for communication with you. It also must state that the disclosure of all or part of the protected health information in a manner inconsistent with your instructions would put you in danger. We will accommodate a request for confidential communications that is reasonable and that states that the disclosure of all or part of your protected health information could endanger you.

#### **Right to Access**

You have the right to inspect and copy protected health information that may be used to make decisions about your Plan benefits. You must submit your request in writing to Grand Traverse County Human Resources. If you request a copy of the information, we may charge a fee for the costs of copying, mailing or other supplies associated with your request. We may deny your request to inspect and copy in certain very limited circumstances as provided by law. In accordance with the law, depending on the circumstances, if you are denied access to protected health information, you may request that the denial be reviewed.

Health care providers may create, gather, or manage certain electronic health records regarding your protected health information. To the extent those records are in the possession of the Plan, you have the right to inspect and copy the electronic health records. If you submit such a request and we maintain any such records, we will charge you our actual labor costs to comply with your request.

#### **Right to Amend**

If you feel that protected health information we have about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by or for the Plan. To request an amendment, your request must be made in writing and submitted to the Human Resources Director. In addition, you must provide a reason that supports your request. We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that:

- is not part of the protected health information kept by or for the Plan;
- was not created by us, unless the person or entity that created the information is no longer available to make the amendment;
- is not part of the information which you would be permitted to inspect and copy; or
- is accurate and complete.

The Plan must act on your request for an amendment to your protected health information no later than 60 days after receipt of your request. The Plan may extend the time for making a decision for no more than 30 days, but it must provide you with a written explanation for the delay. If the Plan denies your request, it must provide you with a written explanation for the denial and an explanation of your right to submit a written statement disagreeing with the denial.

### **Right to an Accounting of Disclosures**

You have the right to request an "accounting of disclosures." This is a list of the disclosures we made of medical information about you. To request this list or accounting of disclosures, you must submit your request in writing to the Director of Human Resources. Your request must state a time period which may not be longer than six (6) years and may not include dates before April 14, 2003. Your request should indicate in what form you want the list (for example, paper or electronic). The first list you request within a twelve (12) month period will be free. For additional lists, we may charge you for the costs of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

In addition, health care providers may create, gather or manage electronic health records regarding your protected health information. To the extent those records are in the possession of the Plan, you will have the right to request an accounting of the disclosures of the electronic health records (including for purposes of treatment, payment or health care operations) during the three (3) years that preceded the request.

HIPAA provides several important exceptions to your right to an accounting of the disclosure of your protected health information. The Plan will not include in your accounting any of the disclosures for which there is an exception under HIPAA. The Plan must act on your request for an accounting of the disclosures of your protected health information no later than 60 days after receipt of the request. The Plan may extend the time for providing you an accounting by no more than 30 days, but it must provide you a written explanation for the delay.

### **Right to Request Restrictions**

You have the right to request a restriction or limitation on the protected health information we use or disclose about you for treatment, payment, or health care operations. You also have the right to request a limit on the protected health information we disclose about you to someone who is involved in your care or the payment for your care, like a family member or friend. For example, you could ask that we not use or disclose information about a surgery you had. Your written request must include the protected health information you wish to limit, whether you want to limit our use, disclosure, or both, and (if applicable) to whom you want the limitations to apply (for example, disclosures to your spouse). **To the extent permitted by law, we are not required to agree to your request, unless you are asking us to restrict the use and disclosure of your protected health information a health plan for payment or health care operation purposes and such information you wish to restrict pertains solely to the health care item or service for which you have paid us "out-of-pocket" in full.** If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment.

### **Out-of-Pocket Payments**

If you paid out-of-pocket in full (or, in other words, you have requested that we will not bill your health plan) for a specific item or service, you have the right to ask that your protected health information with respect to that item or service not be disclosed to a health plan for purposes of payment or health care operations, and we will honor that request.

### **Right to Receive Notice of a Breach**

We will notify you following a breach of unsecured protected health information as required by law. We will also inform the Secretary of the Department of Health and Human Services and take any other steps as required by law.

### **Right to a Paper Copy of This Notice**

You have the right to a paper copy of this notice. You may ask us to give you a copy of this notice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy of this notice. To obtain a paper copy of this notice, contact any Human Resources staff member. You may also obtain a copy of this notice at our website, [www.grandtraverse.org](http://www.grandtraverse.org) or on the intranet at [www2.co.grand-traverse.us](http://www2.co.grand-traverse.us).

The Plan must make its internal practices, books, and records related to the use and disclosure of protected health information received from the Plan available to the Secretary of Health and Human Services for purposes of determining compliance by the Plan with these privacy protections. When the Plan no longer needs protected health information disclosed to it by the Plan, for the purposes for which the protected health information was disclosed, the Plan must, if feasible, return or destroy the protected health information that is no longer needed. If it is not feasible to return or destroy the protected health information, the Plan must limit further uses and disclosures of the protected health information to those purposes that make the return or destruction of the protected health information infeasible.

### **Right to Inspect and Copy**

You have the right to inspect and copy medical information that may be used to make decisions about your care. Usually, this includes medical and billing records, but does not include psychotherapy notes. To inspect and copy your medical information, you must submit your request in writing to Human Resources. If you request a copy of information, we may charge a fee for the cost of copying, mailing, or other supplies associated with your request. We may deny your request to inspect and copy in certain very limited circumstances. If you are denied access to medical information, you may request the denial be reviewed.

### **Right to an Electronic Copy of Electronic Medical Records**

If your protected health information is maintained in an electronic format (known as an electronic medical record or an electronic health record), you have the right to request that an electronic copy of your record be given to you or transmitted to another individual or entity. We will make every effort to provide access to your protected health information in the form or format you request, if it is readily producible in such form or format. If the protected health information is not readily producible in the form or format you request, your record will be provided in either our standard electronic format or, if you do not want this form or format, a readable hard copy form. We may charge you a reasonable, cost-based fee for the labor associated with transmitting the electronic medical record.

### **Uses of Protected Health Information Requiring an Authorization**

The following uses and disclosures may be made only with written permission:

- Uses and disclosures of protected health information for marketing purposes
- Uses and disclosures that constitute the sale of your protected health information
- Uses and disclosures for any purposes not described in the notice
- Uses and disclosures of psychotherapy notes as set forth by law

### **Genetic Information**

Plans (other than a long-term care plan) are prohibited from using or disclosing protected health information that is genetic information for underwriting purposes.

### **A Note about Personal Representatives**

You may exercise your rights through a personal representative. Your personal representative will be required to produce evidence of his/her authority to act on your behalf before that person will be given access to your protected health information or allowed to take any action for you. Proof of such authority may take one of the following forms:

- a power of attorney for health care purposes, notarized by a notary public;
- a court order of appointment of the person as the conservator or guardian of the individual; or

- an individual who is the parent of a minor child. We retain discretion to deny access to your protected health information to a personal representative to provide protection to those vulnerable people who depend on others to exercise their rights under these rules and who may be subject to abuse or neglect. This also applies to personal representatives of minors.

### **Changes to This Notice**

We reserve the right to change this notice at any time and to make the revised or changed notice effective for protected health information we already have about you as well as any information we receive in the future. We will post a copy of the current notice on our website. We will notify you of changes as required by law. Until such amendment is made, we are required by law to abide by the terms of this notice.

### **Complaints**

If you believe your privacy rights have been violated, you may file a complaint with the Plan or with the Secretary of the U.S. Department of Health and Human Services. To file a complaint with the Plan, contact the Director of Human Resources. All complaints must be submitted in writing. In addition to filing a complaint with the Plan, you may file a complaint with the Secretary of the Department of Health and Human Services. You will not be retaliated against for filing a complaint.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Hours of Work Policy

### PURPOSE

The purpose is for Grand Traverse County to determine daily and weekly work schedules based on each department's operational needs. Such schedules may be changed at any time at the discretion of Grand Traverse County to address varying conditions. All employees are expected to work their scheduled hours.

### POLICY & PROCEDURE

#### Normal Work Week

The normal work week for hourly employees shall be 37.5 or 40 hours, beginning with the start of the employee's first shift on or after 11:00 p.m. Sunday, except as otherwise provided by departmental regulations approved by the Human Resources Director. The basic office hours are from 8:00 a.m. until 5:00 p.m., Monday through Friday with a one hour lunch period to be scheduled by the department head. The department head may vary these basic office hours to fit the needs of the individual department.

Employees are permitted two fifteen-minute work breaks, one in the first part of the shift and one in the second part of the shift, per day, which are to be taken at a time to allow for the continuous and effective operation of the department. Work breaks are not accumulative and may not be combined with the lunch period or quitting time.

#### Flexible Scheduling

Employees may make a request for flexible working hours or job sharing to their supervisor or department head. Such scheduling shall require the department head's approval, and must be in keeping with good customer service and the smooth operation of the department. Flexible scheduling will not be approved if it causes the payment of overtime under the Fair Labor Standards Act.

#### Overtime Work

The employees of the County are expected to give a full day's performance and that the work of the County will be so organized that overtime work is seldom necessary, except under unusual circumstances to meet peak loads or critical deadlines. If requested to work overtime, an employee will be expected to do so unless he or she is excused for good cause. Only the County Administrator or individual department heads have the authority to approve overtime. For those employees who are eligible for compensation (pay or compensatory time) under the Fair Labor Standards Act, this approval must be received in advance of working the overtime.

## **Call-In Time**

An employee called to work at a time other than his/her scheduled work shift should refer to their contract. When an hourly employee takes a phone call outside their scheduled work shift they shall be paid for 1/10 of their hourly rate if the call lasts less than six minutes. If the call lasts longer than six minutes they will be paid for the length of the call.

## **Entering Hours Worked**

The following policy has been established to conform to the legal requirements set forth by the Wage and Hour Administration. These should be incorporated with any existing regulations established by various departments. Employees are required to utilize their department's method of entering time.

At the end of each pay period, you should verify your hours worked (and not worked), have your managing supervisor sign/approve the time worked more than your scheduled hours, and turn it in to your supervisor or designee for processing. As timekeeping records are part of the County's documentation regarding numerous workplace practices, individuals who attempt to falsify, alter data or subjugate the system will be subject to disciplinary action up to and including termination.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 7/99, amended 2/07



## Introduction to Employment Policy

### PURPOSE

This policy has been prepared to acquaint you with the different personnel policies, procedures, and fringe benefit programs covering the employees of Grand Traverse County. Nothing contained in this policy is intended to limit the right of the County Board of Commissioners to direct the County affairs, including the direction of all employees, or to exercise any authority given to them under the law, including, but not limited to, the right to create departments, abolish departments, merge departments, to add to or subtract from the jobs, or to change the duties and content of various jobs.

### POLICY

It is the intention of the Board of Commissioners that Grand Traverse County, as a growing organization, be a good employer with progressive personnel policies and working conditions. The County expects to attain maximum staff productivity by fully utilizing the skills, abilities and efforts of both supervisory and non-supervisory employees. Employees are expected to conduct themselves as responsible business people engaged in an effort of great importance to the people of the area, and to focus their efforts and interests on the realization of the County's mission, the County Board's vision, and their department's strategic plan.

Each employee is expected to avail himself/herself fully of opportunities to become better informed about the County's business, to keep up with developments in his/her field of work, to make constructive suggestions for increased productivity, to seek self-improvement in all areas of their work assignments, and to perform their assignments as part of an effective working group in accordance with established standards. They are also expected to bring their problems and suggestions to their supervisor's attention promptly so that disrupting conditions can be corrected promptly rather than be allowed to become of a greater magnitude of concern.

Employment with us is considered "at will" permitting either party to end the relationship at either party's own discretion with or without cause or notice. No one other than the Board of Commissioners has any authority to enter into an agreement for employment for a specified period of time or to make any agreement which is contrary to this statement. Any such agreement with the Board must be in writing or it shall not be binding.

Employees who are placed into jobs which require a license (including driver's license), certification or registration are expected to maintain such license, certification or registration, and are required to notify the Human Resources department in writing immediately upon loss of such license, certification or registration. It is the employee's responsibility to keep current on all certifications required by their job. Failure to do so may result in the employee's termination of employment.

The policies on the intranet apply to all full-time and part-time personnel in all departments, offices, and positions in the county service, including employees of elected officials, except Family Court. However, members of the County Board of Commissioners and elected County department heads, including the Clerk, Treasurer, Register of Deeds, Prosecuting Attorney, Sheriff, Drain Commissioner,

Surveyor, and Judges of the Circuit, Probate, and District Courts are not covered by these policies. The personnel policies and the system for administering them are reviewed and revised periodically. Employee ideas and comments are encouraged in the form of written suggestions to the Director of Human Resources, who shall advise administration of all suggestions, and recommend appropriate action. After review, the Human Resources Director may recommend an amendment to the Board of Commissioners for approval. The Human Resources Department shall make every reasonable attempt to provide each employee notice of the amendment through the employee newsletter or by providing them a copy of the amendment.

## **Paydays**

The County provides a biweekly pay period (26 pays per year) that ends at midnight every other Sunday. Pay days occur every other Friday for both hourly and salaried employees. Employees hired after January 1, 2001, are encouraged to have their pay electronically transferred to their financial institution(s). Only one transfer per institution and two separate institution transfers may be made. Arrangements must be made with the institution for transfers to multiple accounts.

## **Medical Examination**

The County requires a pre-employment drug screening and may require a medical examination by a doctor designated as County Physician at any time during the employment whenever the County believes such examination is mandated by business necessity.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved: Board of Commissioners 1/2014,



## Leave of Absence Policy

### PURPOSE

In an effort to recognize the need of employees who require time off in addition to other types of leave, Grand Traverse County may consider an unpaid personal leave of absence without pay for up to a maximum of 30 days, when justified by compelling personal circumstances.

### Guidelines

Any time away from work that is not covered by pay from an accumulated leave bank or otherwise approved for pay, including partial days, shall be considered a Leave of Absence. Leaves of Absence of less than thirty (30) days require the approval of the department head. All requests for leave over thirty (30) days must be approved by the Department Head and HR Department unless required by law or otherwise stated in this Section. Such leave shall be without pay unless otherwise provided below.

Only a regular full-time or regular part-time employee who has completed six months of service may be granted a leave of absence of over 30 days for sickness, disability, educational development, or other good and sufficient reasons. Such leave shall not exceed one year. All leave requests shall be in writing and state the reason, the exact date on which the leave is to begin and the date of return to work. Failure to return on the agreed date or extension thereof may result in termination. The employee shall not return prior to the expiration of his/her leave unless agreed to by the department head.

Employees who take leave without pay in excess of 30 days shall have their seniority accrual frozen while on leave, effective on the first day following the 30 days. Therefore, their service date (for longevity, seniority, and vacation accrual) shall be moved forward by an amount equivalent to this length of time. They shall also have their anniversary date (for consideration of step increase) delayed by the same length of time. Leaves without pay in excess of 30 days will require the employee to reimburse the County for their benefits to continue during said leave. If the employee drops their insurance benefits they will be subject to the enrollment waiting period of the particular insurance should the employee desire to pick up coverage upon return.

Upon returning to work, the employee shall have the right to displace any employee with less service in the same classification in the department in which they worked at the time their leave of absence was granted unless otherwise stated at the time the leave is approved.

Nothing in this policy shall conflict with or limit employee's rights under the Family Medical Leave Act.

**Educational Leave** - An employee who wishes to further his/her education in order to enhance his/her performance to improve their chances for career advances with the County may request in writing an educational leave for up to one year. The employee who is granted an educational leave may return to a job in their same classification, however their work assignment may change.

**Non-Duty Disability Leave** - Leaves requested due to illness or medical disability (including maternity) must be accompanied by a medical doctor's certificate that the employee is unable to work and the reason therefore. Employees returning to work shall submit to Human Resources a doctor's statement indicating the employee's ability to return to the job. The employee may request to receive wages through the County's short term disability program, accumulated vacation, annual personal leave and/or frozen sick bank for this purpose under the guidelines set forth in this policy. During a pregnancy, if an employee is aware that her and/or her unborn child's health is endangered by her job, she shall immediately make that fact known in writing to her department head. If the leave qualifies under the FMLA, it will be counted toward the twelve weeks.

**Parental Leave** - An employee may request in writing a parental leave up to six months to begin at birth or date of adoption of his /her child. Accumulated vacation, personal or unpaid leave may be used for this purpose. This leave may run concurrently with a disability leave in the case of childbirth. Such leaves are to be approved by the County Administrator, who shall do so if the needs of the County can be met. This leave will be counted toward the twelve weeks allowed by the FMLA.

**Military Leave** - Any employee who enters active service of the Armed Forces of the United States shall receive a military leave of absence without pay for the period of such duty. An employee returning from military service shall be reemployed in accordance with applicable federal and state statutes, as long as application for reemployment is made within 90 days of his or her discharge.

An employee who is a member of the National Guard or Reserves who is called for defense training shall be entitled to a leave of absence in addition to his/her vacation not to exceed two calendar weeks. During this leave, and upon presentation of documentation of their gross wages with the Reserves, they may receive pay for the difference between their regular gross pay, such pay not to exceed two (2) calendar weeks.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved: Board of Commissioners 4/92, amended 7/99, 9/01, 12/04



## Life and AD&D Insurance Policy

### PURPOSE

To provide life and accidental death and dismemberment insurance benefit to our Grand Traverse County employees. This plan is an employer-funded group term insurance plan. Coverage for employees' spouse or dependent children is not available. There is no cash value and no medical exam is required.

### POLICY & PROCEDURE

#### Eligibility and Enrollment

As defined by the insurance policy, regular status employees working a minimum of 15 hours per week shall be eligible for Life and Accidental Death and Dismemberment Insurance, effective the first day following six months of employment as an active member or FTE status qualifies. Enrollment is automatic.

