



ST. JOSEPH COUNTY
EMPLOYEE HANDBOOK

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INTRODUCTION

Welcome to employment with St. Joseph County. Working with the County is a special career dedicated to the needs and interests of St. Joseph County residents. We always strive to serve the public in the most effective and efficient way possible. Public service is an important job and we do it well. You can be proud to be part of an outstanding organization.

You will find this employee handbook useful whether you are a new or long time employee. It has been written to provide a general description of current personnel policies, procedures, benefits and other important aspects of your employment with the County. This handbook will answer most of your questions about your employment and additional information is available from your department head and from the Human Resources Department.

SCOPE, PURPOSE AND INTENT

This personnel handbook is applicable to all personnel employed by St. Joseph County (hereinafter sometimes referred to as "County" or "Employer"). Where any provisions in this handbook conflict with a labor contract, the labor contract shall control. Further, this personnel manual is not applicable to any elected County officials unless specifically stated that it applies to elected officials.

It is the purpose and intent of this manual to act as an information outline of benefits that St. Joseph County provides to some of its employees. This manual should not be construed as creating a contract between the Employer and employees. The interpretation and operation of the benefits noted herein are within the sole discretion of the St. Joseph County Board of Commissioners (hereinafter sometimes referred to as "County Board"). Benefits outlined in this document may be added to, expanded, reduced, deleted or otherwise modified by the St. Joseph County Board of Commissioners and any such modifications in the manual shall be solely within the discretion of the County Board. The Employer reserves and retains, solely and exclusively, all rights to manage and operate its affairs and neither the constitutional nor the statutory rights, duties and obligations of the Employer shall in any way whatsoever be abridged by the terms of this manual.

No person or representative of the Employer, other than the County Board of Commissioners, has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the provisions contained herein. The employees covered under this manual are employees at will. Their employment and compensation can be terminated with or without cause. An employee cannot rely upon custom or prior practice. The fact that these policies may have been applied differently in the past does not affect their current or future enforcement.

SECTION I: EMPLOYMENT PRACTICES

POLICY ON EQUAL EMPLOYMENT

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

It is the policy of the St. Joseph County Board of Commissioners, to provide equal opportunity in employment to all applicants and employees. No person will be discriminated against in employment because of religion, race, color, national origin, age, sex, height, weight, marital status, military status, or a mental and physical disability, provided that such disability does not prevent an individual from performing the essential functions of the job, with or without reasonable accommodation. If you should need any accommodation in order to perform your job or any task that may be assigned to you, you should notify your supervisor as soon as possible.

Our equal employment opportunity policy applies to all terms, conditions, and privileges of employment with the County, including, but not limited to, hiring, training, employee development, promotion, demotion, transfer, compensation, fringe benefits, and termination. Discrimination on the basis of any of the characteristics listed above, or any other characteristics protected by federal or state law, is not practiced by the County and will not be tolerated.

Any employee who feels that he or she has been the victim of discrimination should promptly report the matter to his or her department head. If, for any reason, the employee feels uncomfortable in discussing the matter with his or her department head, the employee should report it to the Human Resources Director.

WORKPLACE ANTI-HARASSMENT POLICY

Purpose:

The purpose of this policy is to contribute to a quality work environment for all the employees and to inform each person of their rights and responsibilities in achieving that goal with respect to each person being free from intimidation, humiliation, insults, or from being subjected to offensive physical or verbal abuse or actions, direct or insinuated, or based on a person's sex, whether of the opposite sex or of the same sex. Any form of harassment, whether intentional or unintentional will not be tolerated and employees who violate the policy will be subject to discipline up to and including discharge.

Definitions:

Workplace Harassment: Any unwelcome verbal, written or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race,

sex, color, height, weight, national origin, religion, sexual orientation, age, veteran status, political affiliation, disability, or any other classification protected by law that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an employee's work performance; or (3) affects an employee's employment opportunities or compensation.

Sexual Harassment: Any unwelcome sexual advance, request for sexual favors, or verbal, written or physical conduct of a sexual nature by a manager, supervisor, co-workers or non-employee (third party).

- Quid pro quo — A form of sexual harassment when a manager/supervisor or a person of authority gives or withholds a work-related benefit in exchange for sexual favors. Typically, the harasser requires sexual favors from the victim, either rewarding or punishing the victim in some way.
- Hostile Environment — A form of sexual harassment when a victim is subjected to unwelcome and severe or pervasive repeated sexual comments, innuendoes, touching, or other conduct of a sexual nature which creates an intimidating or offensive place for employees to work.

Examples of Prohibited Conduct:

Many kinds of behavior may fit within the above definitions of harassment. Any harassment that violates local, state or federal law will be unacceptable. The following list is not exhaustive:

- Making derogatory comments, insults, suggestive remarks, jokes or innuendos based on a person's sex, race, religious affiliation, etc.
- Displaying photographs, cartoons or drawings that would be offensive to a reasonable person: sexual, ethnic, gender, racial or religious jokes, insults, comments or innuendos.
- Conduct which when viewed by a reasonable person would have the purpose or effect of degrading or creating an intimidating, hostile or offensive work environment.
- Propositions or requests for inappropriate favors.
- Repeatedly using degrading words, body language, or sounds to describe a person.
- Unwanted and unnecessary touching, patting, hugging, or other physical contact.

Policy Violations:

- Engaging in Harassment — Any employee who engages in prohibited conduct, or who encourages such conduct by others, shall be subject to corrective action, which may include discharge from employment.

- Allowing Harassment — Managers and/or supervisors who fail to take appropriate corrective action upon becoming aware of the harassment shall be subject to discipline up to and including termination.

Steps for Filing a Complaint:

Any employee who believes he or she has been the subject of any unlawful harassment should report the incident immediately to his/her manager using the Employee Harassment Complaint Form. For the Employer to most effectively investigate and respond to alleged harassment, the complaint should be made as promptly as possible after the alleged harassment occurs. [The employee's manager shall then immediately notify the County Human Resources Director.] A complaint may be filed by an employee who was not the target of harassment or retaliation. The complaint will promptly be investigated in a fair and expeditious manner. Both the complainant and the alleged harasser will be notified of the outcome of the investigation. A copy of the report will be given to the County Administrator and the applicable manager/elected official/judge.

Where the immediate manager: (1) was a participant in the prohibited activity; (2) condoned the activity; (3) failed to respond in writing in a timely fashion without good cause; or (4) responded unsatisfactorily, the employee may at his or her choosing submit a written complaint using the Employee Harassment Complaint Form directly to the County Human Resources Director. If the alleged harasser is the County Human Resources Director the complaint should be provided to the County Administrator.

Reasonable accommodation will be provided, upon request, for persons with disabilities who need assistance filing or pursuing a complaint of harassment.

In those situations where a violation has been shown to have occurred, prompt action, as deemed appropriate under the circumstances, will be taken to remedy the situation. A violation of this policy shall be considered misconduct and grounds for discipline up to, and including, discharge.