#### Benefit Coverage

New hires or when an employee's FTE status qualifies will be provided a death benefit in the amount of the greater of one times annual base salary (rounded up to the next \$1,000) or \$20,000. You may NOT enroll at the time of life changing event change, as with other insurances.

The benefit terminates on the employee's last day of active employment or transfers to ineligible status. Coverage may be converted into a private policy upon termination of employment.

#### Tax Considerations

Federal tax laws state that \$50,000 of group life insurance protections is not subject to taxes. Amounts in excess of \$50,000 are taxable. The government assigns a value to these amounts and the value is added to your W-2 earnings based on your age as of the end of a calendar year.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved: Board of Commissioners 4/1992, amended 7/1999



## Longevity Pay Policy

### PURPOSE

The purpose for longevity pay is to recognize long-term service employees that work for Grand Traverse County.

### POLICY & PROCEDURE

Regular full-time employees and regular part-time employees (on a pro-rated basis) hired prior to January 1, 2005, shall receive a longevity bonus payable as a separate check in December in accordance with the following schedule:

After completion of five (5) years of continuous service from the employee's last date of hire the employee shall receive a \$50 longevity bonus. In December of the sixth and succeeding years thereafter, \$50 annually will be added to the longevity bonus with no maximum limit.

For those employees hired prior to February 1, 1985, and who selected Plan A on the "Employee Election of Longevity Pay Plan" prior to May 23, 1985, a longevity bonus shall be payable as a separate check on the first pay date in December in accordance with the following schedule:

- After 10 years of continuous service: 5% of base pay
- After 15 years of continuous service: 10% of base pay

This payment shall be pro-rated over the remainder of the calendar year in which completion of the 10 years (or 15 years) service occurs.

For those regular full-time and regular part-time (on a pro-rated basis) employees hired prior to January 2, 1990, with Tri-County Health, and who selected Plan C on the "Employee Election of Longevity Pay Plan" prior to January 30, 1990, a longevity bonus shall be payable in accordance with the following schedule:

- 5 through 8 years of service \$300
- 9 through 12 years of service \$450
- 13 through 16 years of service \$600
- 17 and more years of service \$750

At the end of employment with the County, any longevity bonus amounts owed under either plan will be prorated over the time worked until the last record day of employment.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.





## Nepotism Policy

### PURPOSE

The purpose of this policy is to avoid favoritism, the appearance of or potential for favoritism, and conflicts of interest and loyalty often associated with nepotism. Nepotism is inconsistent with the County's longstanding policy of making employment decisions and other business decisions based solely on the County's needs and individual qualifications, skills, ability and performance. Grand Traverse County is committed to a policy of employment and advancement based on qualifications and merit and does not discriminate in favor of or in opposition to the employment of relatives.

### POLICY & PROCEDURE

Organizations can realize both benefits and problems by engaging in the practice of nepotism. As defined by Merriam-Webster, nepotism is favoritism based on kinship. With the County continually challenged to find qualified, competent employees who will fit the organizational culture, family referrals can be a way to fill positions. From an employee relations standpoint, depending on how prevalent nepotism is within the organization, unrelated employees may feel disadvantaged.

Due to these competing concerns, policies and practices related to this issue need to be clear and transparent. When family member hires or promotions are made, the reasons for these decisions need to be objective and credible.

The policy below establishes rules for hiring family members and former employees. Grand Traverse County is an equal opportunity employer and hires individuals based solely on their qualification and ability to do the job to be filled.

1. Grand Traverse County will consider a member of an employee's family for employment if the applicant possesses all the qualifications for employment for the position.

No person shall be hired, appointed, promoted, or transferred within the County departments where they have a close personal relationship, close business relationship, or are in any other way closely related to or dependent upon another employee, where one employee will be put in a position of direct and/or indirect supervision of the other. In addition, others, who, because of their position or customary involvement within the County will be prohibited from influencing or seeking favor and will be deemed in violation of this policy.

For purposes of this policy, "close personal relationship" may be, but is not limited to, natural, adoptive, step, foster, or by marriage in nature including spouse, child, parent, brother, sister, grandparent, grandchild, first cousin, aunt, uncle, niece and nephew, or any other person who resides in the same household as the employee. For purpose of this policy "closely related to" may be, but is not limited to a strong connection between them. They are related because a family member may have married into their family.

2. Employees who marry or become members of the same household may continue employment if there is not:
  - a) Direct or indirect supervisor/subordinate relationship between the employees or
  - b) An actual conflict of interest or the appearance of a conflict of interest.
- Should one of the above situations occur, Grand Traverse County will attempt to find a suitable position within another department to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the affected employees will be permitted to determine which of them will resign their employment. If they do not choose, both employees shall be separated from County service.
3. Former employees who left the County in good standing may be considered for reemployment. Former employees who resigned without written notice or who were dismissed for disciplinary reasons may not be considered for reemployment.

A former employee who is reemployed will be considered a new employee from the date of reemployment. Employees who retire may be eligible, in certain circumstances, to be considered for reemployment within the same department in the same capacity for a duration not to exceed six (6) months only for the purposes of training a new employee. Reemployed retired employees shall not be eligible for fringe benefits during this six (6) month period of reemployment.

## **Definitions**

*Nepotism:* favoritism in the workplace based on kinship, which ordinarily consists of making employment or other business decisions based on a family relationship.

*Employment decisions:* the full spectrum of employment or volunteer-related actions, including but not limited to decisions related to hiring, supervision, direction of work, promotion, compensation, work/volunteer hours, performance evaluation, termination and all other terms and conditions of employment or volunteer-related actions.

*Business decisions:* decisions related to the full spectrum of the County's activities (e.g., buying, hiring, selling, contracting, licensing, leasing) or otherwise involving the expenditure of the County's funds or the use of the County's resources.

*Relative:* the spouse, domestic partner, anyone in a romantic relationship and, whether by blood, adoption, marriage or domestic partnership, the child, parent, grandparent, sibling, grandchild, aunt or uncle, niece or nephew, or any person residing in the immediate household (or the household of the spouse or domestic partner of any of these relatives) of the County employee, or his or her spouse or domestic partner, or person in a romantic relationship.

**Note:** This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.





## Overtime Compensation for Hourly Employees Policy

### PURPOSE

Grand Traverse County follows the Fair Labor Standards Act (FLSA) when determining whether an employee is exempt or non-exempt for purposes of paying overtime for time worked in excess of 40 hours in a workweek. Positions that do not meet the exempt test standard are classified as non-exempt. Non-exempt (hourly) employees will be paid at the rate of one and one-half times normal hourly rate for all hours worked in excess of 40 hours in any one workweek.

### POLICY & PROCEDURE

All work performed which is in excess of forty (40) hours in any one workweek shall be compensated at the rate of time and one-half (1 1/2) of the employee's regular hourly rate, excluding all forms of premium pay, for those employees who are covered by the Fair Labor Standards Act.

All overtime worked shall be paid by overtime pay unless otherwise mutually agreed between the employee and the department head in writing prior to working the overtime and if approved by your department head shall be granted as compensatory time at one and one-half times the number of overtime hours worked if the work performed is in excess of 40 hours in any one workweek.

Compensatory time shall have a maximum accumulation of 40 hours after which payment shall be in wages. When overtime is recorded as compensatory time, it may be used as needed by the employee and as approved by the department head. The employer may choose to pay out compensatory banks, or any portion thereof, at any time.

Overtime benefits may differ for employees who are members of recognized unions, organizations, or associations. Department policies on compensatory time may also differ if the department head determines there is a reasonable business reason for doing so, if approved by the Director of Human Resources and provided in writing to employees.

**Unauthorized overtime work is strictly prohibited.** It is the employee's duty to ensure that his/her supervisor approves any overtime work in advance and that the overtime is recorded accurately.

Please note that holidays, sick days, vacation time and personal days are not counted when calculating whether a non-exempt employee has worked more than 40 hours in a workweek.

Grand Traverse County employees are strictly prohibited from altering pay records or taking any other action that deprives a non-exempt employee of compensation for hours worked. If you have reason to believe that you or any other non-exempt employee has not been compensated for all hours worked at the appropriate rate of pay, you should immediately report your concern to Human Resources.

## Definitions

**Compensable Time** is also called work time. An employer must document a nonexempt employee's work time. In addition to regularly scheduled hours, work time can include overtime, certain types of travel time, training time, and shift preparation/transition time.

**Exempt** employees are paid an agreed amount for the whole job, regardless of the amount of time or effort required to complete the work, and do not record hours of work on the time record.

**Nonexempt** employees are paid for each hour worked, and record each hour worked on the time record. If the employee works more than 40 hours in one workweek, the employee is paid a premium of time and one-half, which is also referred to as **overtime compensation**.

**Overtime** is time worked by nonexempt employees that exceeds the employee's normally scheduled workweek. For full-time and part-time employees, overtime is time worked over 40 hours in a workweek.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 6/94, 7/99, amended 6/03, 7/2018



## Paid Time off Policy

### PURPOSE

Grand Traverse County recognizes that a good balance between work and life is important. That is why employees are provided with annual vacation time and personal days to use in any way they choose. Employees are also eligible for company-paid holidays each year.

This policy describes details of paid time off, including eligibility, hours, vacation accrual, taking time off, and carrying over time. Grand Traverse County complies with all applicable state and local requirements regarding sick leave, including, but not limited to, Michigan's Paid Medical Leave Act.

Vacation days are not earned during any unpaid leave in excess of 30 days.

### POLICY & PROCEDURE

#### Bereavement Leave

Each regular full-time employee of the County shall be allowed bereavement leave, not to be deducted from any other leave time, for a death in the immediate family providing he or she attends the funeral. Such leave may be granted from the day of death through the date of the funeral, not to exceed three days. For the purpose of this section an immediate family member shall be deemed to be the current spouse, children, brother, sister, parent, parent-in-law, grandparents, grandchildren, or a member of the employee's immediate household. Additional leave may be granted without pay or charged to personal or vacation leave.

Time off shall also be granted for the death of current sister/brother-in-law, step mother/father, step sister/brother, step children, with time off charged against any accumulated leave time. For out of state funerals employees shall be permitted to take up to two additional days leave of absence without pay or, at the option of the employee, to use accumulated leave time. Time off for bereavement leave will not count as hours worked for the purpose of overtime.

#### Holidays

The County recognizes the following paid holidays for all regular full-time and regular part-time (on a pro-rated basis) non-contract employees:

New Year's Day  
President's Day  
Good Friday  
Memorial Day  
Floating Holiday

Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving Day

Day after Thanksgiving  
Christmas Eve Day  
Christmas Day  
New Year's Eve Day

When a holiday falls on Sunday, the following day shall be the recognized holiday. When a holiday falls on Saturday, the preceding day shall be the recognized holiday.

If one of the above holidays falls during a period when an employee is on authorized paid leave, the holiday shall be counted as a holiday off and shall not be deducted from the employee's leave accumulation.

To be eligible for holiday pay an employee must have worked in full their regularly scheduled straight time work day prior to the holiday and the regularly scheduled straight time work day subsequent to the holiday (or be on authorized paid leave).

Regular employees covered under FLSA who are scheduled and required to work on a paid holiday shall receive holiday pay plus his/her regular day's pay for a day worked. When called in to work on a paid holiday the employee shall receive time and one half plus holiday pay for hours worked.

The Floating Holiday shall be credited to the employee as of January 1st, in the first pay period of the calendar year. Employees who are hired on or after October 1st shall not be granted the floating holiday. Such holidays shall not accrue from year to year, or be paid out for any reason.

### **Jury Duty/Subpoena**

Leave with full pay may be authorized in order that employees may serve required jury duty or testify pursuant to a subpoena, provided that such leave is reported in advance to the department head, that the duty falls during their regular work schedule, and that court fees (less mileage) obtained as a witness or juror are turned over to the County Treasurer. Employees are expected to return to work after being excused from service.

### **Personal Leave**

Each regular full-time employee and regular part-time employee (on a pro-rated basis) shall be granted eight (8) days of personal leave each year. New hires shall receive an initial pro-rated amount of leave upon completion of ninety days of continuous employment with Grand Traverse County.

This leave may be used for the employee's personal health needs, a family member's health needs, for purposes arising out of domestic violence or sexual assault, or during closure of the employee's primary worksite by order of a public official due to a public health emergency. Twenty-four hours' notice and prior approval by the supervisor is required for general absences, and at least one hour's notice prior to the beginning of the shift is required for illness, unless the employee can show in writing why prior notification was impossible. Time must be used in  $\frac{1}{2}$  hour increments. When the absence is for sickness (regardless of which, if any, leave bank is charged), the employer reserves the right to request a doctor's certification. Claim for payment must be submitted on a form provided by the Employer.

Any balance left, up to a maximum of five days (pro-rated for part-time employees), following the last full pay period paid in November shall be paid at the employee's prevailing hourly rate in a separate check on the first pay date in December.

Employees who leave employment mid-year shall be paid for any balance, up to a maximum of five days (pro-rated for part-time employees), on their final paycheck.

Those employees who are hired prior to December 1, 1988, and who selected Plan A on the "Employee Election of Sick Conversion/Payment Plan" prior to November 30, 1988, shall have the

balance of the eight days each year converted to their frozen Sick Leave Bank, up to a maximum of 120 days.

## **Vacation Leave**

Each regular full-time and regular part-time (on a prorated basis) employee shall earn vacation leave credit according to the following schedule. Employees accrue vacation leave during their first six months of employment, however it cannot be taken until completing six months.

<b>Years of Service</b>	<b>Days per Year</b>	<b>Hours Accrued Bi-weekly</b>	
		(75 hours)	(80 hours)
Less than 3	10	2.884	3.076
3 but less than 5	12	3.461	3.692
5 but less than 10	15	4.326	4.615
10 but less than 15	17	4.9	5.23
15 but less than 25	20	5.769	6.153
25 or more	25	7.211	7.692

Vacation leave will be credited biweekly to the employee's "bank" up to a maximum carry-over of 20 days on the employee's service date. The maximum amount of vacation hours you accrue is determined by your rate of accrual. Once that maximum is reached, further accruals will cease until the vacation hours are taken and fall below the maximum allowed.

Department heads shall determine the suitable time at which vacation may be taken, considering both the efficiency of the operation of the department concerned and the wishes of the employee.

Vacation leave taken may not exceed the total amount of vacation leave accrued as of that date. Employees leaving the County in good standing shall be compensated for vacation leave accrued to the date of separation within the limits set forth above. This will be paid on the employee's final paycheck. The County retains the discretion to deny vacation payout in the case of involuntary termination.

Leave benefits may differ for employees who are members of recognized unions, organizations, or associations.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources. This policy is in no way affiliated with Michigan Mandatory Paid Sick Leave (Public Act 369).

Approved Personnel Policy 4/92, amended 7/99, 9/01, 7/02, 1/14



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**Human Resources**

**Performance Improvement Plans**

**A Supervisor's Guide to  
Raising Employee Performance Levels**

January 21, 2019

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## PERFORMANCE IMPROVEMENT PLANS: AN OVERVIEW

### WHAT IS A PERFORMANCE IMPROVEMENT PLAN?

A Performance Improvement Plan can be an effective tool in your supervisor toolbox. Performance Improvement Plans are used to monitor and measure unsatisfactory performance behaviors, processes, and work products. They can assist you in raising your employees' performance levels to meet acceptable standards, expectations, and requirements.

### WHY SHOULD YOU USE A PERFORMANCE IMPROVEMENT PLAN?

As a supervisor, you must ensure your employees get the "big picture" of their contributions to your department. Make sure your employees know what's expected of them in their duties, performance, and behavior. They must also understand:

- The standards of the work area.
- The work performance required of them.
- The impact their responsibilities have on the success of their areas operations.

If an employee's performance falls below the expected level of performance objectives, you should have a counseling discussion with the employee. If counseling does not result in sustained improvement, you can develop a Performance Improvement Plan.

### WHEN SHOULD YOU USE A PERFORMANCE IMPROVEMENT PLAN?

A Performance Improvement Plan (PIP) is a 'last resort' approach and should be used when the employee has not successfully resolved through previous interventions for one of the following non-disciplinary performance issues:

- An employee's overall performance becomes unsatisfactory or below acceptable standards, i.e. low or poor efficiency, and low or weak skill sets. The employee's unsatisfactory performance should be 'skill' related and not an issue of the employee's 'will' to do the task or job.
- An employee's annual rating (if applicable) is unsatisfactory or below acceptable standards.
- An employee's low or poor performance in as few as one performance area that requires the employee to make adjustment.

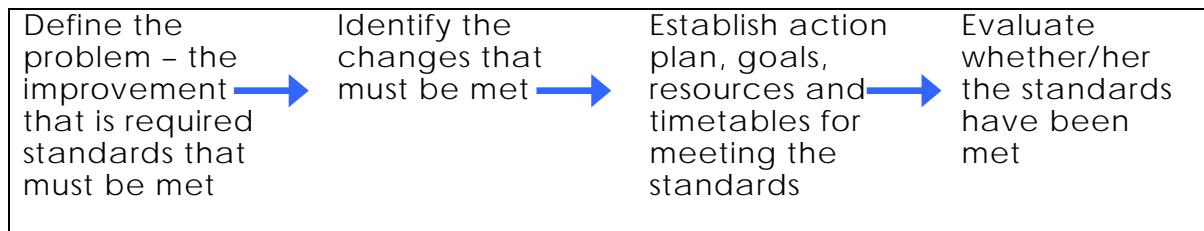
### WORKING WITH HUMAN RESOURCES

As a Best Practice, it is recommended you consult with Human Resources before you place an employee on a Performance Improvement Plan.