Anonymous complaints will not be investigated.

Confidentiality:

To the extent permitted by law, all complaints and the actions taken to resolve such complaints will be treated confidentially, and will be disclosed only when necessary to the investigation or to take corrective measures for the resolution of the matter.

Non-Retaliation:

The above policy not only strictly prohibits harassment but also prohibits any retaliation against an employee who, in good faith, has filed a complaint pursuant to this policy. Any employee who is found to have taken actions determined to be retaliatory in nature against a complainant shall be subjected to disciplinary action, up to and including

discharge. Persons who believe that they were retaliated against for exercising their rights under this policy should immediately file a complaint with their manager or, in the case of retaliation from the manager, with the Human Resources Director.

False Complaints:

Any employee who knowingly files a false complaint of harassment, or who knowingly provides false information to County officials who are investigating a complaint of alleged harassment, shall be subject to disciplinary action, up to, and including, discharge.

AMERICANS WITH DISABILITIES ACT

The Americans With Disabilities Act may require the County to make reasonable accommodation to job applicants and employees with disabilities. In case any provision in these policies and procedures conflict with the County's duty to accommodate, the duty to accommodate will prevail. It is understood that an accommodation made to an individual under ADA will depend solely on the facts of the situation and will not necessarily apply to any other situations.

DEFINITION OF EMPLOYMENT STATUS

All regular County employees will be assigned to one of three categories of employment status, as follows:

- A regular full-time employee is one who is assigned to a position that normally:
 - (a) works 40 hours per week,
 - (b) is of unrestricted duration and can be expected to exist as long as budgeted funds are available and such position is necessary to the objectives of the County,
 - (c) has budgeted funds available for all employee benefits,
 - (d) is entitled to all benefits shown in this booklet.

- A regular part-time employee is one who is assigned a position that normally:
 - (a) works 29 or less hours per week,
 - (b) is of unrestricted duration and can be expected to exist as long as budgeted funds are available and such position is necessary to the objectives of the County,
 - (c) has budgeted funds available for certain employee benefits,
 - (d) earns pro-rated vacation, sick time and personal leave. Employee may participate in the retirement and insurance programs if eligibility requirements are met and will receive holiday pay.

- Such employees receive no benefits other than those mandatory by State or Federal Law. Temporary or seasonal employment does not guarantee an appointment to a regular position.

Consultants are independent contractors and are not considered County employees.

RESIDENCY

Each applicant for employment by the County must reside in or within 20 miles of the nearest boundary line of St. Joseph County or must agree as a condition of continued employment to establish and maintain residence in or within 20 miles of the County, within six months following the date of employment.

This residency requirement may be waived only when it is demonstrated that the requirement creates an inability to recruit or retain qualified applicants for a specific job position. Department Managers must request the waiver in writing to the Board of Commissioners. This request must include reason for hiring or retaining a non-resident.

Failure of an employee hired under this policy to maintain residence in or within 20 miles of the nearest boundary line of St. Joseph County, without an approved waiver from the Board of Commissioners, shall constitute grounds for discharge of the employee.

NEW EMPLOYEE ORIENTATION

All regular employees may, on or before the first day of employment, receive and complete necessary orientation and benefit documents from Human Resources. Information regarding personnel policies and benefits will be distributed. All new employees must attend the orientation program, and supervisors will provide new employees sufficient time away from their duties to attend the program.

An orientation program for new employees may be conducted in the hiring department by the immediate supervisor within a reasonable time after the employee has joined the staff.

SECTION II: EMPLOYEE BENEFITS AND PROTECTIONS

VACATION

All regular full-time employees covered by this policy shall be entitled to paid vacation and shall accrue and earn this vacation in accordance with the schedule listed below. Regular part-time employees hired before December 31, 2015 shall be entitled to paid vacations at one-half ($\frac{1}{2}$) the full-time accrual schedule:

| | |
|-------------------------------------|----------|
| 5 days at the time of hire and | |
| 8 more days after completing 1 year | |
| 15 days after | 5 years |
| 17 days after | 9 years |
| 20 days after | 14 years |
| 25 days after | 20 years |
| 30 days after | 25 years |

Vacation time shall be accumulated to a maximum of one and one-half ($1\frac{1}{2}$) times the employee's annual accrual.

Vacations will be scheduled with due consideration given to the employee's request. Scheduling shall be at the discretion of the department manager.

When an employee is laid off, retires, or severs employment, or when an employee becomes appointed or elected to a County elected position, he/she will receive payment, provided the applicable notice is given (see resignation/retirement policy) for any unused vacation time including that accrued in the current year on a pro rata basis up to the maximum accrual. This applies only to employees with six (6) consecutive months or more of service.

Only employees that submit documentation (on bi-weekly time sheets) will be paid according to this policy.

A vacation may not be waived by an employee and extra pay received for work during that period.

Vacations may be taken any time during the year following the anniversary date, provided that proper application is made and the requested date is approved by the department head.

HOLIDAYS

Paid holidays for regularly scheduled full-time employees not covered by the provisions of a collective bargaining agreement shall be those listed below:

| | |
|-----------------------------------|--------------------------|
| 1. New Year's Day | January 1 |
| 2. Martin Luther King, Jr. Day | 3rd Monday in January |
| 3. Presidents' Day | 3rd Monday in February |
| 4. Good Friday | |
| 5. Memorial Day | last Monday in May |
| 6. Independence Day | July 4 |
| 7. Labor Day | 1st Monday in September |
| 8. Veteran's Day | November 11 |
| 9. Thanksgiving Day | 4th Thursday in November |
| 10. Friday after Thanksgiving Day | |
| 11. Christmas Eve | December 24 |
| 12. Christmas Day | December 25 |
| 13. New Year's Eve | December 31 |

When New Year's Day, Independence Day, Veterans' Day, or Christmas Day falls on Saturday, the preceding Friday shall be a holiday. When New Year's Day, Independence Day, Veterans' Day, or Christmas Day falls on a Sunday, the following Monday shall be a holiday. When Christmas Eve or New Year's Eve falls on Friday, the preceding Thursday shall be a holiday. When Christmas Eve or New Year's Eve falls on Saturday or Sunday, the preceding Friday shall be a holiday.

To be eligible for the above-mentioned holidays, employees shall work their prior scheduled day before and their scheduled day after the holiday unless prevented by circumstances beyond the employee's control, or permission has been granted in advance by the appropriate supervisor.

Regular full-time employees will be paid at their regular rate of pay for each observed holiday.

An employee working on a holiday will receive straight time rate for all hours worked, in addition to any holiday pay to which the employee might be entitled to under this policy.

To qualify for holiday pay, an employee must work all of the scheduled hours on the last scheduled day before and the first scheduled day after the holiday, unless excused by the department head.