Involving your HR Department is a critical element in successfully implementing and completing a Performance Improvement Plan. HR will provide ongoing guidance and support during the performance improvement process.

### **SUCCESSFULLY IMPLEMENTING PERFORMANCE IMPROVEMENT PLANS**

Now that you know the "what, why, when" of Performance Improvement Plans, let's talk about the "how." At its most basic, implementing a Performance Improvement Plan can be summed up as:



This guide provides detailed information on developing and implementing Performance Improvement Plans. The process is divided into six stages that are appropriate in most situations, although the process may be altered in special circumstances (for example, depending on the situation, the first stage may be a Performance Improvement Plan instead of counseling).

#### **STAGE 1: COUNSELING**

Up to this point the supervisor/manager should be having meetings with the employee discussing/coaching/counseling the employee on the deficiencies, and what needs to change. The Performance Improvement Plan should not be the first step in attempting to correct the employee's performance. Use this process during the rating period to discuss unsatisfactory performance and to make sure the employee understands that a problem exists.

<b>Step 1</b>	<p>During the counseling, discuss with the employee:</p> <ul style="list-style-type: none"><li>• Identify which performance objectives are unsatisfactory.</li><li>• How satisfactory performance is measured.</li><li>• Possible solutions to correct the unsatisfactory performance.</li><li>• The assistance that is available (training, coaching, mentoring, etc.).</li><li>• The timeframe in which the employee must demonstrate sustained satisfactory performance in the job function(s).</li></ul> <p>Explain the performance improvement process and advise the employee that they will be placed on a Performance Improvement Plan if the performance deficiencies continue or if the level of satisfactory</p>
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	<p>performance is not sustained. Document the discussion(s) and place your notes in a hard file or electronic storage for future reference. But at a minimum, retain a copy in your employer working file for future reference. If the document is filed in the employee's personnel file, this has a tendency to immediately be perceived as something disciplinary.</p>
<b>Step 2</b>	<p>If improvement is shown, recognize the achievement and provide positive reinforcement. If the employee's performance does not improve, advise the employee that continued unsatisfactory performance during the evaluation timeframe will result in placing him/her on a Performance Improvement Plan. Document the discussion and retain a copy in the employee's personnel file.</p>
<b>Step 3</b>	<p>If the employee's performance does not improve during the evaluation timeframe, place the employee on a Performance Improvement Plan. Before doing so, discuss with HR the basis for recommending a Performance Improvement Plan.</p>

## STAGE 2: PERFORMANCE IMPROVEMENT PLAN

Use this stage when performance levels have not improved following counseling, when the employee's annual performance is not satisfactory, or when a performance objective is unsatisfactory during the annual rating.

**Important:** The supervisor/manager should have coached and/or counseled the employee and the employee's performance assessment should reflect comments related to the employee's poor and reduced performance. This stage may place the employee in employment jeopardy if the performance is not corrected during the performance improvement process.

<b>Step 1</b>	<p>Discuss and obtain approvals from the appropriate department authority and HR.</p>
<b>Step 2</b>	<p>Prepare a memorandum that:</p> <ul style="list-style-type: none"> <li>• Summarizes prior discussions with the employee (for example, counseling sessions, annual rating, and performance objective rating).</li> <li>• Summarizes the unsatisfactory performance and why it is unsatisfactory (for example, measured against the standard).</li> <li>• Describes that you are placing the employee on a Performance Improvement Plan, the plan's process (for example, monitoring and regular meetings), and the plan's timeframe (not less than 30 days, no longer than one year).</li> </ul>

	<ul style="list-style-type: none"> <li>• Describes specific examples of the support the employee will receive (for example, training, coaching, or counseling).</li> <li>• Describes the frequency in which you will provide feedback; indicating specific dates when the employee will receive feedback.</li> <li>• Describes the actions that may be taken if the employee does not successfully improve performance (for example, demotion, transfer, or termination).</li> <li>• Closes with a statement of support.</li> <li>• Is signed by you and the employee.</li> </ul> <p>A template of the Performance Improvement Plan Memorandum is available on page 7 in this guide. An example of the PIP Memorandum is available on page 9.</p>
<b>Step 3</b>	<p>Prepare a detailed Performance Improvement Plan and attach to the memorandum. The plan should include:</p> <ul style="list-style-type: none"> <li>• Performance objective and outcome.</li> <li>• Description of how the outcome will be measured.</li> <li>• Timeline for measuring the outcome.</li> <li>• Training to achieve the desired outcome, if available.</li> </ul>
<b>Step 4</b>	<p>Give the employee a copy of the memorandum and plan.</p>
<b>Step 5</b>	<p>Place the memorandum, plan and a copy of the employee's last Performance Assessment in the supervisor's working file for future reference.</p>

### STAGE 3: FEEDBACK

Provide feedback to the employee throughout the performance improvement process so that the employee is aware of his/her progress through the various phases of the Performance Improvement Plan.

<b>Step 1</b>	<p>Provide consistent, timely, and ongoing feedback to the employee as outlined in the Performance Improvement Memorandum. Failure to provide regular feedback will result in an ineffective performance improvement process and may extend the process.</p>
<b>Step 2</b>	<p>Provide the employee with formal documented status or reviews of the employee's progress through the phases of the plan. The review should reflect cumulative information of the employee's status since the plan began. The frequency of a formal review may vary depending on the length of the Performance Improvement Plan.</p>

<b>Step 3</b>	Provide the employee with a signed copy of the formal review. The employee should sign the document to acknowledge receipt. Place a copy of the signed document in the employee's personnel file.
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#### STAGE 4: ACHIEVED PERFORMANCE IMPROVEMENT

Use this process when the employee's performance improves to the expected level.

<b>Step 1</b>	Prepare a memorandum documenting the improvement in the employee's performance and advising the employee that the acceptable level of performance must be sustained. A template of the success memorandum is available later in this guide.
<b>Step 2</b>	Give the employee a copy of the memorandum.
<b>Step 3</b>	Place the memorandum in the employee's personnel file.

#### STAGE 5: RECURRENCE OF UNSATISFACTORY PERFORMANCE

The employee is expected to maintain the expected level of satisfactory performance. If the employee falls below the expected performance level, work with HR to determine whether it is appropriate to again place the employee on a Performance Improvement Plan or is termination the right answer.

#### STAGE 6: EMPLOYEE FAILS THE PERFORMANCE IMPROVEMENT PLAN

It is the expectation that the employee will achieve the expected level of satisfactory performance as outlined in the Performance Improvement Plan. If the employee should fail to meet the performance objectives outlined in the plan – or fails to maintain the expected level of satisfactory performance – you may:

1. Provide a written extension of the current Performance Improvement Plan. The extension period should not exceed one year.
2. Impose disciplinary action, including demotion, transfer, or termination. This step **must** be discussed in advance with your manager and HR.

## TIPS ON PERFORMANCE IMPROVEMENT PLANS

- |           |   |
|-----------|---|
| <b>DO</b> | <ul style="list-style-type: none"><li>• Investigate and address poor performance on a timely basis.</li><li>• Remember that your primary objective is to bring the problem to the employee's attention so that the employee knows what performance and behavior he/she needs to correct. (Use a conversational style. Verbally walk through a review of the history of the performance issues. If the employee believes you have been fair and objective, he/she may not like the outcome; however, he/she is much more likely to accept it.)</li><li>• Discuss the employee's performance behavior privately, away from other employees.</li><li>• Ask for feedback to confirm the employee understands the issues.</li><li>• Keep in mind the performance improvement process is intended to provide guidance to the employee to ensure consistent application of the required knowledge, skills and ability of the position.</li><li>• Look for opportunities to provide positive reinforcement.</li><li>• Treat the employee as you normally would.</li><li>• Meet the follow-up commitments outlined in the PIP.</li><li>• Provide specific examples of employee's performance during the feedback process.</li><li>• Ensure ongoing, consistent and timely feedback at least once per month.</li><li>• Take into consideration the application of other performance improvement efforts within the work area to make sure your requirements are fair and consistent. Be sure you are reviewing the performance and not the employee.</li><li>• Provide written formal review of the employee's progress at least once during the performance improvement process.</li><li>• Allow a reasonable amount of time for the employee to demonstrate and sustain improvement. The duration of the PIP should be appropriate based on the amount of improvement required and outlined in the PIP.</li></ul> |
|-----------|---|

**DON'T**

- When talking with the employee, DON'T race through the history and background of the problem. This is important information the employee needs to hear and understand.
- DON'T say there is no alternative but to put the employee on a Performance Improvement Plan. (Explain why there is a plan and how it can help redirect the behavior or performance.)
- DON'T just give the document to the employee and tell him/her to read it. (You may not approve of the employee's behavior, but they still deserves your fairness and objectivity. Once you address the unsatisfactory performance and inform him/her of your expectations, ask him/her what you can do to help. Let the employee know that you support him/her in his/her work and believe they can improve his/her performance to an acceptable level. Remember to provide positive reinforcement when you see the desired level of performance.)
- DON'T compare the employee to others. Focus on the employee's performance as measured against an objective and achievable standard.
- DON'T fail to allow adequate time for questions. You need to make sure the employee understands exactly what is expected of him/her and what will happen if acceptable performance is not achieved.
- DON'T focus solely on problems; discuss a balanced appraisal. A little positive reinforcement can go a long way.
- DON'T treat the employee in a degrading or demeaning fashion.
- DON'T deviate from the performance expectations outlined in the performance improvement document.

## TEMPLATES

### PERFORMANCE IMPROVEMENT PLAN

Date:

To:

From:

Subject: Performance Improvement Plan

**STATEMENT OF HISTORY AND UNSATISFACTORY PERFORMANCE** – During the past **[dates or period of time]**, it has become increasingly evident that you have not been performing your assigned work in accordance with what is expected of a (n) **[job title]**.

On **[dates of counseling sessions]**, you were counseled about this unacceptable level of performance. To date, this/here has not been any significant improvement.

**[Department, division, or work unit]** values you as an employee. === OR === During the last annual performance review, your performance rating was **[state the overall score or the score of the performance objective that was unsatisfactory]**.

This memo's intent is to make you fully aware of this situation and to assist you in improving your work performance. However, it is important that you realize the responsibility to improve is yours alone. Consequently, you are being placed on a Performance Improvement Plan (PIP).

You must demonstrate immediate improvement in the following areas, which are described in further detail in the attached Performance Improvement Plan:

#### SUMMARIZE PERFORMANCE EXPECTATIONS

**PIP PROCESS AND FOLLOW-UP** – For the next **[time period and dates]**, you will be on a PIP. I will review your progress on meeting deadlines and using appropriate interpersonal skills, requiring improvement every **[frequency of review or specific dates]**. During these meetings I will share with you whether you have or have not demonstrated the kind of significant and sustained improvement the PIP requires. You will receive a mid-period progress review and a closing memo at the end of the previously designated PIP time period. During the PIP time period, I will guide you in becoming a more effective contributing employee of ours **[department, division, work unit]**. Your objectives are:

#### SUMMARIZE PERFORMANCE OBJECTIVES

To assist you in reaching the performance objectives described in the PIP, **[list resources available – training, coaching, mentoring, etc]**.

Improvement must occur **[describe the timeframe]** and must be maintained. If any portion of the improvement plan is not achieved during **[the specified time frame]**, appropriate action up to and including termination may occur. A decrease in

performance after successfully completing the improvement plan may result in placing you back on a PIP or taking appropriate action including termination.

As always, I am available for you to discuss the PIP and any concerns you may have. A copy of this document will be placed in your personnel file. (*Whether to place in personnel file is optional. Discuss this with HR.*)

Your signature acknowledges that you have been given the information and understand the content listed in this document.

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

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

## **EXAMPLE OF PERFORMANCE IMPROVEMENT PLAN MEMORANDUM**

Date: August 23, 2018

To: John Doe

From: Jane Supervisor

Subject: Performance Expectations

During the past three months, I have spoken with you regarding my concern that you have not been performing your assigned work in accordance with what is expected of a XXXXXX. On June 4 and July 2, you were counseled about this unacceptable level of performance. My concern is without significant improvement your continuation as a successful employee in our department is in jeopardy. After our counseling session, I am disappointed that there has not been any improvement.

We value you as an employee. This memo's intent is to make you fully aware of this situation and to assist you in improving your work performance. We believe with the proper tools you will be able to make the necessary changes to improve your performance, however, it is important that you realize the responsibility to improve is yours alone. Consequently, you are being placed on a Performance Improvement Plan (PIP).

You must demonstrate immediate improvement in the following areas, which are described in further detail in the attached Performance Improvement Plan:

- **Time Management:** You have been consistently late in meeting your assigned deadlines to complete investigative reports.
- **Inappropriate Interpersonal Skills:** Your interaction with co-workers is often inappropriate and disruptive. The behavior of rude interruptions, talking over someone else, talking and telling jokes during meetings is unacceptable. This/here are complaints of this unprofessional behavior in your interactions with others.

For the next six months, September 2018 to March 2019, you will be on a PIP. I will review your progress on meeting deadlines and using appropriate interpersonal skills, requiring improvement every two months. During these meetings I will share with you whether or not you have demonstrated the kind of significant and sustained improvement the PIP requires.

Your objectives are:

- **Time Management:** You will meet all deadlines set for the investigative reports and/or discuss extensions to your deadlines as agreed to by your supervisor for the next six months.
- **Interpersonal Skills:** You will engage with your co-workers in a professional and productive manner. You will be expected to maintain professional relations with co-workers for the [list the duration period] without any reports or demonstrations of disruptive or inappropriate behavior in the workplace.

To assist you in reaching the performance objectives described in the PIP, you will meet with me on a bi-weekly basis to provide you coaching and feedback on your progress in the areas detailed above.

Improvement must occur within three months and be sustained. If any portion of the improvement plan is not achieved during this time period, appropriate action may occur such as discipline up to and including termination. In addition, a decrease in performance after successfully completing the improvement plan may result in placing you back on a PIP or taking disciplinary appropriate action.

As always, I am available for you to discuss the PIP process or any concerns you may have. A copy of this document will be placed in your personnel file.

Your signature acknowledges that you have been given the information and understand the content listed in this document.

Date:

To:

From:

Subject: Performance Improvement Plan Status

**STATEMENT OF HISTORY OF PIP AND IMPORTANCE OF IMPROVED PERFORMANCE TO**

**OPERATIONS** – The purpose of this letter is to inform you of your mid-term status review and your progress on your current Performance Improvement Plan (PIP). Your ability to perform the [classification or working title] duties is critical to the success of **[work unit]**.

**SUMMARIZE PROGRESS** – You have made progress in some of the performance objectives identified in the PIP, but you have not demonstrated satisfactory improvement in all areas. In the next three months, it is critical that you make a concentrated effort to demonstrate significant and sustained improvement in all of the performance objectives detailed in the PIP.

Attached is a chart which provides a cumulative listing of the performance objectives, outcomes and measurements, timelines to meet desired outcomes, the tools to support you in each outcome, and the progress of your performance to date.

**PROVIDE EXAMPLES OF PERFORMANCE IN THE PERFORMANCE OBJECTIVES OUTLINED IN PIP** – His/her are some examples of your progress thus far in the identified areas for improvement:

**PERFORMANCE AREA FOR IMPROVEMENT #1:**

- Examples...

**PERFORMANCE AREA FOR IMPROVEMENT #2:**

- Examples...

**SUMMARIZE NEXT STEPS** – Thank you for your efforts towards improvement. I am concerned during the past **[quantify timeframe]** this/here has not been significant improvements towards meeting all the goals of the Performance Improvement Plan. While I am hopeful that you will be able to satisfactorily perform the requirements defined in the Performance Improvement Plan, your failure to meet the expectations of the position may lead to disciplinary action up to and including termination.

You will receive your final written progress report on **[insert date]**. By that time it is important for you to have accomplished and sustained the improvements indicated on the enclosed chart. Please be assured I will continue to support you in the development of your skills. Please let me know if you have any ideas for me to consider that you believe will aid you in achieving success.

Your signature is required to indicate you have been given the information and understand the content listed in the document.

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

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

***(Templates are only recommended. Please feel free to use those that fit or modify to your needs)***

## EXAMPLE OF MID-TERM STATUS REVIEW MEMORANDUM

Date: November 29, 2018

To: John Doe

From: Jane Supervisor

Subject: Performance Improvement Plan Status

The purpose of this letter is to inform you of the status of your progress on your current Performance Improvement Plan (PIP). Your ability to perform the Administrative Specialist III duties is critical to the success of our section.

Although you have made progress by improving in some of the performance objectives identified in the PIP, but you have not demonstrated satisfactory improvement in all areas. In the next three months, it is critical that you make a concentrated effort to demonstrate significant and sustained improvement in all of the performance objectives detailed in the PIP.

Attached is a chart which provides a cumulative listing of the performance objectives, outcomes and measurements, timelines to meet desired outcomes, the tools to support you in each outcome, and the progress of your performance to date. His/her are some examples of your progress thus far in the identified areas for improvement:

**Time Management:** You have completed the work plan detailing your workload associated with the investigative reports. You were late in meeting the October 3rd and October 11th deadline for your investigative reports. You did not complete and submit these reports to your supervisor until five days after the deadline. You did complete the time management training course provided.

**Inappropriate interpersonal skills:** You have demonstrated improved judgment in your interactions with co-workers. This improvement was observed on September 16th and September 28th during a conflict with your peers during which you choose a collaborative approach to resolve the disagreement. You have also completed all three of the required training courses as well as two coaching sessions.