SICK LEAVE

Employees eligible for sick pay are full-time employees and regular part-time employees hired before December 31, 2015. Sick leave is payable only after completion of thirty (30) calendar days employment.

- A. Eighty-eight (88) hours of sick leave shall be provided in January 2016. Eighty (80) hours of sick leave shall be provided in January of each year thereafter.
- B. Unused sick leave may be accumulated from year-to-year up to a maximum bank of two hundred forty (240) hours. Employees who have sick time accumulations in excess of 240 hours as of December 31, 2015, shall be paid 75% of any hours in excess of 240 hours.

Regular part-time employees who qualify shall be entitled to paid sick leave at one-half ($\frac{1}{2}$) the full-time benefit and is payable only after completion of thirteen (13) consecutive weeks.

When an employee is laid off, voluntarily separates from employment, or retires after completing six (6) years of employment, the employee shall receive 50% pay for all accumulated sick leave up to two hundred forty (240) hours' accumulation, provided the applicable advance notice is given (see Resignation/Retirement Policy).

Utilization

An employee shall be entitled to utilize sick leave in the following instances:

- A. In the event of illness, injury, temporary disability or exposure to a contagious disease endangering others.
- B. For illness, injury or temporary disability in the immediate family and provided the employee's presence is required. "Immediate family" in such cases shall include the employee's spouse, children and any persons whose financial or physical care the employee is principally responsible.
- C. For employee's doctor or dentist appointments and for doctor or dentist appointments for the employee's immediate family, as defined in B. above, provided the employee's presence is required.
- D. For illness, injury or temporary disability of the employee's legal mother or father when the employee's presence is required, but only up to a total of five (5) days per calendar year. (A "day" shall be based on the equivalent number of hours normally worked by the employee in a day.)

Department Managers shall note on the bi-weekly payroll sheets when sick leave is used for the purposes defined in D. above.

Employees who are on sick leave more than three (3) consecutive work days may be required to present a signed, written statement from their physician stating they or a covered family member was ill and the employee is now physically able to return to work prior to starting work. Any and all cost required to obtain such statement from a physician will be paid by the employee. Failure to provide appropriate physician statement, if directed to do so, could lead to discipline up to and including discharge. If qualified, leave may also be classified under the FMLA.

PERSONAL LEAVE

Each full-time employee shall be entitled to two (2) personal leave days each year. Personal leave days shall not accumulate from year-to-year.

Only employees that submit documentation (time sheets) will be paid according to the Policy Manual.

Personal leave must be taken in a minimum of one hour increments. Employees should request permission to utilize personal leave in advance of the days selected unless the leave is for the employee's unexpected illness or injury.

LEAVES OF ABSENCE

Employees retain and continue to accumulate seniority while on approved leaves of absence. Leaves of absence are without pay and benefits, unless otherwise provided. Leaves of absence are not to be used for the purpose of obtaining or working at other employment. An employee who gives a false reason for a leave of absence is subject to discipline, up to and including discharge. An employee who is on an unpaid leave of absence, who accepts other employment without prior consent of the Department head, shall be deemed to have resigned his/her County employment.

- Personal Leave Without Pay. A department head may, at his/her discretion, grant a personal leave of absence for good cause for a period not to exceed ten (10) days per year. A personal leave of absence for a longer period, not to exceed six (6) months, must also be approved by the Board of Commissioners. A personal leave of absence must be requested and approved in writing.
- Bereavement Leave. Up to five (5) consecutive days leave from the date of death, excluding weekends and holidays, may be used as funeral leave for the death of a spouse, child or **current step-child**, upon proper notification as soon as reasonably possible, to the department manager or county administrator/controller in the case of a department manager.

Up to three (3) consecutive days leave from the date of death, excluding weekends and holidays, may be used as funeral leave for the death of a parent, brother, sister, step-parents, parents-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-

law, grandparent or grandchild, upon proper notification as soon as reasonably possible, to the department manager or county administrator/controller in the case of a department manager.

One (1) day to attend the funeral of an aunt or uncle shall be permitted.

No pay will be granted under this policy if the employee fails to attend the funeral.

This policy is for the purpose of providing compensation to an employee, which he/she would normally have received, for time lost from scheduled work and is not intended to provide for extra pay or pay for days the employee would not normally have worked.

An employee selected to be a pall bearer at a funeral of a deceased County employee will be granted time off with pay for the time necessary to attend this funeral.

An employee may use personal or vacation time to attend the funeral of anyone not covered above in lieu of losing pay.

- Military Leave. Military leave will be granted to employees who are members of the reserve of the U.S. Armed Forces and the National Guard when they are required to fulfill training obligations. If the employee's military pay is lower than the employee's regular rate of pay with the County, the employee will receive the difference between the regular rate of pay with the County and the compensation received from the government for such period, but this will apply for a maximum of two (2) weeks in any year.
- Jury Duty Leave. An employee who is summoned to and reports for jury duty shall suffer no loss of pay for the actual time necessary to complete the jury assignment. Employees shall return to the County any jury fees, but not travel reimbursements, received for the compensated time. In order to receive payment, an employee must give the department head prior notice of the summons for jury duty and must furnish satisfactory evidence that he/she reported for jury duty on the days claimed for payment. Any employee who is excused for any reason from jury duty will be required to report promptly to work.
- Educational Leave Without Pay. A full-time employee who has completed one (1) year of employment may be granted a leave of absence to pursue further education in a job-related course of instruction for a period up to one (1) year, at the discretion of the Human Resources Director. A request for such leave of absence must be in writing, and the request must be approved by the Human Resources Director before the leave begins. No benefits shall accrue or continue when on such leave.
- Workers' Compensation Leave. An employee disabled due to a work-related injury which is compensable under the Michigan Workers' Disability Compensation Act shall be entitled to receive the applicable workers' compensation benefits required by law and shall be granted a workers' compensation leave of absence for the period of such disability.

FAMILY AND MEDICAL LEAVE

It is the intent of the Employer that this policy fully comply with the minimum requirements of the Family and Medical Leave Act of 1993, including the January 2008 amendment to protect military families.

Section 1: General

A regular employee who has completed twelve (12) months of employment and worked at least 1250 hours for the Employer in the past twelve (12) months is eligible for a Family and Medical Leave Act leave for a period not to exceed twelve (12) work weeks during a twelve (12) month rolling period, beginning on the first day of the employee's leave and ending twelve (12) months later. All Family and Medical Leave Act leaves must be in writing, must give the reason for the leave, must give the expected duration of the leave and must be approved by the Employer. Family and Medical Act leave of absence may be granted in the following cases:

1. A serious health condition that makes the employee unable to perform the functions of his/her position;
2. In order to care for the employee's spouse, son, daughter or parent if the person being cared for has a serious health condition;
3. Because of the placement of a son or daughter with the employee for adoption or foster care and in order to care for such son or daughter;
4. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter;
5. Up to 26 work weeks in order to care for the employee's spouse, son, daughter, parent, or the nearest next of kin blood relative injured or ill in the line of duty while on active duty in the Armed Forces, provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating; final regulations to be determined by the Secretary of Labor;
6. Up to 12 work weeks for "any qualifying exigency" arising out of a spouse, son, daughter or parent in the military that is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation.

Leaves under the Family and Medical Leave Act run concurrently with other related leaves. Qualified employees will be placed on FMLA if the leave fits one of the eligible situations listed above and the other requirements are satisfied.

Section 2: Key Employees

Employees qualified as “key” employees may be denied restoration to employment following an FMLA leave. A “key” employee is an employee who is salaried and is among the highest paid 10% of employees. Upon learning of need or request for FMLA leave, an employee must be notified by the Employer of his/her status as a “key” employee if there is any possibility that the Employer may deny reinstatement after the leave. The Employer may deny restoration to a “key” employee only if necessary to prevent substantial and grievous economic injury to the operations.

Section 3: Notice

For leave taken due to the birth of a child or the placement of the child with the employee, and where the leave is foreseeable based on the expected birth or placement, the employee shall provide the Employer with not less than thirty (30) calendar days’ notice before the date the leave is to begin, except that if the date of the birth or placement requires leave to begin in less than thirty (30) calendar days, the employee shall provide such notice as soon as practicable.

When the employee’s leave is due to care of a spouse, child or parent of the employee or to the employee’s serious health condition and the leave is foreseeable based on planned medical treatment, the employee:

1. Shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the Employer, subject to the approval of the health care provider, and;
2. Shall provide the Employer with not less than thirty (30) calendar days’ notice before the date leave is to begin, except that if the date of treatment requires leave to begin in less than thirty (30) calendar days the employee shall provide such notice as is practicable.

Section 4: Certification for Medical Leaves

For leaves taken to care for a sick spouse, son, daughter or parent of the employee, or due to a serious health condition of the employee, the Employer may require certification issued by the health care provider of the eligible employee or of the spouse, son, daughter or parent of the employee, as appropriate. This certification shall be sufficient if it states:

1. The date on which the serious health condition commenced;
2. The probable duration of the condition;
3. The appropriate medical facts within the knowledge of the health care provider regarding the condition;

4. When applicable, a statement that the eligible employee is needed to care for spouse, son, daughter, or parent of the employee, and an estimate of the amount of time that the employee is needed to provide such care;
5. When applicable, a statement that the employee is unable to perform the functions of the positions of the employee;
6. In cases of certification of intermittent leave or leave on a reduced leave schedule for planned medical treatment the dates on which the treatment is expected to be given and the duration of the treatment;
7. In cases of intermittent leave or leave on a reduced schedule due to an employee's serious health condition, a statement of the medical necessity for the intermittent leave or leave on a reduced schedule and the expected duration of the intermittent leave from the leave schedule; and
8. When intermittent leave or leave on a reduced leave schedule is requested for the purpose of caring for a spouse, son, daughter or parent of the employee, a statement that the employee's intermittent leave or leave on a reduced leave schedule is necessary for the care of the spouse, son, daughter, or parent who has a serious health condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

Section 5: Intermittent or Reduced Leave Schedule

Leave due to the birth of a child or placement of a child with the employee may not be taken intermittently or on a reduced leave schedule unless the Employer and employee agree to such an arrangement.

Subject to notification and certification requirements described, leave to care for a spouse, son, daughter or parent of the employee, or due to a serious health condition of the employee may be taken intermittently or on a reduced leave schedule when medically necessary.

When a husband and wife are both entitled to leave and are employed by the same Employer, the aggregate number of work weeks of leave to which both may be entitled may be limited to twelve (12) work weeks during any twelve (12) month period if the leave is taken due to the birth of a child or the placement of a child.

Section 6: Second Opinion

In any case where the Employer has reason to doubt the validity of the certification as outlined above, the Employer may require, at the Employer's expense if not covered by insurance, that the eligible employee obtain the opinion of a second health care provider designated or approved by the Employer concerning any information certified by the original certification. The provider of the second opinion shall not be employed on a regular basis by the Employer.

1. Resolution of Conflicting Opinions. When the second opinion described above differs from the opinion in the original certification, the Employer may require, at the expense of the Employer if not covered by insurance, that the employee obtain the opinion of a third health care provider designated or approved jointly by the Employer's physician and the employee's physician concerning the information certified above. The opinion of the third health care provider shall be final and binding on both Employer and employee.
2. Subsequent Recertification. The Employer may require that the eligible employee obtain subsequent recertifications on a reasonable basis. Recertifications shall follow the same requirements as outlined in Section 4 of this policy.

Section 7: Accrued Leave Usage

1. The Employer may require the employee to use a designated portion of accrued paid leave prior to an unpaid leave of absence. The Employer shall not allow paid sick leave to be used in those situations that would not normally be applicable for sick leave usage.
2. While using accrued paid leave, the employee will continue to accrue benefits as set forth in the applicable sections of the Policy Manual.

Section 8: Continuation of Benefits

All other fringe benefits such as, but not limited to, insurances, sick leave accumulation and vacation accumulation shall terminate when an employee is on an unpaid leave of absence, which includes when an employee is on short term disability insurance coverage. The only exception to that policy is that the Employer shall continue to pay health insurance premiums during an approved unpaid leave of absence under conditions listed in Section 1 of this policy, for up to twelve (12) weeks.

Section 9: Failure to Return to Work

If an employee fails to return from the leave after the leave has expired, and due to circumstances within the employee's control, then the Employer may recover from the employee the premium which the Employer paid for maintaining health insurance coverage during the leave. Return to work shall be defined as at least thirty (30) calendar days.

In all other circumstances, the Employer shall not continue to pay health insurance premiums for the employee. Employees may continue insurance coverages at their own expense. Each employee will have to make financial arrangements with the applicable offices to pay for any insurance premium payments or payroll deductions authorized by the Employer which the employee may desire to continue while on an unpaid leave, at the employee's cost.

Section 10: Reinstatement After Leave

When a leave of absence under conditions listed in Section I of this policy, is granted for twelve (12) weeks or less the Employer does not guarantee that the employee will be reinstated in their former position. Reinstatement may be in an equivalent position having substantially similar duties, responsibilities and authority for the same compensation and benefits. If the employee is unable to perform an essential function of the position because of a physical or mental condition, the employee has no right to be restored to another position under the FMLA. That decision will be at the discretion of the Employer.

Section 11: Outside or Supplemental Employment While on FMLA

Employees are required to follow the Employer's policy for outside or supplemental employment while on FMLA.

MILITARY LEAVE OF ABSENCE

A military leave of absence will be granted if an employee enlists, is inducted, or is recalled to active duty in the Armed Forces, the Military Reserves, the National Guard, or certain Public Health Service positions in accordance with applicable federal and state laws. Employees who perform and return from such service will retain all rights as required by applicable federal or state laws.