Thank you for your efforts towards improvement. I am concerned during the past two months this/here has not been significant improvements towards meeting all the goals of the Performance Improvement Plan. While I am hopeful that you will be able to satisfactorily perform the requirements defined in the Performance Improvement Plan, you have not met all of the expectations of the position. If improvement in these identified areas does not occur it may lead to disciplinary action up to and including termination.

You will receive your final written progress report on February 28. By that time it is important for you to have accomplished and sustained the improvements indicated on the enclosed chart. Please be assured I will continue to support you in the development of your skills. Please let me know if you have any ideas for me to consider that you believe will aid you in achieving success.

Your signature is required to indicate you have been given the information and understand the content listed in the document.

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

Date \_\_\_\_\_

Supervisor Signature \_\_\_\_\_

Date \_\_\_\_\_

SUCCESS MEMORANDUM TEMPLATE

Date:

To:

From:

RE: Performance Improvement Plan – Success

I am pleased with both your improvement and successful completion of your Performance Improvement Plan. Congratulations! This memorandum confirms that you have successfully met the terms of your Performance Improvement Plan dated **[date]**.

The **[department, division, or work unit]** expects you to maintain an acceptable level of performance at all times. A decrease in performance, after successfully completing the improvement plan, may result in placing you on another improvement plan or taking disciplinary action up to and including termination.

A copy of this document will be placed in your personnel file. I am confident that you will be able to sustain these levels of performance and therefore meet or exceed the performance expectations for your position.

Your signature acknowledges that you have been given the information and understand the content listed in this document.

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

*(Templates are only recommended.*

*Please feel free to use those that fit or modify to your needs)*



## Personnel Files Policy

### PURPOSE

This policy provides guidance to employees about their privileges and obligations with respect to their own personnel records, and guides Grand Traverse County personnel responsible for producing and maintaining personnel records in the appropriate handling of those records.

Under the Bullard Plawecki Employee Right to Know Act, employees are entitled to review their personnel records, make copies of those records, and file written statements clarifying or protesting any documents contained in their file. An employer's use and disclosure of employee records are regulated by this Act as well.

### POLICY & PROCEDURE

Grand Traverse County employee files are maintained by the Human Resources (HR) Department for each employee and are considered confidential.

Access to personnel files is limited to the County Administrator, Deputy County Administrator, the Director of Human Resources, staff of the Human Resources Department, the employee's department head and supervisor and supervisor of position employee has applied for, if any, within the county (limited information), the Board of Commissioners, and the employee. A manager or supervisor considering the hire of a former employee or the transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with anti-discrimination laws.

Unless otherwise required by law, Personnel files may not be taken outside of the HR Department. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information. This decision will be made at the discretion of Grand Traverse County or the HR Department in response to the employee's request, a valid subpoena or a valid court order.

Personnel file access by current and former employees will generally be permitted upon request within five days of the request, in accordance with state law.

Employees are responsible for notifying the Human Resources Department of any change in tax status, address, number of dependents, name, telephone number, or any other pertinent information to ensure that employee data is complete and accurate at all times.

Upon written request, an employee may make an appointment with the Human Resources Director for the employment area to view his or her personnel file. An employee may not request that material be removed from the personnel file unless mutually agreed to by the parties concerned. If the employee believes that a situation has been unfairly represented, he or she may submit a clarifying memorandum to the Human Resources Director and County Administrator and request that it becomes a permanent part of the file.

A written request also is required from former employees when requesting access to their personnel files.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 7/99



## Reporting a Workers Compensation Injury Policy

### PURPOSE

Grand Traverse County strives to provide a safe and secure working environment for all employees. However, when a work-related injury or illness occurs (i.e. injuries and illnesses that arise out of, or are incurred in the course of job-related activities on behalf of the County), the County shall provide appropriate medical care and treatment to the injured worker through its Workers' Compensation Program. Human Resources is responsible for administering the County's Workers' Compensation Program.

Coverage is provided for all paid employees who are injured (including elected officials other than judges) or become ill while acting within the course and scope of their duties. Coverage begins automatically the first day of employment.

Employees who suffer on-the-job injuries and who must, as determined by medical information, miss time from work shall receive pay, in addition to the workers compensation payment, to bring them up to their regular take home pay for up to 36 months. This benefit may differ for those employees who are members of recognized unions, organizations, or associations.

### POLICY & PROCEDURE

#### Reporting Procedures – Medical Treatment and Resumption of Work

1. Employees must report all injuries and work-related illnesses, regardless of severity, to their immediate supervisor and together with their supervisor, a Supervisor's Incident Report (Form PER055) should be completed immediately but no later than 24 to 48 hours after the incident. The fully completed report is submitted to Human Resources.

Note: Injuries or illnesses that are not reported timely may become impossible to verify. This could cause delays in obtaining Workers' Compensation benefits or the claim may be denied.

2. Minor injury: If the injury can be treated through application of first aid techniques at the work location, the employee can return immediately to his/her normal duties.
3. More serious injury: If off-work location medical treatment needs to be sought, notify your supervisor and he/she (or Human Resources) will authorize an appointment (Form PER088) for the employee with Munson Occupational Health & Medicine (MOHM) located at 550 Munson Avenue, (231) 935-8590. If an employee chooses to seek medical attention elsewhere, the employee will be responsible for any costs associated with the medical visit.
4. If immediate medical emergency services are required (example: loss of consciousness, extreme bleeding, serious or life threatening injury), the employee may be taken directly to

a hospital emergency room or supervisor may opt to arrange transport to an emergency room.

When an employee has been injured as the result of a potentially traumatic event (typically an assault and/or a potentially life-threatening accident) the employee may seek services from his/her personal physician rather than Munson Occupational Health & Medicine. This option should be discussed with the employee's supervisor if it does not delay the timeliness of the employee's ability to seek medical attention.

5. When Munson Occupational Health & Medicine is closed, an alternative is to use Munson Urgent Care North, also located at 550 Munson Avenue, which is open from 7 a.m. to 10 p.m. seven days a week. The pharmacy at this location may be used to fill your prescriptions in conjunction with Workers' Compensation claims. The Munson Community Health Center (MCHC) Pharmacy is open Monday through Friday from 8 a.m. to 8 p.m. and Saturdays from 9 a.m. to 6 p.m. and Sundays from 10 a.m. to 6 p.m.
6. If Munson Occupation Health & Medicine and Munson Urgent Care North are both closed and employee needs emergency medical attention before either of aforementioned clinics are open, employee's supervisor may authorize the use of a hospital emergency room. Human Resources should be notified.
7. Employee's supervisor will complete the top portion of the Medical Authorization (Form PER088) and employee must take the entire form (do not separate top from bottom) with the employee to the Munson facility the employee is treated. Failure to do so may delay processing of the claim. A copy of the doctor's instructions should be forwarded to Human Resources. Any invoices inadvertently mailed to the patient/employee should also be forwarded to Human Resources for payment.

Note: The healthcare provider completes the "Work Status Report" /Medical Authorization Form (PER088) with directions to the employee and his supervisor on required follow up including directions to:

- Return to work with no restrictions
  - Return to work with restrictions (providing restrictions)
  - Remain off work for a specified duration.
8. If the employee must be off work beyond the day of injury or if the employee returns to work with restrictions, a written statement estimating the length of disability is required. Human Resources may also require periodic medical information. Before the employee may return to work, he/she must have a written release from the doctor. If the employee is placed on restricted duty, a release to return to full duty must be submitted.

### **Return to work with Temporary Light Duty**

An employee who may have been injured in the line of duty and appears to be eligible for Workers' Compensation coverage may be placed on temporary light duty status if:

1. The employee has a written physician's statement which states that the employee is physically eligible for light duty, and there is a favorable prognosis of returning to full duty status in the near future, and
2. If there is a position, job or duty available within the County which they have the ability to perform and which qualifies as light duty pursuant to the employee's physician's statement.

In the event that the provisions and requirements listed above have been met, the department head may then direct the employee to a light duty assignment within the department or with another department of the County. At the time, the employee will be taken off Workers' Compensation status and will return to regular status with the County. A temporary light duty assignment in another department does not constitute a transfer to that position. The employee's original department is responsible for an employee's salary and benefits while the employee is working in a temporary light duty assignment with another department. An employee who refuses a light duty assignment which meets the requirements of the physician's statement may have their workers compensation pay terminated, and may have their employment terminated.

Temporary light duty status will be initially granted for a maximum period of ninety (90) days. After the initial 90-day period and after any subsequent 90-day period of temporary light duty, the employee's situation will be reviewed primarily in light of the following two factors:

1. Continuation of a favorable prognosis for full duty, based upon the physician's periodic examination and statement thereof, and
2. The continuation of availability of an appropriate position, job or duty within the department or County.

In the event that a subsequent medical evaluation indicates no possibility of future assignment to full duty, or in the event there is no longer a temporary duty available for the employee, said employee may be required to return to a Workers' Compensation status or be laid off from the County.

In any event, a complete medical evaluation and physician's statement will be required prior to any employee returning to full-duty status after having been off duty due to a duty-related injury.

### **Procedure for Employees with Permanent Restrictions**

At such time as an employee's physical condition is deemed "permanent and stationary" and the condition requires permanent restrictions:

- The medical provider shall notify the Human Resources Department and the insurer. Human Resources will notify the supervisor.
- Positions within the original department shall be evaluated to determine if the employee's permanent restrictions will allow him/her to fill a different position, and/or if the original job can be permanently modified to accommodate the restrictions.
- Positions in other departments will be matched with the employee's skill set and permanent restrictions to determine if the employee could fill another position within the County.
- The duration of the new position must be at least 12 months.

### **Investigation of Work Related Injuries/Illnesses**

To prevent a recurrence of a work-related injury/illness, all parties must contribute to the investigation of the environment and circumstances which allowed the illness/injury to occur.

- a. Employee: The affected employee must provide accurate and detailed information to his/her supervisor and Human Resources.
- b. Witnesses: Any witness to the occurrence must provide all information they possess about the occurrence.
- c. Supervisor: The supervisor must examine all aspects of the occurrence including as applicable:

- Had the employee been properly trained?
- Were appropriate guards or warning signs in place?
- Was appropriate personal protective equipment in use?
- What environmental issues contributed to or created a hazard?
- Were there unusual circumstances surrounding the event?
- Had there been similar occurrences which did or did not result in injury/illness?

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 7/99, 12/04



## Retirement Plan

### PURPOSE

Grand Traverse County is a member of Michigan Municipal Employees' Retirement System (MERS). MERS benefit programs give employees an important tool to help reach their retirement goals.

### Plan

County employees who work a minimum of 50% of their regular departmental work week must join the retirement system. Effective January 1, 2014, all new employees will be hired under the County's defined contribution plan with a county contribution of 3% of wages.

Employees may choose to make a one-time irrevocable decision to contribute 3% of their wages to the plan; and, if the employee chooses to contribute 3%, the County will contribute an additional 3%. Employees will be 25% vested after 3 years of service, 50% after 4 years, 75% after 5 years, and 100% vested after 6 years of service.

Employees who joined the MERS defined contribution retirement plan before December 31, 2013, shall be under the County's defined contribution plan with a county contribution of 6% of wages. Employees may choose to make a one-time irrevocable decision to contribute 3% of their wages to the plan; and, if the employee chooses to contribute 3%, the County will contribute an additional 3%. Employees will be 25% vested after 3 years of service, 50% after 4 years, 75% after 5 years and 100% vested after 6 years of service.

Employees already under the MERS defined benefit plan as of May 1, 2000, and who choose to transfer their defined benefit assets to the defined contribution plan effective January 1, 2001, shall have their years of service with the County under MERS count toward the vesting period.

Those employees who remain under the defined benefit plan shall have benefits as follows: Retirement benefits for hourly employees are payable under benefit plan B4, F55/25 rider, with 8-year vesting, and E2. Benefits for FLSA exempt employees are payable under benefit plan B4, F55/25 rider, 8-year vesting, FAC-3, and E2.

Effective March 30, 2016, the County will no longer consider requests to purchase years of service. This coverage may differ for employees who are members of recognized unions, organizations, or associations.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved: Personnel Policy 4/92, amended 3/93, 6/94, 7/99, 10/00, 1/14, 3/16



## Safety in the Workplace Policy

### PURPOSE

This policy establishes the safety requirements for Grand Traverse County personnel in order to prevent accidents or injuries. While the County will provide reasonable accommodation absent undue hardship for those employees with impairments, it is also committed to maintaining the safety and health of its employees. It is the responsibility of each employee that all tasks be conducted in a safe and efficient manner complying with all local, state and federal safety and health regulations, programmatic standards, and special safety concerns identified by the County for use in a particular area.

Although most safety regulations are consistent throughout each department and program, it is the responsibility of employees to identify and familiarize themselves with the emergency plan for their working areas.

### POLICY & PROCEDURE

#### Health and Safety

While the County will provide reasonable accommodation absent undue hardship for those employees with impairments, it is also committed to maintaining the safety and health of its employees. It is therefore a requirement for employment by the County that an employee not pose a direct threat to the health or safety of other individuals in the workplace. By "direct threat" it is meant that the employee poses a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation. For a person with a currently contagious disease or infection this would mean that the person must pose a significant risk of transmitting the infection to others in the workplace that cannot be eliminated by reasonable accommodation. Determinations as to whether an individual poses such a threat will be done on a case-by-case basis and will not be based on generalizations, misperceptions, ignorance, irrational fears, etc. To the contrary, such a determination will, instead, be based on objective factual evidence and will include a review of such factors as:

- a) Duration of the risk;
- b) Nature and severity of the potential harm;
- c) Likelihood that the potential harm will occur;
- d) The imminence of the potential harm.

Where the employee is determined to pose a significant risk, the County will consider what reasonable accommodation could be afforded to the employee to allow him/her to continue working without causing the County undue hardship.

#### Smoking and Vaping

In the interest of providing a safe and healthy environment for employees and the public, and in accordance with the Michigan Clean Indoor Air Act and the Smoke Free Areas Ordinance, smoking

cigarettes, cigars, vaping or use of any tobacco products, or the use of any marijuana, is prohibited inside all County facilities.

Additionally, smoking, vaping or use of any tobacco or marijuana product is prohibited within any County-owned vehicle. Outside smoking, vaping, or use of other tobacco or marijuana products will only be permitted in areas that comply with the law for facilities located within the City limits or designated facilities.

Employees must utilize the designated smoking area during lunch and break periods only.

The designated smoking area must be maintained litter-free. It is the responsibility of smokers to police the designated area. If any abuse of this policy is discovered, the policy will be discontinued immediately and will result in discontinuance of any smoking and vaping on County premises.

Company work rules state: "Smoking other than in specifically designed areas and during specified periods of the day" will result in appropriate disciplinary action up to and including termination. Employees who wish to take the opportunity to quit smoking should contact the Human Resources department, or their own physician, for a listing of Smoking Cessation Programs.

#### **Definitions:**

Smoking refers to the use through inhalation of heated marijuana and traditional tobacco products such as cigarettes, cigars and pipe tobacco. Vaping refers to the use of electronic marijuana or nicotine delivery systems or electronic smoking devices. These are commonly called e-cigarettes, e-pipes, e-hookahs and e-cigars.

**Background:** To date, e-cigarettes and similar devices are not regulated by the U.S. Food and Drug Administration (FDA) and are not approved as cessation aids. The FDA has, however, concluded that e-cigarettes pose health risks and contain detectable levels of carcinogens and toxic chemicals. At this time, e-cigarettes are not considered a safe alternative to smoking, and no scientific evidence has shown that they help smokers quit.

#### **Weapons**

Employees who do not have prior express authorization from the County Administrator (or his or her department head if that department head is an elected law enforcement official) may not, at any time while in the course of that employee's employment and on any property owned, leased or controlled by Grand Traverse County, including anywhere that County business is conducted, such as County event venues, and so forth, possess or use any weapon.

Weapons include, but are not limited to: guns, knives or swords with blades over four inches in length, explosives, and any chemical whose purpose is to cause harm to another person. Regardless of whether an employee possesses a concealed weapons permit (CPL) or is allowed by law to possess a weapon, weapons are prohibited on any County property without the above-defined express prior approval. They are also banned in any location in which the employee represents the County for business purposes, including those listed above, without the above-defined express prior approval.

When County Administrator express approval is required, possession of a weapon can be authorized to allow security personnel or a trained employee to have a weapon on County property when this possession is determined necessary to secure the safety and security of County employees. When County Administrator express approval is required, only the County Administrator or his or her designee may authorize the carrying of or use of a weapon.

Employees who violate this policy will be subject to disciplinary actions, up to and including employment termination.

## **Drug-Free Work Place**

Grand Traverse County is committed to providing a safe and productive working environment for employees and prohibiting influences in the work place that may have a detrimental effect on job performance and productivity. The presence of illegal substances, marijuana, and alcohol adversely affects these goals. Therefore, Grand Traverse County has established this policy which bans alcohol, marijuana, and illegal substances in the work place.

The following activities are prohibited and employees who engage in them will be subject to discipline up to and including discharge:

1. Use, manufacture, distribution, dispensation or sale of illegal drugs, marijuana, or alcohol when: on County premises, in County-supplied vehicles, during working hours, or when representing the County. This includes recreational and medicinal Marijuana, regardless of whether a doctor has in any manner suggested or counseled the use of marijuana.
2. Being under the influence of an illegal drug, marijuana, or alcohol on County premises, in County-supplied vehicles or during working hours.
3. Refusing consent to, or refusing to submit to: a blood, urine, breath or other sample when requested by management upon reasonable suspicion of the bodily presence of an illegal substance, alcohol, or marijuana during that employee's working hours.
4. Refusing to submit to an inspection of county property when requested by management upon reasonable suspicion of possession of illegal drugs, marijuana, or alcohol.
5. Failing to adhere to the requirements of any drug or alcohol treatment or counseling program in which the employee is ordered to be enrolled.
6. Conviction under any criminal drug statute for behavior that occurred while the employee was working, on County premises, in a County vehicle, or otherwise representing the County.
7. Failure to inform the County within five calendar days after a conviction of a criminal drug or alcohol statute.