INSURANCE PROGRAM

Insurance For Full-Time Employees:

Health insurance begins thirty (30) calendar days from the date of full-time employment. New full-time employees will receive the required application(s) and coverage information for these benefits at the time they commence employment with the County. The completed applications must be returned to the Human Resources Department within ten (10) days of the date of hire.

Access To Health, Dental, Optical Insurance For Qualified Part-Time Employees And County Commissioners:

Regular part-time employees are defined as those regularly scheduled and working 20 hours per week.

Regular part-time employees may purchase health, dental and optical coverage through the County's insurance program provided they personally pay 100% of the premium cost. The coverage would begin thirty (30) calendar days from the date of qualified regular part-time employment.

The completed applications must be returned to the Human Resources Department within ten (10) days of the date of hire.

If a regular part-time employee does not complete the application timely as stated above they cannot later apply until the annual enrollment for all employees is held, generally in October/November of each year for coverage effective January 1.

Premium payments shall be received in full by the Human Resources Department no later than the 15th of each month prior to the effective month. If the 15th is a Saturday, Sunday or holiday the payment must be received the last business day prior to the 15th. If payments are not received by this date, coverage will be canceled and the employee will not be allowed to re-enroll. For example: Payment must be received by January 15 for the month of February.

If an employee no longer qualifies as a result of an employment status change, the coverage will terminate on the effective date of the employment status change.

County Commissioners shall have access to the health, dental and optical insurance benefits only under the same terms as above. This does not include access to any other benefits.

Cafeteria Plan For Qualified Employees:

The County provides a Cafeteria Plan under Section 125 of the IRS Code to qualified employees that offers a wide variety of insurance options and reimbursement savings accounts from which to choose. The employee must complete a Flexible Compensation Program Election Agreement that indicates the combination of benefits the employee chooses for the calendar year. This is an annual agreement between the employee and the County and is not renewable; therefore a new election agreement must be completed for each new calendar year. The election agreement is not an application for insurance.

Employee Insurance Premium Contributions:

Health Insurance: The County will pay health plan insurance premiums for full-time employees (defined as regularly scheduled 35 hours/week or more), for single person, two persons, or family coverage as follows:

Effective January 1, 2013, the Employer will provide up to 3 health plans for employees to pick from. The Employer will follow PA 152 of 2011 and pay the premium up to the maximum annual cap as determined by the state treasurer by October 1 for the succeeding calendar year. All expense exceeding the annual cap shall be paid by the employee via pretax payroll deduction each pay period. See the HR Department for the plan details of each of the plans available.

Dental Insurance: Effective January 1, 2010, and continuing until a different rate is negotiated, the following dental premium employee contribution schedule shall be implemented:

Employees shall pay through pretax payroll deduction each pay period as follows:

| | |
|---------------------|----------------------------------|
| Single coverage | 14% of total annual premium cost |
| Two Person coverage | 14% of total annual premium cost |
| Family coverage | 14% of total annual premium cost |

Dental Insurance: (Delta Dental Plan, effective January 1, 2016)

| | |
|---------------------|-------|
| Class I Procedures | 50% |
| Class II Procedures | 50% |
| Annual Maximum | \$800 |

Life Insurance: (Presently Mutual of Omaha)

| | |
|---|----------|
| Death Benefit | \$25,000 |
| Accidental Death and Dismemberment up to | \$25,000 |

Short Term Disability: (Presently Mutual of Omaha)

66.67% of Basic Weekly Earnings rounded to the next higher \$5.00, subject to a maximum of \$700.00 (effective 1/1/08) for up to ninety (90) days. Eligibility begins after a 14-calendar day elimination period.

Short Term Disability Terms and Conditions:

- A. Employees eligible for short term disability insurance benefits are required to use this coverage provided the prerequisite conditions are met. The benefit amount is 66.67% of regular gross weekly wages up to a maximum of \$700 per week (effective 1/1/08), commencing on the 14th consecutive day of absence for a maximum period of ninety (90) days.

- B. Employees eligible for short term disability insurance may use their accrued and banked sick leave thereby allowing the employee to be paid not more than 100% of their normal pay while on sick and accident insurance, subject to the normal tax deductions.
- C. Short term disability leaves, with or without the coordination of banked sick leave, shall be considered non-compensated leaves. All fringe benefits such as, but not limited to, holiday pay, sick leave accumulation and vacation accumulation shall terminate when an employee is on short term disability insurance coverage.
- D. Under no circumstances will employees be allowed to utilize sick leave to receive more than 100% of their regular wages.
- E. This policy applies to all employees eligible for short term disability insurance coverage, including those covered by a bargaining agreement that is silent on the terms and conditions. (Employees that are members of POAM road deputies, corrections officers, COAM, FOP corrections sergeants and the Sheriff, Undersheriff, Jail Administrator, and Operations Administrator do not have this same benefit.)

Double Health/Dental Insurance Coverage:

- A. Effective January 1, 2001, if an employee's spouse works for any St. Joseph County Court or the Board of Commissioners, they shall not be eligible for double health and dental insurance coverage.
- B. Employees who are covered by health insurance from their spouse's Employer shall have the option to receive the \$1,000 noted above and under the same payment terms and conditions. Effective January 1, 2001, the amount shall increase to \$2,000 per year for health under the same payment terms and conditions. The dental opt out remains at \$100. That employee must sign an Employer supplied waiver form.

The County currently pays the cost of premiums for group term life insurance for those employees who have not attained the age of 65 (benefits reduced after age 65) and accidental death and dismemberment insurance equal to the amount of life insurance in effect at the time of the loss. Details of the life insurance program may be obtained from Human Resources.

RETIREMENT PROGRAM

Effective January 1, 2013, all new hires eligible for inclusion in the pension plan will be included in the Hybrid plan with a defined benefit multiplier of 3.5%, FAC 3, six (6) year vesting period and a defined contribution (DC) from the Employer of 1%, six (6) year vesting period. Current employees will have a window of six (6) months from January 1, 2013 to move from the current DB plan to this Hybrid plan. Thereafter, employees will not be able to change to the Hybrid plan.

Effective April 2007, the St. Joseph County Employees' Retirement System was abolished with all assets and liabilities transferred to Municipal Employees' Retirement System of Michigan (MERS).

The purpose is to provide retirement and pension benefits for certain elected and appointed officers and employees of St. Joseph County except employees of the Commission on Aging who are covered under another pension program.

This plan is financed by contributions of the County and the employees. Eligible members are provided a membership application and member handbook at the time of employment or eligibility, if different. The handbook provides a general explanation of the program but does not provide an individual plan summary. A few of the current benefits are listed below:

- Normal retirement at age 60 with 8 years of credited service.
- Early retirement with permanent reduced benefit (pension is reduced ½ of 1% for every month under the age of 60) at age 50 with 25 years of credited service or age 55 with 15 years of credited service.
- Deferred retirement if you leave the employ of the County after qualifying for the plan.
- Disability retirement.
- Death benefit.
- Survivor allowance options.

Beneficiary changes are to be reported to the Finance Department. These changes may result from a birth, death, marriage, divorce, etc.

Health insurance continuation is an option for retirees, spouse and dependents. Retiree pays 100% of the premium cost and there can be no break in coverage from the time employment ends and the employee begins drawing their monthly pension. Monthly premiums must be paid by the 15th of the month for the next month. Failure to pay timely will result in coverage termination. This provision is not available for deferred members or retirees that have not continued their health coverage at the time their employment ended.

HEALTH, SAFETY, INJURIES AND ACCIDENTS

Employee health and safety is a matter of serious concern not only for the employee and family, but to all the residents of the County.

The County welcomes suggestions and ideas from employees which would improve employee health and safety, eliminate hazardous conditions and contribute to a more productive work environment for the benefit of employees and the public. Employee failure to promptly report an unsafe working condition and staff found to be negligent or working in an unsafe manner may be subject to disciplinary action up to, and including, termination.

An employee injured on the job during working hours shall report the injury to the department head as soon as possible, but not later than the end of the scheduled work day. Such report shall set forth the nature of the injury, the manner of its occurrence, the witnesses, if any, and such other details as may be required by the County and its worker's compensation insurer. The employee shall fill out an accident report furnished by the County and file the report with the department head.

PROFESSIONAL ORGANIZATION MEMBERSHIP DUES

The County may, on a case-by-case basis, consider reimbursement or payment of annual dues in professional associations for regular full-time employees. Membership in the organization must be directly related to the employee's position and the request for payment of dues must be approved by the Board of Commissioners or the County Administrator.

TRAVEL POLICY

Employees who, during the course of their duties with St. Joseph County, must use County owned vehicles or choose to use their own personal vehicle to conduct County business are required to comply with the following:

- A. Provide proof of valid driver's license upon request.
- B. Provide proof of insurance upon request (personal vehicles only).
- C. Comply with all laws.
- D. Employees are required to notify Department Manager and County Administrator if loss of license or insurance occurs which would preclude them from driving on County business.

Failure to comply with these provisions may result in non-payment of mileage reimbursement (personal vehicles) and/or disciplinary action up to, and including, discharge.

Personal Vehicles:

Employees who use their own vehicle in the performance of County business will be reimbursed for their mileage at the equivalent rate allowed by the Internal Revenue Service as set by the Board of Commissioners. Travel costs of going to and from work for normal scheduled work shall not be reimbursed. Reimbursement shall be requested on a County travel expense voucher.

County Vehicles:

County owned vehicles are not to be used in any manner for personal use.

Out-Of-State Travel:

Effective January 1, 2008 department managers and/or elected officials that desire to attend or have employees attend any training, conference or seminar out-of-state shall seek approval from the Board of Commissioners prior to incurring any expenses related to said out-of-state event **if the distance exceeds 150 miles from Centreville**. A written request shall be submitted to the Administrator's office detailing who will be attending, the specifics of the event to be attended, location, number of days to be gone, and total cost.

Meals and Lodging:

While on County business, an employee shall be reimbursed for meals, transportation and lodging. Breakfast and dinner reimbursements will only be reimbursed for over-night stays, or in the event that they are part of the seminar or conference the employee is attending (exceptions may be granted for extraditions). The maximum allowances for meal reimbursement, effective January 1, 2004, are listed below:

| | |
|-----------|---------|
| Breakfast | \$ 7.00 |
| Lunch | \$10.00 |
| Dinner | \$20.00 |

Itemized receipts (showing date, time, name of restaurant, location, and actual charges) must be attached to a County travel expense voucher when submitted for audit and reimbursement. Reimbursement is subject to budgetary allocations and the discretion of management. Alcoholic beverages, charges for personal goods or services, entertainment, and travel not related to County business are considered unacceptable and shall not be reimbursed. Tips will not be reimbursed.

CHANGE IN STATUS

Employees changing from temporary or seasonal to regular full-time or regular part-time status are eligible for benefits as provided in this handbook.

If an employee changes from temporary or seasonal status to regular full-time or regular part-time status, the employee's employment period will begin on the date that the employee was placed into the position as a regular part-time or regular full-time employee.

Employees changing from regular full-time or regular part-time status to temporary or seasonal status, will be paid for all accrued and unused vacation and personal leave on the next regular payday following the change in status. Such employee's insurance coverage will be canceled at the end of the calendar month in which the change is effective. All other benefits that are normally provided only to regular full-time or regular part-time staff will be terminated at the end of the last day of service in regular status. Temporary or seasonal employment does not guarantee an appointment to the regular full-time or regular part-time staff.

**SECTION III: POSITION CLASSIFICATION AND SALARY
ADMINISTRATION**

POSITION RECLASSIFICATION

When the position occupied by an employee is reclassified to a classification with a higher pay grade, the Human Resources Director and County Administrator shall determine the appropriate pay level.

An employee whose position has been assigned to a classification having a lower maximum pay rate than the prior classification as a result of changes in organizations structure or addition/deletion of duties and/or responsibilities, may receive a restricted pay rate. The Human Resources Director may authorize a restricted pay rate that exceeds that maximum of the pay range for the new classification. Employees with a restricted pay rate may be eligible for pay increases at the discretion of the Human Resources Director.

The rate of pay of an employee who is transferred or demoted, either voluntarily or involuntarily, to a classification with a lower pay range shall be adjusted to a pay rate no higher than the maximum of the new pay grade. The amount of decrease shall be determined by the Human Resources Director with consideration given to relevant factors such as the reason for the demotion as well as the employee's performance record and length of service. The Human Resources Director's decision is final and binding upon all parties.

OVERTIME

Employees not exempt from the FLSA will be eligible for overtime payment, provided that such overtime work is approved in advance by the department head.

An employee who performs any work exceeding 40 hours per week without direct advance approval will be considered as performing unauthorized work and the County will deduct these payments from the employee's vacation or personal leave, and subject the employee to discipline.

Executive, professional and administrative employees (who are exempt from the Fair Labor Standards Act overtime provisions) are not eligible for overtime payment.

Employees in positions eligible for overtime will be paid at the rate of one and one-half times their normally hourly rate for all hours worked in excess of 40 hours in one (1) week. The work week begins at 12:01 a.m. on Sunday and ends at midnight the following Saturday.

Only regular hours worked will be considered as time worked for the purpose of determining eligibility for overtime payment. Vacation, personal leave and holiday hours will not be considered as time worked for the purpose of determining eligibility for overtime payment.

METHODS TO PAY EMPLOYEE WAGES

Effective with the pay period ending April 8, 2013 (paycheck date April 12, 2013), all St. Joseph County employees will be required to receive their wages only through one of the following two methods:

- 1) Direct deposit or electronic transfer to the employee's account at a financial institution; or
- 2) Payroll Debit Card.