Any employee reporting for work under the influence of alcohol, marijuana, or any illegal drug will be relieved from duty immediately. (Under no circumstances should such an employee be sent home or to Munson Occupational Health and Medicine without providing assistance to be sure the employee arrives safely.)

The use of prescribed drugs or over-the-counter medications which may adversely affect performance or behavior must be reported by the employee to the immediate supervisor upon reporting for duty.

The County may employ drug and/or alcohol screening programs as follows:

1. During the pre-employment process.
2. Where there is reasonable suspicion to believe that an employee is in possession of, using, distributing, functioning under the influence of, or has the bodily presence of: illegal drugs, marijuana, or alcohol on the job.

Under certain circumstances Grand Traverse County may consider continuing the employment of an employee who has violated a substance abuse rule on a one-time-only basis, or of an employee who has: volunteered that he/she has a substance abuse problem, if that employee has already entered into an approved treatment or counseling program at the time of the volunteering. The determination of continued employment will be based upon consideration of the rule violated, the

specific circumstances involved, as well as the employee's overall work record. A second rule violation will result in automatic employment termination.

Employees who enter into a drug or alcohol treatment or counseling program, at the County's discretion, will be required to comply with more stringent testing or other requirements than found in this policy. Employees required to have a Commercial Driver's License (CDL) shall be subject to random drug and alcohol testing as described in the Drug and Alcohol Policy.

## **Confined Space**

All confined spaces will be designated as such with appropriate signage. Only those employees who have had the required training may enter those areas.

## **References**

- a. MIOSHA Standards as Amended.
- b. Resolution 155-95 dated May 31, 1995. (Establishing Safety Team)

## **Responsibilities**

The Board of Commissioners has the overall responsibility for safety at Grand Traverse County.

Department Heads shall ensure the following:

1. Safety orientation is provided to each new department employee.
2. Implementation and enforcement of safe practices within the department.
3. Department employees participate in appropriate safety training.
4. Compliance to the procedure.

The Human Resources Department or designee shall be responsible for:

1. Record keeping of the county safety and health program.
2. Ensure that all new hires obtain the required safety training during orientation and that employees receive ongoing training as necessary.
3. Maintain the documentation of the training.
4. Coordinate the County's compliance with provisions of the Michigan Occupational Safety and Health Act, including the interpretation of standards, rules and requirements.
5. Notification when required training is due.
6. With the department head or supervisor, and others as appropriate, investigate all occupational illnesses and injuries, and all near misses.
7. Maintaining the MIOSHA 300 log as required by law.
8. Coordinate and manage all the Supervisor's Incident reports resulting in work-related injuries.

Safety Team is responsible for:

1. Reviewing the Safety Policy and making recommendations to the Human Resources Director.
2. Reviewing accident reports.

Supervisors are responsible for:

1. Enforcing all safety rules/practices and shall ensure that proper protective equipment is used by personnel.
2. Conducting adequate job briefings and inspections of tools, equipment and the work area to ensure employee safety.
3. Observing work in progress to identify hazards or potentially hazardous operations and shall stop an unsafe procedure or correct a hazardous situation.
4. Obtaining complete and detailed facts about all accidents which occur under his/her supervision as soon as possible after it occurs and shall prepare required reports.

5. In conjunction with Human Resources, ensure that medical attention is provided to the injured person as soon as possible.

INDIVIDUAL EMPLOYEES are the key factor to the safety policy.

As such, each employee is responsible for:

1. Conducting his/her activities in a manner commensurate with published documents and good safe working practices.
2. Using only appropriate and approved protective equipment and devices and shall report any condition that is considered hazardous or might injure personnel or damage equipment.
3. Promptly reporting any injury suffered to your immediate supervisor.
4. Attending all safety, training and education meetings.

DISCIPLINE FOR BEHAVIOR CONTRARY TO THIS SAFETY POLICY may result in discipline up to and including discharge, depending upon the circumstances.

## **Requirements**

### **Safety Team**

The Safety Team shall be composed of representatives from each building and shall be subject to approval of the Department Head or Supervisor. A representative from the Human Resources Department shall be on the Team. The Team shall meet quarterly and establish a written record of the meetings. A copy of the minutes shall be posted on the intranet.

### **Safety Training**

All County personnel shall attend safety training as required by their job assignment. Trainings will be offered at least annually. Some departments may attend more frequent trainings at the discretion of their supervisor. Employees unable to attend safety trainings due to vacations, illness or other absences should be briefed by their supervisor upon return to work. Safety training should consist of training for the prevention of accidents and injuries and may include instruction in the safe use of new tools and equipment, the use of personal protective equipment, off-the-job safety and general safety procedures. Safety trainings shall also be used for the purpose of employees bringing to the attention of administration any safety concerns they have with facilities and equipment.

### **Orientation**

All new County employees and employees transferring to a new department shall receive a safety orientation within the first six (6) months of employment. This orientation shall include a brief explanation of the steps that should be taken by the employee and the supervisor when an incident occurs, whether it is an injury or illness. Detailed information is provided in the policies provided on the County's website. All new employees will be required to receive safety training. Required training will vary by job classification. Each department supervisor shall present any new employee or transferred employee with a department safety orientation. Each department shall identify safety issues and write procedures to deal with same. New employee orientation shall be documented.

### **Pre-Job Briefings**

The purpose of the pre-job briefing is to familiarize employees and contractors working on county property with the plans and objectives of projects including:

- Identifying any safety problems.

- Avoiding a certain type of accident.
- How to use a particular machine safely.
- Listing the safety equipment necessary for the job.
- Use of specific pieces of safety equipment.
- Location of first aid equipment.
- Who to contact in case of emergency

1. Formal Pre-Job Briefings: In order to satisfy MIOSHA requirements, a written pre-job briefing may be necessary. The length of the session should last from 10 to 20 minutes depending on the topics and number of employees. The number and degree of organization or formality of the sessions depends on the types of safety problems and what the supervisor thinks is the most effective way of educating the employees. Supervisors are urged to complete a safety training form that details the topics covered, comments from employees and the signature of those attending the training.
2. Informal Pre-Job Briefings: To plan an informal "pre-job briefing," simply pick a good time and place to talk where employees won't be distracted. The discussion is an informal chat between the crew leader and the work crew. Sessions usually last from 5 to 15 minutes, depending on the interest and discussion by the employees. Topics should be simple and refer to subjects that the crew is involved in every day or a new or special job that the crew has been assigned.

Pre-Job Briefings: Should be held near the job site and just prior to the start of the job. Questions from employees are encouraged. Discussions should include old and new safety hazards and safer approaches or techniques to deal with the problems of the day or week. Emphasis should be placed on a clear understanding of potential problems and the safety procedures discussed. Pre-Job Briefings should be on a regular basis. Briefings should be completed at the beginning of a shift, but are suitable anytime a supervisor sees an unsafe procedure. Formal or Informal Pre-Job Briefings do not replace formal safety meetings.

### **Specialized Training**

Specialized training shall be provided to all employees so that they may acquire the knowledge and skill necessary for safe job performance. Training sessions required by each department will be reviewed and updated regularly by the department supervisor.

Training shall establish employee proficiency in routine duties as well as new and revised procedures necessary to meet all existing and any future MIOSHA standards. Under no circumstance shall an employee operate or move any equipment unless proper training has been given by the supervisor or training specialist.

If certifications are required, the employer shall verify that the required training has been accomplished. Certification of such programs shall require the employee's signature, signatures of the trainers and the date(s) the training took place. New training and updated training records and certifications shall be kept on file in each department, with a copy sent to Human Resources. Training records and certifications shall be available for inspection by supervisors and by all applicable licensing and inspecting agencies.

### **Incident Reporting**

All occupational injuries and illnesses of Grand Traverse County employees shall be reported within 24 hours. A "Supervisor's Report of Incident" must be completed by the Supervisor or Department Head and sent to the Human Resources office. If the injury or illness requires treatment, Munson Occupational Health and Medicine must be used, unless it is of an emergent nature.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

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## Salary Basis for Exempt Employees

### PURPOSE

Employees who meet the definition for exemption from the Fair Labor Standards Act, and who have been identified by the County as exempt (or not covered) are paid on a salary basis.

### POLICY & PROCEDURE

Employee annual salary (as determined by your grade and step on the appropriate pay scale) is divided by the number of pay dates in the calendar year (usually 26). This gives you the gross amount for each paycheck. Because of division and rounding, this may not give you a final total income as stated on the pay scale. We do not adjust the final check as it is usually pennies, and it is expected that over time it will average out.

Mid-year step increases (if any) will go into effect on the pay date following the anniversary date. We do not prorate the step based upon the actual anniversary date.

If you leave employment in the middle of the year, your final salary check will be calculated by taking your annual salary prorated based on your final day at work. Your last salary paycheck will be the difference between this amount and the amount you have already been paid during the year.

Your maximum allowed unused vacation and personal hours will be paid out the pay period following your final salary check.

New employees will have their salary for the year prorated based on their hire date. The first paycheck will be adjusted so that the remaining paychecks can run through each payroll based on the normal 1/26 of annual salary. The first paycheck could be larger or smaller than the normal paycheck.

Your paycheck is not based on a defined pay period, however, you will be included in the time-reporting process during each pay period, which we will continue to use for reporting exceptions to the salary and use of leave time.

Because there is an accountability to the taxpayer, salaried employees are expected to put in a full work week. Flexible time scheduling is acceptable when it does not interfere with the effective accomplishment of the work and when acceptable to your supervisor.

Compensatory time is not recorded for exempt employees, however, the county recognizes that employees need to maintain a balance between their work life and personal life. While it is not expected that salaried employees will track lunch hours worked or small amounts of time coming in early or staying late, when you do put in a sizeable block of time we hope that you can find an acceptable balance for taking time off.

You should notify your manager, director, or the County Administrator if you are out of the office for a significant amount of time during normal business hours.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

PER046 8/97, 8/04



## Secondary Employment Policy

### PURPOSE

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

### POLICY & PROCEDURE

Employment with Grand Traverse County is considered primary and any other work or services performed shall be considered secondary and shall not result in conflict with the responsibilities of the employee to perform their County job effectively.

Grand Traverse County applies this policy consistently and is nondiscriminatory to all employees, and in compliance with all applicable employment and labor laws and regulations. The following rules for secondary employment apply to all employees notifying their supervisors or managers of their intent to engage in outside employment:

1. Work-related activities and conduct away from Grand Traverse County must not compete with, conflict with or compromise the County's interests or adversely affect job performance and the ability to fulfill all responsibilities to Grand Traverse County. Employees are prohibited from performing any services for customers of Grand Traverse County that are normally performed by Grand Traverse County. This prohibition also extends to the unauthorized use of any County tools or equipment and the unauthorized use or application of any County confidential information. Such work shall not be performed on County property, during normal working hours (unless on approved leave). In addition, employees may not solicit or conduct any outside business during work time for Grand Traverse County.
2. Grand Traverse County employees must carefully consider the demands that additional work activity will create before accepting secondary employment. Secondary 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 secondary work activity causes or contributes to job-related problems at Grand Traverse County, 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).
3. In evaluating the effect that outside work may have on an employee's job performance and other job-related responsibilities, either the employee or supervisor may request the Department Head, Human Resources Director, or County Administrator be involved. If no solution is found, the employee shall be required to resign his/her other job or leave County employment. The employee may appeal such decision through the process in place under the County's dispute resolution procedure.

Grand Traverse County Human Resource Department and the County Administrator will consider whether the proposed employment:

- May reduce the employee's efficiency in working for the County.
- Involves working for an organization that does a significant amount of business with the County, such as major contractors, suppliers and customers.
- May adversely affect the County's image.

An employee's refusal to discontinue secondary employment after being requested to do so by his or her Department Head or the Human Resource Director will result in disciplinary action up to and including termination of employment.

The County is not liable for any expenses or other liabilities arising from other employment. Departments may develop more specific policy based on a legitimate business need, and are not limited by this policy.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 8/96, amended 7/99



## Separation Policy

### PURPOSE

Consistent with Grand Traverse County commitment to its employees, the County aims to ensure that situations when employees leave employment with the County, including for voluntary and involuntary reasons, are handled in a professional and respectful manner with minimal disruption to the workplace.

### POLICY & PROCEDURE

#### At-Will Employment

Employment with the County is voluntary and subject to separation by the employee or the County for lawful reasons at any time, with or without cause, and with or without notice. Nothing in this policy, or other policies, shall be construed to modify in any way the employment-at-will status of Grand Traverse County employees.

#### Resignation

Any employee resigning from County service shall submit their resignation in writing to his/her department head, with a copy to the Human Resources Department at the same time, stating the effective date and the reason for leaving. Employees are expected to give at least a two-week notice prior to the effective date. Failure to comply may be cause for denying the person future employment with the County. Unauthorized absence from work for a period of three consecutive days may be considered as an automatic resignation.

#### Involuntary Separation

Involuntary separation from employment typically occurs when the County makes the decision to end the employment relationship with an employee. This can occur for a number of reasons, including for job performance, misconduct, reorganization, and/or business reasons. The County takes all involuntary separation decisions seriously and they require the involvement of Human Resources and the County Administrator before any decisions are made.

#### Layoff

Whenever, because of lack of work or insufficient funds, it becomes necessary to reduce the work force, employees shall be laid off in an order determined by the quality and length of their service. Employees concerned shall be given notice of the layoff at least seven days prior to the effective date. The names of any regular employees laid off for any of the above reasons shall be placed on a reemployment list for a period of one year.

## **Retirement**

In order to assure timely receipt of retirement benefits, employees who wish to retire under the Municipal Employees' Retirement System should notify their department head in writing, with a copy to the Human Resources Department, approximately ninety (90) calendar days prior to their final day of work. The employee should also contact the Human Resources Department so that proper forms can be completed.

## **Death of an Employee**

Upon receiving information of the death of an employee, the employee's manager should immediately notify Human Resources.

## **Demotion**

Any employee may be demoted by the department head.

## **Exit Interview**

Every employee being separated from county employment for any reason may participate in an exit interview. With the exit interview the County hopes to get suggestions to make employment conditions more enjoyable and productive for other employees. The exit interview will be reviewed only by the County Administrator and the Director of Human Resources. It will not be placed in the personnel file, nor will it be considered if the employee should apply for reemployment.

## **Final Paycheck**

The final paycheck will be paid on the normal pay date, and shall contain all earnings owed to the employee, including time worked in the final pay period, accumulated vacation leave, personal leave, prorated longevity bonus if eligible, and 50% of sick leave bank if eligible. For FLSA Exempt employees, the annual salary shall be pro-rated based on the final day at work, and any balance owing the employee shall be paid on the final salary check. See the Salary Basis for Exempt Employees Policy for more information regarding payouts.

## **Return of County Property**

Employees must return all County property at or before the time of separation, including uniforms, cellphones, keys, laptops, identification cards, etc. Failure to return some items may result in deductions from the employee's final paycheck, where State law allows.

## **Date of Termination**

The last day actually worked will be considered the last day employed. In cases of a leave of absence where the employee decides not to return to work, the last day employed shall be considered to be the date of resignation, not to be later than the approved date of return to work, unless the leave of absence is terminated earlier by the County. For medical leaves, this would be no later than the date of medical release to return to work, including light duty.

## **Health Insurance**

Medical, dental, and vision insurance coverage terminates on the last day of the month in which the separation from employment occurs. Information about options to continue health coverage via consolidated omnibus budget reconciliation act (COBRA) is provided to the employee following separation and consistent with legal requirements.

### **Eligibility for Rehire**

Employees who leave the County in good standing may be considered for rehire. Former employees must still follow the normal application and hiring processes and must meet all minimum qualifications and requirements of a position. Rehired employees will not retain previous status when calculating longevity, leave accruals, or any other benefits, unless required by law.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 7/99



## **Severe Weather or Emergency Building Closure Policy**

### **PURPOSE**

Grand Traverse County is committed to providing high quality public service, including many emergency related functions, in all types of weather or adverse conditions. The purpose of this policy is to inform Grand Traverse County employees of their responsibilities and options during adverse weather conditions or other situations where a County building may be closed.

### **POLICY**

All employees of Grand Traverse County are expected to report to work at their normal work station in inclement weather, disasters and other adverse conditions. In severe weather situations, such as blizzards, the Board of Commissioners Chairperson, in consultation with the County Administrator and other appropriate staff, may officially close County buildings for all or part of the normal work day. The details regarding which buildings are closed will be provided on the Grand Traverse County Emergency Hotline at 231-922-4500. If possible, the information will be provided before 6 a.m. the day of the event. The decision to close any County building will also be broadcast on the following local media, if possible:

Radio – WTCM 103.5 FM, WBCM 93.5 FM

Television - WWTV/WWUP-TV Channels 9 & 10, WPBN/WTOM Channels 7 & 4

Additionally, the County website will be updated with applicable information if possible. It is the responsibility of each employee to call the hotline and/or listen to the radio and television channels when severe weather is expected. Employees can opt to receive notifications through our Code Red system. See Human Resources for details.

### **Reporting of Time**

During severe weather when the building remains open and an employee reports late for work or leaves early, the employee may use accumulated leave time, take leave without pay, or elect to make up the time lost within one (1) month provided that the make-up time does not create the hours worked to cause an overtime basis without pre-approval. When an employee's building is officially closed due to severe weather or evacuated for reasons other than severe weather, for all or part of an employee's normal work day, those employees will be paid their regularly scheduled working hours and shall suffer no loss of time or pay.

### **24-Hour Operations & Critical Staff**

For County departments that operate on a 24-hour basis, the department director shall make the decision about who needs to report to work. Those employees who are uncertain of their status should contact their director for instructions about whether they need to report to work.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 9/01, 12/04, 3/11, 12/12



## Short Term Disability Policy

### PURPOSE

The short-term disability benefit provided by Grand Traverse County is an employer-funded plan providing income replacement for employees unable to work due to illness, pregnancy or injury.

### POLICY & PROCEDURE

#### Eligibility

As defined by the insurance policy, regular status employees working a minimum of 15 hours per week shall be eligible for short-term disability effective the first day after 180 calendar days of continuous employment and who are unable to work due to illness, pregnancy or injury.

#### Benefit Payment

The short-term disability benefit payment is 66 2/3% of pre-disability base earnings after a waiting period of seven (7) calendar days with a maximum disability period of 182 days. The maximum benefit is \$3,500 per week. Employees have the option to have tax withholdings done at time of payment since this is considered taxable income. To be eligible for continued disability benefits, the employee must not engage in outside employment and is expected to avoid activities that may delay recovery and return to work. An employee receiving Workers' Compensation or disability pay under any state or federal plan is ineligible for this benefit.

Employees are automatically enrolled in this coverage upon meeting the member and eligibility requirements as defined by the insurance policy.

#### Medical Certification

The employee must provide medical certification of the disability that includes the start and expected end date of the disability. This certification must be submitted to the Human Resources Department, who will review the certification and make a determination on benefit qualification.

Health care benefits will be maintained at the same level while covered by short-term disability with the employee being responsible for paying their required monthly contribution, if any. For purposes of retirement benefits, the period of short-term disability will count towards the employees vesting schedule under the defined contribution plan and will count as service credit earned under the defined benefit plan.

#### Return to Work

The employee must return to work as soon as permitted by his or her health care provider. The

employee must submit a fitness-for-duty clearance to Human Resources. An employee whose absence has been designated as Family and Medical Leave Act (FMLA) leave is eligible for reinstatement as provided by the FMLA. Employees are required to give a two-week notice, when possible, of their ability to return or not return to work while covered under short-term disability. Short-term disability may run concurrently with the Family Medical Leave Act.

Employees with questions regarding this policy should contact the Human Resources Department.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 1/07



## Social Security Number (SSN) Privacy Policy

### PURPOSE

Grand Traverse County is committed to maintaining the confidentiality of Social Security numbers that it collects during the regular course of business. As required by the Michigan Social Security Number Privacy Act, being Public Act 454 of 2004, MCL 445.81 et seq., (hereinafter referred to as "the Act") Grand Traverse County must create a privacy policy concerning the Social Security numbers that Grand Traverse County possesses or obtains.

Pursuant to the Act, the privacy policy must at least:

- a. Ensure to the extent practicable the confidentiality of the Social Security numbers.
- b. Prohibit unlawful disclosure of the Social Security numbers.
- c. Limit access to information or to documents that contain the Social Security numbers.
- d. Describe how to properly dispose of documents that contain the Social Security numbers.
- e. Establish penalties for violation of the privacy policy.

Accordingly, Grand Traverse County has established this policy to restrict access, disclosure, use and disposal of Social Security numbers that have been collected by Grand Traverse County.

### POLICY & PROCEDURE

It is the policy of Grand Traverse County to protect the confidentiality of Social Security numbers obtained in the ordinary course of business from employees, vendors, contractors, customers or others. No person shall knowingly obtain, store, transfer, use, disseminate, disclose, or dispose a Social Security number that Grand Traverse County obtains or possesses except in accordance with the Act and this Privacy Policy.

#### Obtaining Social Security Numbers

Social Security numbers (SSN) shall be collected only where required by federal and state law, where required by Grand Traverse County Ordinance as permitted by federal and state law, or as otherwise permitted by federal and state law for legitimate reasons consistent with this Privacy Policy.

All employees are required to have a SSN in order to be employed by Grand Traverse County, so that the County can make adequate tax reporting. The County takes each employee's privacy very seriously, and it maintains a strict policy to protect the confidentiality of SSNs that are obtained by or provided to the County and/or its employees, contractors, agents and representatives in the course of their employment, activities, or services performed on behalf of the County. Documents containing SSNs shall be kept in confidential files.

Legitimate reasons for collecting a Social Security number include, but are not limited to, the following:

1. Applicants for employment with Grand Traverse County may be required to provide a Social Security number for purposes of a pre-employment background check.
2. Copies of Social Security cards may be obtained for purposes of verifying employee eligibility to obtain and maintain employment.
3. Social Security numbers may be obtained from employees, including elected and appointed officials, for tax reporting purposes, for new hire reporting or for purposes of enrollment in any Grand Traverse County employee benefit plans, employee retirement benefits, or employee investment programs.
4. Social Security numbers may be obtained from employees, including elected and appointed officials, for payroll records, insurance records, medical records, and other accounting purposes.
5. Social Security numbers may be obtained from employees when necessary for federal, state, or local government sponsored or sanctioned training programs that are verified and monitored by employee Social Security number.
6. Social Security numbers may be obtained by Grand Traverse County for any other administrative purpose related to employment.
7. Social Security numbers may be obtained from creditors or vendors for tax reporting purposes.
8. Social Security numbers may be obtained by Grand Traverse County within various documents recorded with the County Register of Deeds and forwarded to Grand Traverse County for assessing purposes.
9. Applicants for a permit as required by Grand Traverse County Ordinance may be required to provide a Social Security number for purposes of background checks, to verify an applicant's licensure in a building, electrical, mechanical, or plumbing trade, or for any other purpose related to the activity for which a permit is required.

## **Freedom of Information Act**

The Freedom of Information Act (FOIA), as amended at 5 U.S.C.552, is a disclosure statute that requires Federal Executive Branch agencies to make records available to the public.

The intent of the FOIA is to prevent agencies from having "secret law" and to make the government accountable to the public for its actions. FOIA requires agencies to publish in the Federal Register statements of its organizations, functions, rules, procedures, general policy, and any changes, and how to get information. In addition, agencies must index and make available for public inspection and copying statements of policy, manuals and instructions, and final opinions and orders in cases, as well as the indexes.

Where all or more than four sequential digits of a Social Security number are contained within a document subject to release under the Freedom of Information Act (MCL 15.231 et seq.), the Social

Security number shall be redacted or otherwise rendered unreadable prior to the document or copy of the document being disclosed.

### **Business Purposes**

Except as required by necessary and legitimate business purposes, no employee is permitted to have access to SSNs (including documents that contain any SSNs) or to keep, view, use, copy, disclose, or distribute another person's SSN, or in any other way disclose another's SSN. One who accesses a SSN for necessary and legitimate business purposes is prohibited from using or accessing the SSN in a manner that may permit an unauthorized individual to view, use, or access the number.

When documents containing SSNs are no longer needed and are to be discarded, such documents must be disposed of in a manner that ensures the confidentiality of the SSNs. The County has developed a practice for shredding, electronically deleting, or otherwise disposing of confidential records, including documents containing SSNs.

Violation of this policy is subject to disciplinary action, up to and including discharge.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 1/06



## Solicitation Policy

### PURPOSE

The scope of this policy applies to all employees of Grand Traverse County as well as those who may seek to solicit on County property. The purpose of the policy is to provide a safe and secure work environment that does not infringe on the privacy of employees or disrupt the work environment.

### POLICY & PROCEDURE

The County limits solicitation and distribution on its premises because, when left unrestricted, such activities can interfere with the normal operations of the County, be detrimental to efficiency, be annoying, and pose a threat to security.

All managers are responsible for administering this policy and for enforcing its provision. Persons who are not employed by the County are prohibited from soliciting funds or signatures, conducting membership drives, posting, distributing literature or gifts, offering to sell or to purchase merchandise or services (except by representative of suppliers properly identified), or engaging in any other solicitation, distribution, or similar activity on County premises.

Solicitation is defined as any activity that seeks to make contact with employees to collect information, sell items, or gain support.

The solicitation of County employees during working hours is prohibited except as specifically approved by the Board of Commissioners for an item approved for payroll deduction. This policy is not intended to eliminate such things as employees' children's school fundraisers, however such solicitation should be limited to non-work areas and non-work time, such as lunch breaks.

### Rationale

The rationale of this policy is to provide a safe and secure working environment that does not infringe on the privacy of employees or disrupt the work environment.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 7/99



## Travel Policy

### PURPOSE

Grand Traverse County's travel reimbursement policy is developed to help employees understand and follow the company's travel reimbursement process. The travel policy is aligned with business-related travel paid with Grand Traverse County funds and must comply with County expenditure policies.

### POLICY & PROCEDURE

It is the policy of Grand Traverse County to reimburse staff for reasonable and necessary expenses incurred in connection with approved travel on behalf of the County. Grand Traverse County strongly encourages use of travel discounts when making travel arrangements.

Travelers seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid impropriety or the appearance of impropriety. Reimbursement is allowed only when reimbursement has not been, and will not be, received from other sources. If a circumstance arises that is not specifically covered in this travel policy, then the most conservative course of action should be taken.

#### **I. Policy Statement:**

The Board of Commissioners recognizes that travel by employees is necessary to conduct official county business and therefore has developed this policy to establish the standards for eligible expenses.

#### **II. Statutory Authority:**

The Board of Commissioners may establish rules and regulations to manage the interest and business of the County under Public Act 156 of 1851 [MCLA 46.11(M)].

**III. Related Policies and/or Procedures:** Policy and Procedures for the Authorization and Use of Procurement Cards; Purchasing Policy and Procedures.

**IV. Historical Application:** This Policy supersedes all prior travel policies.

**V. Exclusions:** The following exclusions apply: None.

**VI. Implementation Authority:** The County Administrator is authorized to establish the necessary procedures to effectuate the implementation of this policy.

**VII. Policy Standards:** The following standards shall apply, without exception.

- A. Only those costs that are incurred in the conduct of official County business shall be paid by the County.

- B. All requests for reimbursement shall be based upon a least-cost and most efficient methodology as established by the appropriate procedures.
- C. All travel shall be conducted in the most economical and most efficient manner through the most direct route. Any employee utilizing an in-direct route of travel for their own convenience shall be responsible for any expense beyond the amount which would normally be incurred by the usual route of travel.
- D. All out-of-state travel requests must be submitted in writing and approved by the appropriate Department Director and County Administrator.
- E. No travel reimbursement costs will be made to employees traveling from their residence to their official work station.
- F. All requests for reimbursement shall be accompanied by supporting documentation necessary to justify that the expense is eligible and within reasonable expenditure guidelines.
- G. In the event that an employee schedules travel and the County incurs costs, the County shall not be liable for those costs if the employee does not attend, unless due to extenuating circumstances and it has been approved by the County Administrator.
- H. Travel insurance is not an eligible expense and will not be paid by the County.
- I. The County Administrator has full-authority to deny a request for reimbursement when an expenditure has not met the County policies and procedures.

**VIII. Policy Review:** This Policy shall be reviewed at least every three years by the County Administrator or designee.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Travel Policy 1/1 BoC Approved: March 30, 2016



## **Tuition Reimbursement Policy**

### **PURPOSE**

Grand Traverse County believes that education has a positive impact on an employee's contribution to the County and the employee's personal growth; we support educational efforts by providing reimbursements for continuing education courses.

### **POLICY & PROCEDURE**

The County has established a tuition reimbursement program to help eligible employees improve job skills and enhance opportunities for advancement within the County. This program is open to eligible employees who wish to voluntarily pursue educational courses or training from an accredited college, university, or trade school for both credit and extended education courses. It does not apply to courses or trainings that are required by the employee's department or the County. The tuition reimbursement program is administered by the Human Resources department. This program is contingent upon the annual appropriation of funds for this purpose and is subject to change at any time.

### **Eligibility**

- Regular full-time or part-time employees on a pro-rated basis.
- Employees on a leave (unless specifically approved for an educational leave) are not eligible for this benefit.
- Completion of a minimum of one year of employment as a regular status employee.

### **Course Requirements, Other Provisions**

- Course must be from an accredited college, university, or trade school.
- Course must be for credit or extended education purposes. Audited classes are not eligible.
- Course must be directly related to the employee's current job or deemed to increase the employee's knowledge, skills, and abilities relative to potential advancement opportunities available within the County.

OR,

The course must be required to fulfill specific requirements for a degree program that the employee is currently enrolled in and the degree program is related to the employee's job or to a position available within the County.

- Courses must not interfere with the employee's job responsibilities and must be taken on the employee's own time.
- Under special circumstances a department head may authorize an employee to attend classes during normal working hours; however, it is the responsibility of both the individual employee and the department head to ensure that the employee makes up all lost time.

## **Process**

During the budget preparation process, the employee should meet with his/her department head or designee to request consideration for tuition funding for the next budget year. Prior to registration, the employee is required to complete a Tuition Reimbursement Form and submit the form to Human Resources with course description(s) for individual classes. Alternatively, if enrolling in a degree program, the employee is required to submit an outline of all courses required (along with the corresponding descriptions) for advance approval of the degree program. Once the degree program is approved, the employee will follow the process for individual classes with the exception of providing course description(s) as the courses will be approved in advance.

After approval is obtained from Human Resources, the employee should register for the course(s) and submit the Tuition Reimbursement Form, proof of registration, and proof of payment to Human Resources within thirty (30) days from the date of registration. Within sixty (60) days of course completion, the employee is required to submit grade(s) to Human Resources for final review of eligible tuition reimbursement.

## **Appeal Process**

If a request for tuition reimbursement is denied, the employee may file an appeal by submitting such a request in writing to the Human Resources Department within thirty (30) days of the denial. The appeal will be reviewed by an appeal panel consisting of a representative from Human Resources, a department head/manager, and a non-supervisory employee. The decision of the review panel shall be final.

## **Reimbursement**

Approval of tuition reimbursement requests are contingent upon the availability of tuition reimbursement funds specifically budgeted for this purpose. Should funding become insufficient to meet reimbursement requests due to increased demand, budget cutbacks, or for any other reason, reimbursements will be processed on a first-come, first-served basis.

Reimbursement eligibility is subject to the conditions, requirements, and processes, as explained in this policy.

- Reimbursement is limited to \$5,250 per calendar year, per employee.
- Upon enrollment: Reimbursement will be made on the basis of fifty (50%) percent of the tuition cost upon enrollment (not to include registration fees, books, lab fees, etc.)
- Upon completion: Reimbursement will be made on the basis of twenty-five (25%) percent of the tuition cost (not to include registration fees, books, lab fees, etc.) with a passing grade of C or better upon completion of the course. Documentation of the passing grade must be submitted to the Human Resources Department within sixty (60) days of completion of the course to be eligible for the twenty-five (25%) percent.
- Employees who receive tuition support or financial assistance from alternate sources must report such amount, and shall not be eligible to be reimbursed for any amount that they do not have to repay.

## **Repayment Obligation**

- Employees who drop or fail a course will not be eligible for reimbursement and are required to reimburse the County for any tuition already received within thirty (30) days of the event.
- Employees who do not submit final grade(s) within sixty (60) days of completion of course(s) are required to reimburse the County for any tuition already received for that course.

- Employees who leave employment by their own initiative shall be required to reimburse the County according to the following schedule:

Within one year of completion of the course: 100%  
Within 24 months of completion of the course: 75%  
Within 36 months of completion of the course: 50%

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy 4/92, amended 8/93, 10/93, 12/95, 10/97, 3/98, 9/01, 08/09, 7/15



## Vacancies and Selection Policy

### PURPOSE

Grand Traverse County believes that hiring qualified individuals to fill positions contributes to the overall success of the company. Each employee is hired to make significant contributions to Grand Traverse County. In hiring the most qualified candidates for positions, the following process should be followed.

### POLICY & PROCEDURE

Employees must submit a new application to online job postings for each position they wish to be considered. Paper applications will be accepted on occasion as long as job has not been filled. Employees are encouraged to provide additional information through cover letter, resume, or copies of awards or other information pertinent to the specific opening. While the employee's personnel file shall be open to review by the supervisor or department head that is filling the vacancy, this is not generally done unless the employee is selected as a top candidate. The Application shall not be kept confidential from the employee's current supervisor or department head.

### Filling a Vacancy

#### Requisitions

Personnel requisitions must be completed to fill Grand Traverse County positions. Requisitions must be initiated by the department supervisor/manager, approved by the County Administrator, Human Resources, and/or Finance. Personnel requisitions should indicate the following:

- Position title.
- Position hours/shifts.
- Exempt or nonexempt status of the position.
- Reason for the opening.
- Essential job functions and qualifications (or a current job description may be attached).
- Any special recruitment advertising instructions.

#### Internal applicants

Current employees with a satisfactory employment status may apply for internal job openings. Consent from the employee's manager and the Human Resources Department may be necessary for employees with less than one year of service with Grand Traverse County.

All applicants for a posted vacancy will be considered based on their qualifications and ability to perform the job successfully. Internal candidates who are not selected will be notified by the Human Resources Department.