If an employee currently is paid by direct deposit, the method of payment shall not be changed to payroll debit card without written consent of the employee. If payroll debit card is the method of payment, the employer must provide:

- written disclosure of the terms and conditions for use, including an itemized list of any and all fees;
- the methods for accessing wages without charge;
- a statement that, if the payroll debit card is used outside the specified network of automatic teller machines, both the payroll card issuer and the operator of the ATM may impose charges;
- methods to obtain free balance inquiries;
- the employee's right to elect to change the method of receiving wages at any time; and
- that the payroll debit card does not provide access to a savings or checking account.

An employee may change the method of payment (from direct deposit to debit card or reverse) at any time. The employer shall take no longer than 1 pay period to implement the change after receiving the change request and any information necessary to implement the request.

For reference, see The Payment of Wages & Fringe Benefits Act 390 of 1978.

SECTION IV: EMPLOYEE PERFORMANCE EVALUATION

PERFORMANCE EVALUATION OVERVIEW

A. Stages.

Written evaluations may be performed from time-to-time by the Employer. An evaluation may be prepared annually, or more often as necessary. The preparation of an evaluation is at the sole discretion of the Employer.

B. Content.

At the time of an evaluation, the Employer will discuss with the employee the areas in which the employee is doing well and those areas which need improvement. The employee's signature on the evaluation indicates neither agreement nor disagreement with the contents, but only that such areas have been discussed. The employee may respond, in writing, to the evaluation. A copy of the evaluation and any response shall be retained in the employee's personnel file.

SECTION V: DISCIPLINE AND RELATED ISSUES

STANDARDS FOR PERSONAL CONDUCT

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

1. Tardiness - Employees who are late may be docked for time lost, otherwise disciplined and/or dismissed at the discretion of the department head.
2. Absenteeism - Employees are required to notify their immediate supervisor prior to any absence as soon as possible.
3. Public Decorum - All employees must maintain a pleasant and helpful attitude in dealing with members of the public and co-workers, whether by telephone or in person.
4. Acceptance of Gifts - Employees shall not accept any gifts or gratuity from any individual or agency that may be construed as influencing a decision of a County employee.
5. Personal Mail - Personal mail should not be addressed to the County address. Employees shall not use County postage or other property for personal business.
6. Visitors - Friends, relatives and children of employees are not allowed in the working areas without the approval of the department head.
7. Unauthorized use of County property, equipment or facilities (including telephones and duplicating equipment) is prohibited.
8. Falsification or unauthorized altering of employment application information, records (payroll or program records), or County records is prohibited.
9. Refusal to obey or willful failure to carry out the instructions of supervisory personnel, including the assigned duties of the job is prohibited.
10. The following is prohibited:
 - a. Failing to report to work when scheduled.
 - b. Improper use of sick leave or other leaves of absence.
 - c. Falsification of information to secure sick leave or other leaves of absence.

- d. Abuse of break or lunch periods.
 - e. Violation of departmental rules on confidentiality.
 - f. Inefficiency or incompetency or neglect of duty.
 - g. Reporting to work or working in an intoxicated condition. Consumption or possession of alcohol or illegal drugs or substance (such as marijuana) on County premises or property while on or off duty.
 - h. Use of obscene language in public office areas.
 - i. Threatening other persons or instigating a fight.
 - j. Unauthorized possession of firearms, dangerous weapons or personal protection devices.
 - k. Verbally abusing or physically attacking customers, clients, visitors or County personnel.
 - l. Conduct disruptive to the work of other employees.
 - m. Carelessness or negligence which results in an injury to another employee, client or visitor.
 - n. Illegal activity on County premises (misdemeanor or felony) during work or non-work hours.
 - o. Violation of rules concerning outside supplemental employment.
 - p. Instigating, aiding, or participating in any illegal strike or work stoppage.
 - q. Insubordination to any supervisor or department head.
11. Personal Equipment and Valuables - There is no insurance coverage for personal equipment and valuables brought on County premises. You are discouraged from having personal items at your office and the County cannot be responsible for any loss or damage to such items.
12. County Property - Employees shall conform to all rules for use and treatment of County facilities and property, and shall not use any County property, equipment, facilities or staff for personal matters or gain.

DRESS AND GROOMING POLICY

It is the Board of Commissioners' intent that work attire should complement an environment that reflects an efficient, orderly, and professionally operated organization. Business attire is to be worn during the course of the employee's normal work day. Employees are expected to maintain a neat and well groomed appearance in accordance with their position and working conditions.

Requests for advice or assistance on matters related to appropriate work attire should be directed first to an employee's manager/elected official or in the case of the manager/elected official to the Human Resources Director.

If questionable attire is worn in the office, the respective elected official/department manager or Human Resources Director should discuss it with the employee to advise and counsel regarding the appropriate attire.

Situations that Allow Variance from Policy

- 1) Uniforms that are provided to employees whose jobs require them (i.e. Sheriff, Animal Control, Building & Grounds).
- 2) Dress down days approved by the Board of Commissioners.
- 3) Parks & Recreation positions, should dress appropriately for those positions.
- 4) Unordinary office tasks, i.e. storage cleaning, file purging, fieldwork- appropriate casual attire still required.

Distribution

All employees will be provided with a copy of this policy.

Review and Revision

The Board of Commissioners reserves the right to rescind and/or amend this and all policies at any time.

OUTSIDE EMPLOYMENT

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

Any employee desiring to participate in outside or supplemental employment must inform his/her department head in writing prior to engaging in outside or supplemental employment. In the case of outside or supplemental employment by a department head, the department head must receive written permission to engage in outside or

supplemental employment in advance from the County Board of Commissioners. The following guidelines shall be applicable to all employees engaged in outside or supplemental employment.

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

SECTION VI: SEPARATION FROM EMPLOYMENT

RESIGNATION/RETIREMENT POLICY

Employees retiring or resigning will be required to use as their date of retirement or resignation, their last day present on the job.

Any accumulated benefits will be reimbursed in one lump sum as stated in the policy manual or contract, whichever of the two applies.

Should an employee decide to leave employment, a minimum of two (2) weeks' notice in writing may be required to be given to the Department Manager. Managerial and professional employees, should they decide to leave employment, must notify their Department Manager in writing thirty (30) days in advance. A copy of the written notice should be forwarded to the Board of Commissioners. Failure to provide the required notice may result in loss of accrued vacation time, as well as entitlement to any portion of accumulated but unused sick leave time.

LAYOFF AND RECALL

The Board of Commissioners reserves the authority to determine when it is appropriate to lay off employees and where such layoffs will occur.

Employees to be laid off shall be given ten (10) calendar days' prior notice of layoff unless such notice is impracticable.

ABANDONMENT OF POSITION

An employee who fails to report to work or notify the department head of intended absence for two (2) consecutive work days will be considered to have voluntarily quit and abandoned employment. Employment will be terminated as of the close of business of the second day of absence. At a later date should the employee request to be reemployed, the County will be under no obligation to reappoint the employee.