## **Promotion**

Insofar as it is practicable and in the interests of the County, vacancies shall be filled by promotion of regular employees. Factors taken into consideration in determining an employee's eligibility for promotion include:

1. Employee must meet the minimum requirements of the job as stated in the classification description and job posting.
2. Employee must meet or exceed the minimum score on any standard examinations that are required.
3. Employee must have the knowledge, skills, and ability to do the work as determined by education, work experience, standard examinations, oral interview, and any other mechanism that may be used to reach this determination.
4. Attendance records.
5. Commendations, disciplinary actions, and any other evaluative data available regarding the employee.
6. Physical qualifications to perform the essential functions of the job with or without reasonable accommodation as determined by the Human Resources Department.
7. Supervisory recommendation to support the promotion of an employee within a department and reference provided by co-workers.
8. Initiative shown by the employee to grow within the County employment, including professional development and willingness to take on additional responsibilities.
9. Employee's commitment to the Principles of Quality as defined by the employees of the County, and the Strategic Plan for the Department and the County.
10. Any other factors considered relevant by the County.

In the event that the overall qualifications of the candidates are determined by the department head to be substantially equal, length of service shall govern.

Employees promoted into a new classification shall serve a six-month orientation period, during which the County may demote said employee back to his/her former classification.

## **Transfer**

A position may be filled by transferring an employee from another position of the same class or similar class with essentially the same basic qualifications and approximately the same maximum salary limits.

## **Demotion**

A position may be filled by the demotion of an employee.

## **Original Appointment**

To be used whenever an appointment from within the County or a reemployment is not feasible.

## **Temporary Appointment**

Occasionally an employee may be appointed on a temporary basis to fill a vacancy of limited duration or as an interim measure until a regular appointment is made. Employees who are

temporarily assigned to a higher class shall receive the rate of the higher class for all hours worked in that class.

### **Employment Physical Examinations**

Upon being offered a position, an applicant, including current employees applying for another position within the County, maybe subject to a physical examination and drug screen by the doctor/facility chosen by the County. This examination is in no way to be considered a complete physical for the detection of disease. Record of the examination shall be kept in a confidential file by the doctor/facility, who will report to Human Resources in the event that he/she is of the opinion that the applicant is not qualified for the position for which he/she has applied. The examination shall be done after a conditional offer of hire has been made and accepted but prior to starting work.

### **Job Offers**

After a decision has been made to hire a candidate, an offer will be made contingent on the satisfactory completion of required background checks and testing. Background checks will vary depending on the position and may include criminal history, credit history, driving record, employment physical, drug testing or any other relevant information for the job.

Internal applicants must complete required background checks or tests not previously completed. Once the Human Resources Department receives satisfactory results from all required background checks and tests, candidates will be provided with a final job offer. If a candidate fails to accept an offer of employment within 7 calendar days, the offer may be rescinded by the County.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved: Board of Commissioners 4/92, amended 7/99, 12/02, 12/04, 7/06, 1/07



## **Vehicles Used for County Business Policy**

### **PURPOSE**

The purpose of this policy is to establish the duties, responsibilities and expectations associated with driving on the job (including County vehicles, rental vehicles and personal vehicles) and to ensure that any employee who operates a County-owned vehicle understands the responsibilities associated with operating that vehicle.

### **POLICY & PROCEDURE**

#### **Scope**

This policy applies to all County employees (excluding the Sheriff's department) who operate a vehicle for County business, whether it is their own vehicle, a leased rental vehicle, or a County-assigned vehicle.

#### **Requirements**

All County employees who operate a vehicle, whether their own or a County vehicle, must obtain and maintain a valid Michigan Driver's License as well as any special endorsement required for their individual operation of specialized vehicles (trucks, hazardous chemicals, passengers, etc.). County employees must obey ALL traffic regulations and laws. All policies, procedures, rules and regulations of Grand Traverse County shall apply when operating a vehicle for business use. Unless otherwise determined by law, the driver is personally liable for any traffic or parking violations received while driving their own or a County vehicle. Failure to comply with this policy shall be considered a major violation and will be grounds for restriction of driving privileges with or without a County vehicle and disciplinary action up to and including termination.

#### **Responsibilities When Driving on the Job**

##### **1. General Operation of a Vehicle**

County employees are expected to exercise courteous driving behavior as representatives of the County. Complaints of discourteous driving will be investigated by the Department Head or the Human Resources Department and those found to have violated the law and/or any County policy may be subject to discipline up to and including termination.

##### **2. Parking**

All vehicles will be parked legally and in a safe and secure parking area. Irregular parking may be expected in emergency situations, however, on routine business, employees are expected to park vehicles in "legal" parking areas only. Vehicles shall be locked at all times while parked.

##### **3. Alcohol and Drugs**

Employees will not operate a vehicle for business use when they have consumed alcohol, drugs, narcotics or any other substance. Employees will not transport or possess alcohol or contraband in an assigned vehicle unless it is a specific part of the job. (Reference: Grand Traverse County's Drug and Alcohol Policy, County Safety in the Workplace Policy and the County's Controlled Substances and Alcohol Policy.) An employee must report to their department head and/or Director of Human Resources that they have been prescribed and are taking a medication that may impair their ability to operate a vehicle. An employee may be sent for an independent medical evaluation to determine if, while taking this medication, they are unable to drive on the job.

#### **4. Seat Belts**

Any person, whether staff or citizen, driving or riding in a County vehicle, or conducting County business using their own personal vehicle or rental vehicle, shall wear a seat belt whenever the vehicle is in motion.

#### **5. Traffic Convictions and Accidents**

Although Human Resources receives notice of all traffic violations/convictions through the Secretary of State, staff shall immediately report all traffic violations/convictions to their Department Head and Human Resources. Excessive violations or a major violation that result in staff's inability to perform the essential functions of their job may result in disciplinary action up to and including termination.

Staff involved in an accident while driving a County vehicle, or conducting County business using their own personal vehicle, shall notify their Supervisor and Department Head as soon as possible. Grand Traverse County will investigate all accidents involving damage to County property, private property, and/or injuries. Human Resources will be notified immediately in cases of injury to an employee or third party. Staff involved in an accident while driving a County vehicle, or conducting County business using their own personal vehicle, may be sent for a medical evaluation.

In accordance with the Michigan Municipal Risk Management Authority Insurance guidelines, the circumstances noted below will be cause for individuals being considered disqualified for driving privileges when they are driving a County issued vehicle and/or when they are traveling in their own vehicle on County business:

- Conviction of a driving-related felony.
- Loss of driving privilege through suspension or revocation of license due to an unsatisfactory driving record as defined by the Michigan Secretary of State.
- An at-fault accident resulting in a fatality (an at-fault accident is defined as one in which the individual has been fined, sued, and received an adverse judgment, the individual's insurance company settled for damages to other party, or the individual settled out of court or otherwise was determined to be liable).
- Accumulation of more than eight (8) points on the driving record within the last three (3) years.
- Conviction of any alcohol/drug related offense in the last three (3) years or two or more alcohol/drug-related convictions within any time period.
- Conviction of driving while license was suspended or revoked for moving violations within the last three (3) years will result in loss of driving privileges.
- In the event that an employee accumulates six (6) points or has more than two (2) events where points are added to their record within one (1) year, the employee may be required to take a driving class.

#### **6. Automobile Insurance**

Employees driving a non-county vehicle for County business must maintain and provide proof of insurance for that vehicle upon request.

#### **7. Assignment of a County Vehicle**

County vehicles may be assigned to specific County personnel or assigned for occasional use to support overall County operations. Such assignments may include, but are not limited to, administrative staff and other staff likely to make an emergency response. All County vehicles shall be properly operated, utilized and maintained by the assignees.

Employees will be assigned County vehicles to ensure their availability to the County and to allow the constant monitoring of County operations and providing of County services. Assigned vehicles shall be made available to other County functions when deemed necessary by the employee's immediate supervisor. When the assigned staff is on vacation, absent, or on light duty, their vehicle may be reassigned.

Employees that are assigned a County vehicle are expected to utilize their assigned vehicle, prior to using their personal vehicle, while traveling for County business, unless pre-approved by their Department Head.

Private use of an assigned vehicle while in transit will be limited to a maximum of three (3) additional miles. Staff may be permitted to use their vehicle while off duty, but only when their Department Head and County Administrator determine that operations are enhanced by doing so.

Assignment of a County owned vehicle is not guaranteed and may change based on the needs of the department or the County. The County reserves the right to suspend the privilege of an assigned vehicle for any reason.

## **8. Maintenance of a County Assigned Vehicle**

It is the responsibility of the assigned employees to arrange for and ensure the completion of, regular maintenance (oil, grease, lube, etc.), and repair work. Employees will be reimbursed for any out of pocket expenses incurred for these services.

The assigned employee shall be responsible for the appearance and cleanliness of his/her assigned vehicle. This includes but is not limited to the inspection of fluids, proper tire inflation, body damage or defects, and audible indications of mechanical defect.

Employees shall refrain from altering the body, general design, appearance, markings, mechanical or electrical system of the assigned vehicle including bumper stickers unless approved by their Department Head.

Employees using vehicles shall ensure the vehicle is adequately fueled (at least 1/2 tank). Employees shall report any vehicle malfunctions to their supervisor for corrective action.

Grand Traverse County will not be responsible for any personal equipment placed in County vehicles.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Violence in the Workplace Policy

### PURPOSE

The County recognizes the need to provide for the safety and security of all employees and visitors. In doing so, the County is complying with Section 5(a), Federal Occupational Safety and Health Act of 1970 (OSHA). Therefore, the County will not tolerate threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on the County's property. This includes physical attacks, verbal or physical threats, destruction of property, sexual harassment, intimidation, or abusive language. Grand Traverse provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.

### POLICY & PROCEDURE

#### Prohibited Conduct

Grand Traverse County does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. This list of behaviors provides examples of conduct that is prohibited:

- Causing physical injury to another person.
- Making threatening remarks.
- Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging employer property or property of another employee.
- Possessing a weapon while on company property or while on company business without prior approval. Prior approval must be expressly granted by the employee's department head and the County Administrator. The County Administrator need not approve if the department head is an elected law enforcement official.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

#### PROHIBITED ACTIONS AND SANCTIONS

It is a violation of this policy to engage in any act of workplace violence, except for law enforcement personnel as authorized by law and within the confines of the Law Enforcement agency policies. Any person who, in the opinion of the immediate supervisor, poses a threat to himself or others shall be removed from the premises and shall remain off the County's premises pending the outcome of an investigation. Such removal of any employee will be immediately reviewed by the County's Administrator, and the Human Resources Director. The County will initiate an appropriate response which may include, but is not limited to, reassignment of job duties, suspension or termination of employment, suspension and/or termination of any business relationship, and/or criminal prosecution of the person or persons involved.

#### Prevention

The County supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy and providing a reporting procedure to report incidents of violence without fear of reprisal.

## **Hiring**

The Human Resources Department takes reasonable measures to conduct background investigations to review candidates' backgrounds and to reduce the risk of hiring individuals with a history of violent behavior.

## **EMPLOYEE RESPONSIBILITY**

Any employee having knowledge of a threat or incident of workplace violence involving any other employee (as victim or perpetrator) must report such an act to a supervisor immediately. If the supervisor is either the victim or perpetrator of the violent act or threat of violence, the employee must report the incident to another manager or to Human Resources immediately.

Disciplinary action may result if the employee having knowledge of a suspected violent act fails to report the episode. All employees who apply for or obtain a protective or restraining order which lists the County's property or County's facilities as being protected areas must provide this information to the Director of his/her Department. The Director must report this information to the Director of Human Resources. The County and its employees shall cooperate fully with police and other law enforcement officials in the investigation and prosecution of violent acts unless Constitutional or statutory protections protect the employee from cooperation. The County understands the sensitivity and confidentiality of the information that may be requested, and recognizes and will respect the privacy of the reporting employee(s) to the extent authorized by law.

All employees should openly communicate with each other to be aware of any unusual activity that may identify the potential for or actual occurrence of workplace violence. Although Grand Traverse County does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform the HR department if any employee exhibits behavior that could be a sign of a potentially dangerous situation. Such behavior includes:

- Discussing weapons or bringing them to the workplace.
- Displaying overt signs of extreme stress, resentment, hostility or anger.
- Making threatening remarks.
- Showing sudden or significant deterioration of performance.
- Displaying irrational or inappropriate behavior.

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Any person engaged in suspected criminal acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

Recommendations for improved safety often come from employees. These suggestions are encouraged and may be channeled through supervisors or the Human Resources Department.

## **IMPLEMENTATION**

### **Managing a Potentially Violent Situation:**

Non law-enforcement employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Such employees should remain calm, make constant eye contact and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of such an employee or others, such notice should be given. Otherwise, such employees should cooperate and follow the instructions given. Such non-law enforcement employees are expected to assist the general public and fellow employees in a courteous manner, but not subject themselves to abusive conduct if confronted by:

**A distraught, harassing or abusively angry person:**

If a person becomes angry or abusive, such employee should courteously attempt to calm the person down. If that does not work, such employee shall ask a supervisor to intervene. The supervisor shall attempt to calm the person, inform them that they cannot serve the individual if they do not calm down, and be alert for potential danger to staff and others.

**A person threatening bodily harm:**

If a non-law enforcement employee feels that he/she or another person is threatened, and in danger of imminent bodily harm:

- The employee should attempt to leave the scene, if it can be done safely.
- 911 should be called as soon as it can be done safely.
- If the supervisor is not aware of the situation, the employee must notify him/her as soon as it can be done safely.

Law enforcement employees shall comply with their departmental policies regarding potentially violent situations.

## **REPORTING INCIDENTS - INTERNAL AND EXTERNAL**

Each incident of violent behavior, whether committed by another employee or an external individual, must be reported to a Department Director or, if observed by law enforcement personnel, reported in compliance with departmental policy and state law. The Department Director will assess and investigate the incident and determine the appropriate action to be taken. The Human Resources Director must be informed of all reported incidents of workplace violence.

Under no circumstances will an employee be penalized for reporting what the employee believes in good faith to be workplace violence under this policy. If any employee believes that he/she are being retaliated against for reporting workplace violence, he/she should report such conduct immediately to his/her direct supervisor, department head, or County Administrator. He or she also must notify the Human Resources Director.

## **CRISIS MANAGEMENT TEAM**

The Crisis Management Team may consist of the County Administrator, Human Resources Director, Under Sheriff, Health Officer, Prosecuting Attorney, and others as deemed necessary. The Crisis Management Team is responsible for the following:

- Evaluating potential violence problems.
- Assessing an employee's fitness for duty (through medical and/or mental health professionals).
- Selecting intervention techniques.
- Establishing a plan for the protection of co-workers and other potential targets.
- Coordinating with victims, families, other employees, media, and law enforcement personnel.
- Referring victims for appropriate assistance, including counseling.

Where the Crisis Management Team cannot be promptly convened as required, the County Administrator and/or Human Resources Director may act for the committee. Their actions will be reported to the full committee as soon as practical.

## Definitions

**Workplace violence** can include but need not be limited to: harassment, horseplay, threats, physical attacks or property damage.

A **threat** is the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard as to whether the party communicating the threat has the present ability to carry it out and without regard as to whether the expression is contingent, conditional or future.

**Physical attack** is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, biting, spitting, and throwing objects.

**Property damage** is intentional damage to property which includes property owned by the County, employees, visitors, or vendors.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Approved Personnel Policy (Safety Policy) 12/02 (Amended 12/04, 7/11, 2/13



## Voluntary Benefits Policy

### PURPOSE

To provide Grand Traverse County employees the opportunity to purchase additional benefits for themselves, their spouses and eligible dependents. Each benefit has separate eligibility periods and requirements.

### BENEFITS

#### **Vision Insurance**

Regular full-time and regular part-time employees are eligible on the first of the month following thirty (30) days of employment for coverage. Premium payments will be deducted through payroll. The coverage provides for vision exams, frames/lenses (in lieu of contact lenses) or contact lenses (in lieu of lenses) once every 12 month.

#### **Deferred Compensation and Roth 457(b) Plans**

The Deferred Compensation 457(b) Plan is an additional method by which eligible employees may systematically "set aside" a portion of their income into a voluntary savings program using pre-tax dollars, thus reducing the amount of their current taxable income, while building a reserve for the future. The contributions are made through payroll deduction.

The Roth 457(b) Plan is an after-tax contribution for eligible employees. Contributions will not reduce the employee's income taxes for the year (unlike pre-tax contributions). This plan helps employees save for the future and retirement. Voluntary contributions are made through payroll deduction. Roth contributions can be withdrawn tax-free when the requirements for a qualified distribution are met.

Employees may choose to participate in the plans and decide the level of contributions. Employees are able to start, stop, increase or decrease contributions at any time.

#### **Life Insurance**

As defined by the Voluntary Term Life Insurance Policy, regular status employees working a minimum of 15 hours per week shall be eligible for life insurance, effective the first day following six months of employment as an active member.

The plan includes the option to select coverage for your spouse and dependent children. Coverage of up to 5 times the employee's current annual salary (to a maximum of \$300,000) may be purchased. Employees may NOT enroll at the time of life changing event change, as with other insurances. When electing in excess of the Guaranteed Issue Amount (GIA), an Evidence of Insurability will be required.

The benefit terminates on the employee's last day of active employment or transfers to ineligible status. Coverage may be converted or ported into a private policy upon termination of employment.

Premium payments are paid by the employee and are deducted through payroll.

### **Reimbursement Account - Flexible Spending Account**

Regular full-time and regular part-time employees may enroll at the time of hire in a Dependent Care Flexible Spending Account (FSA). An employee's FSA will become effective on the first of the month following thirty (30) days of employment for coverage.

A FSA reimbursement account provides an opportunity for employees to set aside pre-tax dollars to pay eligible dependent care expense, thereby reducing the current amount of taxable income. Contributions are made through payroll deduction.

The employee may pay for eligible expenses with pre-tax dollars up to the amount that is contributed into the FSA plan. Expenses must be incurred during the allowable time period and disbursements cannot be made until the expense is incurred. FSA amounts are not allowed to be changed during the year unless there is a qualifying event. The annual amount contributed to an FSA can be changed during open enrollment.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Whistle Blower Policy

### PURPOSE

Grand Traverse County is committed to the highest standard of personal, ethical and legal standard for achieving business. Ensuring ethical and legal standard is the responsibility of every employee and is reflected in our relationship with internal and external customer. Accordingly, it is essential for each employee to exhibit responsible and ethical business behavior in all transactions/engagement either with internal or external customers. In context, Grand Traverse County encourages and supports employees making disclosures of any such suspected instances of unethical/improper behavior and intends to provide mechanism by way of "Whistle Blower Policy" to channelize reporting of such instances/complaints to ensure proper governance.

### GUIDELINES

The guidelines of the whistle blower policy are as follows:

- a) To define improper/unethical behavior.
- b) To define the scope and constitution of the Whistle Blower Committee and Investigator for the purpose of fact finding.
- c) To outline a mechanism/channel to report suspected instances of improper/unethical behavior.
- d) To outline the investigative procedure for such reported instances.
- e) To propose a review procedure for the investigated instances.
- f) To outline measures to protect disclosing employees against retaliation or recriminatory action from within the company.

### DEFINITIONS

- a) **Chairperson** The chairperson will be the County Administrator.
- b) **Employee** means every employee (probationer and confirmed) of the company, including heads of the functions and includes an ex-employee of the company.
- c) **Whistle Blower Committee** means the Committee comprising of County Administrator, Human Resource Director, Legal or any other person or Committee constituted for this purpose as deemed by the management (herein after referred to as "Committee").
- d) **Investigators** mean those persons authorized, appointed, consulted or approached by the County/Whistle Blower Committee for investigation.
- e) **Protected Disclosure** means any good faith communication that discloses or demonstrates an intention to disclose information that may be evidence of unethical or improper activity.
- f) **Subject** means a person who is the focus of investigative fact finding either by virtue of Protected Disclosure made or evidence gathered during the course of an investigation.

- g) **Whistle Blower** means an employee making a protected disclosure under this Policy. He/she is neither an investigator nor a finder of facts, nor does he/she determine the appropriate corrective or remedial action that may be warranted.
- h) **Improper/unethical behavior** for the purpose of this policy means and includes suspected or alleged illegal, false, misleading, dishonest, deceptive, unethical, corrupt or unconscionable conduct. A descriptive illustrative list of issue is mentioned in annexure A and shall also include other acts pertaining to breach of policy/misappropriation/harassment, etc.

### **Constitution and Scope of Whistle Blower Committee/Investigator**

The Whistle Blower Committee shall comprise of the members as mentioned below. The decision of nomination and appointment of Committee members shall be the discretion of the company and would not be by way of any nomination/voting procedure. The company can at its discretion change the structure of the Committee or the Committee members as it deems fit at any given point of time. In the event of any suspected disclosure against any of the Committee member, the alleged Committee member shall be replaced with appointment of a new Committee member by the chairperson of the Committee.

Title	Name	Designation
County Administrator	Nate Alger	Chairperson
Human Resources Director	Donna Kinsey	Committee Member
Finance Director	Dean Bott	Committee Member

The Committee may, on their own, conduct or review the fact finding exercise or, may at its discretion, appoint an investigator/group of investigator/department personnel to investigate into the suspected wrongful, unethical or improper act/behavior and such appointment of the investigator would only be for a specific case. While appointment of any investigator, the Committee shall exercise due caution to ensure that the aforesaid investigator/group of investigators has no conflict of interest and would conduct the investigation in true spirit of governance.

The investigator so appointed shall derive authority from the Committee and shall have access to review reports/data as relevant in context of the reported incidence/instance. The investigation shall ordinarily complete within 30 days of receipt of the disclosures and shall be reviewed by the Committee in case of any delay/lapses. The cases so referred to the Committee for review of action would be on a monthly basis.

### **Process for Filing a Complaint**

The opportunity provided under this policy is for disclosing wrongful/unethical/improper acts which are considered to be in deviation of the policy defined either by negligence or intentional disregard and should not be used as a defense or a mechanism to mislead the County against a legitimate action initiated.

The perspective behind such policy being good governance, the County encourages disclosures in good faith but any false allegations of alleged wrongful conduct to the Committee shall be subject to disciplinary action up to and including termination/dismissal from employment. Hence deliberate and false reporting shall not be tolerated and would expect the whistle blower to disclose his/her identity. The identity of the whistle blower would be kept confidential to avoid any retaliation or

victimization during the course of investigation and the company reserves it right to not investigate into complaints which are anonymous.

However, an employee/staff member after being aware of the conduct and considering the appropriateness of any suspected unethical/improper behavior can disclose/raise a concern/complaint in writing or email to the members of the Committee or the Chairman of the Committee either with or without information to his/her immediate superior.

All such written complaints should be sent to the following address:

The Chairperson/Member –Whistle Blower Committee

Nate Alger

400 Boardman Avenue

Traverse City, MI 49684

The Human Resources Department would be custodian of all such complaints.

On having reported the incidence/instance to the Investigation Committee, the Investigation Committee would appoint/authorize an investigator/group of investigators or department personnel to investigate into such acts.

The decision to conduct an investigation is not an accusation and is to be treated as a neutral fact-finding process. The outcome of the investigation may or may not support a conclusion that an improper or unethical act was committed and, if so, by whom.

The investigation officer(s) so appointed hence would conduct the preliminary fact-finding and analysis to determine whether or not the reported alleged improper or unethical act is material and establish the same on the following consideration:

- a) The allegation, if true, constitutes an improper or unethical activity, and;
- b) Either the allegation is accompanied by information specific enough to be investigated or matters that do not meet this standard may be worth management review, but should not be undertaken as an investigation of an improper or unethical activity.

Based on the consideration/assessment, if the investigation officer(s) determines that the matter does not qualify as a whistleblower case, he/she may directly without further investigation resolve the matter and shall convene the decision including the rationale for such determination in writing or email to the Committee to maintain transparency.

Post preliminary assessment and consideration, if the investigator establishes that the matter qualifies for further investigation, he may accordingly complete the investigation within the stipulated period and submit his report to the Committee with his recommendation. The Committee based on the facts provided would decide on the course of action/ratify the recommended action. The implementation of action would be done by the Human Resource Department.

Technical and other resources/data as required may be drawn upon to augment the investigation.

It is expected that the subject co-operate with the Investigation Committee or the authorized person(s) appointed to conduct the investigation. The subject will be informed of the allegations before commencement of a formal investigation in writing/email and would have the right to represent his/her case. It is expected that the subject refrains from interfering in the investigation process by non-cooperation, mollified intent, undue influence or tampering record/evidence; the

Committee/Investigator in that event shall decide on the basis of evidence available and shall base their decision on fair judgment.

The disciplinary or corrective action as decided by the Committee and would be in line with current practices.

## **Review**

In the event of the subject being aggrieved by the initial order and submits his representation for re-consideration by offering certain facts/evidence for change of action, it would be the discretion of the Committee whether to re-consider such claims else the initial order shall be final.

Following are some of the issues which Grand Traverse County encourages to be reported:

- Any unlawful act whether civil or criminal.
- Breach of County's policies.
- Breach of or failure to implement or comply with any approved County policy.
- Knowingly breaching any state/national laws or regulations.
- Unprofessional conduct or business practice.
- Fraudulent or corrupt practices (including the offering or accepting of bribes or other gaining undue advantage from a relationship with the County).
- Questionable practices that have in any manner circumvented the laid down procedures and policies of the County.
- Dangerous practice(s) likely to cause physical harm/damage to any person/property.
- Failure to rectify or take reasonable steps to report a matter likely to give rise to significant and avoidable cost or loss to the County.
- Abuse of power or authority for any unauthorized or hidden purpose.
- Unfair discrimination, coercion, harassment in the course of employment or provision of services.
- Any violation of Governance weaknesses.
- Possible irregularities or financial reporting Issues.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.



## Written Hazard Communication Program

### PURPOSE

The hazard communication program has been established for reference by the employees, patrons, and contractors of Grand Traverse County. This program will provide reference for chemical use on County properties. The goal is to ensure proper chemical identification, safety procedures for emergency response, and prevention of hazardous exposures.

### POLICY & PROCEDURE

#### Hazard Classification

Chemical manufacturers or importers shall evaluate chemicals they produced or imported to classify the chemicals in accordance with the revised Hazard Communication Standard.

Effective June 1, 2015 - For each chemical, the chemical manufacturer or importer shall determine the hazard classes, and where appropriate, the category of each class that apply to the chemical being classified. This information will be placed in the Material Safety Data Sheet/Safety Data Sheet (MSDS/SDS) and on the product label.

Grand Traverse County will rely on MSDS/SDSs obtained from product suppliers to determine which chemicals are classified as hazardous for employees.

#### Labeling

A. The Department Head and/or the employee under the direction of the Department Head shall be responsible for seeing that all containers entering the workplace from a manufacturer, importer or distributor are properly labeled.

B. All labels shall be checked for:

Current requirements	Requirements effective June 1, 2015
1. Identity of the material. 2. Appropriate hazard warning for the material. 3. Name and address of the responsible party. (Only if the container is received from the manufacturer, distributor, or importer.)	1. Product identifier; 2. Signal word; 3. Hazard statement(s); 4. Pictogram(s); 5. Precautionary statement(s); and, 6. Name, address, and telephone number of the chemical manufacturer, importer, or other responsible party.

C. The Department Head and/or the employee under the direction of the Department Head shall be responsible for ensuring that all secondary containers used in their work area are labeled with the appropriate product identifier and provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

D. The employer shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with either (a) or (b) listed below:

- a. The information specified for labels on shipped containers; -- OR --
- b. Product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

### **List of Hazardous Chemicals**

A list of all hazardous chemicals used by Grand Traverse County is located in the Facilities Management Department. Further information regarding any of these chemicals can be obtained by reviewing its respective MSDS/SDS.

Materials which can be purchased by the ordinary household consumer, and which are used for the intended purpose and amount as by the ordinary household consumer, are not required to be included in this list. (It is suggested that you maintain a separate list of all materials you consider to be "consumer use" materials.)

### **Safety Data Sheets**

Effective June 1, 2015, chemical manufacturers or importers shall ensure that MSDS/SDSs for their products include the following sections, in order:

- Section 1, Identification;
- Section 2, Hazard(s) identification;
- Section 3, Composition/information on ingredients;
- Section 4, First-aid measures;
- Section 5, Fire-fighting measures;
- Section 6, Accidental release measures;
- Section 7, Handling and storage;
- Section 8, Exposure controls/personal protection;
- Section 9, Physical and chemical properties;
- Section 10, Stability and reactivity;
- Section 11, Toxicological information;
- Section 12, Ecological information;
- Section 13, Disposal considerations;
- Section 14, Transport information;
- Section 15, Regulatory information; and
- Section 16, Other information, including date of preparation or last revision.

A. Facilities Management Director will be responsible for compiling and maintaining the master MSDS/SDS file for Grand Traverse County. The file will be located at the Facilities Management Department.

B. Additional copies of MSDS/SDSs for employee use are located in each County facility, as indicated below:

- Civic Center - Pool office
- COA Garage - By the bathroom
- DPW Shop – Employee office area
- Facilities Shop – Wood shop

- Front Street Building – Lower level break room
- Governmental Center – Lower level, near cafeteria
- Hall of Justice – Lower level, across from vending machines
- Health Services Building – Reproductive Health lab
- Historical Courthouse – First floor hallway
- Jail – Hallway, between Intake and Shift Commanders Office
- Law Enforcement Center – Lower level hallway
- Prosecutor's Office - Kitchen Area
- Public Services Building – South wall of break room
- Senior Center – Southeast wall of dining room
- Twin Lakes Conference Center – Gilbert lodge

C. MSDS/SDSs will be available for review to all employees during each work shift. Copies will be available upon request to the Department Head or Supervisor. Posters notifying employees when new or revised MSDS/SDSs are received will be located in the same locations.

D. The individual responsible for maintaining MSDS/SDSs at each County facility is indicated below.

Facilities Management Director:

- Facilities Shop
- Governmental Center
- Hall of Justice
- Historical Courthouse
- Jail
- Law Enforcement Center

Parks and Recreation Director:

- Civic Center
- Twin Lakes Conference Center

Prosecuting Attorney Office Manager:

- Prosecutor's Office

Safety Coordinator:

- Health Services Building

Program Supervisor (Commission on Aging (COA)):

- COA Garage
- Front Street Building
- Senior Center

Department of Public Works (DPW) Manager:

- DPW Shop

Director of Environmental Health and Animal Control:

- Public Services Building

E. If a required MSDS/SDS is not received, the Department Head and/or the employee under the direction of the Department Head shall contact the supplier, in writing, to request the MSDS/SDS. If an MSDS/SDS is not received after two such requests, the Department Head and/or the employee under the direction of the Department Head, shall contact the MIOSHA's Construction Safety and Health Division at (517)322-1856 or General Industry Safety and Health Division (GISHD) at (517)322-1831, for assistance in obtaining the MSDS/SDS.

## **Employee Information and Training**

- A. Human Resources shall provide training on hazardous chemicals (GHS) to all new employees during their new employee orientation. Human Resources will maintain records of all employee training.
- B. The Department Head and/or the employee under the direction of the Department Head shall provide employees with information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area.
- C. Before their initial work assignment, each new employee will receive hazard communication training. This will include the following:

### **Information**

- The requirements of the MIOSHA Hazard Communication Standard.
- All operations in their work area where hazardous chemicals are present.
- Location and availability of the written hazard communication program, the list of hazardous chemicals, and the MSDS/SDS.
- The employer is prohibited from discharging, or discriminating against, an employee who exercises his/her rights to obtain information regarding hazardous chemicals used in the workplace.
- As an alternative to requesting an MSDS/SDS from the employer, the employee can seek assistance from the MIOSHA Construction Safety and Health Division, at (517)322-1856, or the MIOSHA General Industry Safety and Health Division at (517)322-1831, to obtain the desired MSDS/SDS. A sign or MIOSHA poster will be posted with the address and telephone number of the MIOSHA Divisions responsible for such requests.

### **Training**

- Methods and observations that can be used to detect the presence or release of hazardous chemicals in the work area;
  - The physical, health, simple asphyxiation, combustible dust and pyrophoric gas hazards, as well as hazards not otherwise classified, of the chemicals in the work area;
  - Measures the employees should take to protect themselves from these hazards;
  - Details of the hazard communication program - including an explanation of the new label elements [product identifier; signal word; hazard statement(s); pictogram(s); and, precautionary statement(s)] on shipped containers and the workplace labeling system used by their employer; the new SDS format/sections; and,
  - How employees can obtain and use hazard information.
  - Equipment sizing and instruction on usage requirements.
- D. Before any new physical or health hazard is introduced into the workplace, each employee who may be exposed to the substance will be given information in the same manner as during the hazard communication training.

### **Hazardous Non-routine Tasks**

- A. Occasionally, employees are required to perform non-routine tasks (i.e., clean reactor vessels, enter confined spaces, etc.). Prior to starting work in such areas, each employee will be given

information from their Department Head and/or the employee under the direction of the Department Head, about the hazards of the area or procedure. This information will include:

1. Specific chemical hazards.
2. Protection/safety measures the employee can take to lessen risks of performing the task.
3. Measures the company has taken to eliminate or control the hazard, including:
  - a. Air monitoring.
  - b. Ventilation requirement.
  - c. Use of respirators.
  - d. Use of attendants to observe procedures, and emergency procedures.

B. It is the policy of Grand Traverse County that no employee will begin performance of a non-routine task without first receiving appropriate health and safety training.

C. Hazardous non-routine tasks we have at Grand Traverse County include, but are not limited to: confined spaces, air handlers.

## **Contractors**

A. The County shall inform contractors performing work on site of the following:

1. Identification of hazardous chemicals they may encounter or which are stored in the immediate work area.
2. Measures the employee can take to control or eliminate exposure to the hazardous chemical.
3. The container and pipe labeling system used on-site.
4. Where applicable MSDS/SDSs can be reviewed or obtained.

B. Periodically, our employees may potentially be exposed to hazardous chemicals brought on our site by a contractor. When this occurs, such contractors will be required to provide the County with:

1. Identification of hazardous Chemicals County employees may encounter or be exposed to prior to and during the scheduled project.
2. Measures County employees can take to control or eliminate exposure to the hazardous chemicals.
3. MSDS/SDSs prior to any chemical usage. The Department Head working with the Contractor shall be responsible for obtaining this information prior to any services being performed by the Contractor.

*Note: safety signage shall be posted at all job sites*

Pipes and Piping Systems Information on the hazardous contents of pipes and piping systems will be identified by the label with contents of the pipe. Natural gas, steam, and compressed air lines (with pressures exceeding 25 psig) must be identified in all industrial facilities.

ANSI AI3.1-1981 recommends the following colorations:

- |         |                         |
|---------|-------------------------|
| Red:    | Danger – High voltage   |
| Yellow: | Caution – Reactive      |
| Blue:   | Caution – Health Hazard |

*This policy has been modeled after the Suggested Written Hazard Communication Policy provided by MIOSHA.*

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.

Adopted October 31, 2012 Amended July 2014 --- Revisions to policy due to new code system (GHS)