Employees who are being terminated for abandonment of position will be notified in writing and the final pay check will be released to the employee upon completion of all standard termination procedures.

The employee's pension contribution will be distributed in accordance with options available in the plan document.

SECTION VII: OTHER IMPORTANT ISSUES

COUNTY EMPLOYEE IDENTIFICATION CARDS

1. All County employees shall be issued a County employee identification card. The St. Joseph County Administrator's Office shall issue County employee identification cards. The card shall contain the following information:
 - a. Employee's name;
 - b. Employee's photograph;
 - c. Name of department where he/she works. Each card will be programmed with a corresponding security zone.

2. At no time shall any employees alter or attempt to alter their employee identification card. If the card becomes lost or badly worn, employees shall report it immediately to their supervisor so that a new one may be issued.

The intent is not to cause any inconvenience, but rather to make for a safe working environment for everyone.

UNAUTHORIZED USE OF OTHER ENTRANCE/EXIT DOORS

No employees, unless they have prior written Board of Commissioners' approval, shall use any other door except for the central entry point in order to gain access to the Courts Building.

REPORTING EMPLOYEE VIOLATION(S)

All security breaches shall be reported to the County Administrator's Office. The County Administrator's Office will determine appropriate disciplinary action.

POLITICAL ACTIVITY

At no time will any employee be allowed to use County time, facilities or resources to participate in campaign activities or to further the causes of a candidate for political office. Such facilities include, but are not necessarily limited to duplicating machines, computers, paper, telephone, data processing equipment, word processing equipment, stationery, or the use of other employees' time to compile or distribute campaign materials.

When an employee wishes to take leave for political activity purposes, the request must be submitted in writing to the County Administrator. The County Administrator, in his sole discretion, determines whether to approve the requested leave. The decision of the County Administrator is final.

The Employer reserves the right to require leaves of absences without pay pursuant to Federal and State law governing the political activities of public employees.

OFFICE AND FIELD LOCATION VISITORS

It is requested that employees refrain from having "personal" visitors during working hours. If unusual circumstances necessitate a family member or friend coming to see the employee during working hours, the visit must be cleared, in advance, with the department head.

HOURS OF WORK

The offices of the St. Joseph County Courthouse will be open daily for business from 8:00 a.m. to 5:00 p.m., Monday through Friday, except on the holidays listed in the holiday section. In the interest of providing timely citizen service, it is essential that employees be prompt in reporting for their duties.

A department head may adjust employee work schedules provided the office remains open for the above schedule. Employees outside the Courthouse will work the schedule provided by their department head. The County may change the hours of operation of the Courthouse and certain employees may be assigned to a second shift schedule. Department heads may, in unusual situations assign employees to perform work at various off-site locations.

The normal work week for full-time employees will be five (5) days, beginning on Sunday at 12:01 a.m. and ending on Saturday at midnight. The normal work week will be 40 hours, as scheduled by the department head. This statement of the work week does not constitute a guarantee of hours. Employee work schedules may be increased or decreased as the County determines necessary.

Full-time employees will be allowed a one hour unpaid lunch break to be taken near the middle of the scheduled work shift. Full-time employees may also have a fifteen (15) minute paid break in each half of their work shift. Breaks may be staggered to provide coverage in the offices. Part-time employees may receive breaks and/or lunch periods appropriate to their schedules, as determined by the department head. Breaks shall not accumulate if not taken.

NOTIFICATION OF ABSENCE

An employee who is unable to report to work on time or for all or part of regularly scheduled hours is required to notify the department head of the intended absence. Notice by the employee must occur not later than 15 minutes before the start of the regularly scheduled work period.

A call to a co-worker is not considered acceptable notice of intended absence unless the department head has previously provided notice to employees that such employee has been designated to take such calls.

Unauthorized absences, absenteeism, and tardiness are unacceptable behavior and form a basis for disciplinary action.

It is the responsibility of the employee to accurately record absences on the designated official time records. The department head must assure record accuracy prior to signing the employee's official time record.

The County and fellow employees depend upon all employees regular and prompt attendance. If for any reason, excused or unexcused, an employee is repeatedly unavailable for work as scheduled, which includes mandatory overtime, disciplinary action including termination may be taken at the County's sole discretion.

PERSONNEL FILES

Personnel records are maintained for each employee. These records include information on initial employment or re-employment, professional credentials, salary increases, promotions, demotions, disciplinary actions and other pertinent information. Employees may have access to review their personnel file, provided that a designee of the Employer is present during this review.

CONFLICT OF INTEREST

Employees are prohibited from any employment, which directly interferes, or conflicts with their County employment. If a questionable situation develops, employees are required to discuss the situation with a supervisor before it occurs. The resolution of such questionable situations will be decided on a case-by-case basis. Any actual or apparent conflict of interest, as determined by the County, must immediately be stopped and may result in discipline up to and including immediate discharge.

SMOKE FREE FACILITIES AND GROUNDS POLICY

Public Act 198 of 1986, "Michigan's New Clean Indoor Air Act," made it mandatory that smoking be prohibited in a public place or at a meeting of a public body, except in designated areas. The law applies to enclosed indoor areas. It affects all public places, meeting places, and work places that are owned or operated by the County. Smoking may be allowed in a private enclosed room or office occupied exclusively by a smoker.

In March 2005, the County Commission adopted a Smoke Free Facilities and Grounds Policy. In general, this means that smoking is prohibited in county-occupied common work areas and public spaces including conference rooms, reception areas, hallways, and work stations. Ashtrays were removed and signs were posted at all building entrances and within the buildings.

DEFINITIONS:

- A. Cigar means any roll of tobacco for smoking, irrespective of size or shape, and irrespective of the tobacco being flavored, adulterated or mixed with any other ingredients, where such roll has a wrapper made chiefly of tobacco.
- B. Cigarette means any roll of tobacco for smoking, irrespective of size or shape, and irrespective of the tobacco being flavored, adulterated or mixed with any other ingredients, where such roll has a wrapper made chiefly of paper or any other material except tobacco.
- C. Smoking or Smoke means the use or the carrying by a person of a lighted cigar, cigarettes, pipe or other lighted smoking device.
- D. Tobacco products mean cigars, cigarettes, chewing tobacco, tobacco snuff or tobacco in any other form.
- E. County facility means any public building owned by the County of St. Joseph either directly, by or through any of its departments or agencies.

POLICY:

It shall be the policy of St. Joseph County to prohibit use of tobacco products (cigars, cigarettes, chewing tobacco, tobacco snuff or tobacco in any other form) in all County facilities and on County controlled grounds (except County park grounds) effective September 1, 2005. This prohibition shall include, but is not limited to: private enclosed offices, open space offices, meeting rooms, conference rooms, eating areas, including cafeterias and break rooms, lounges, restrooms, hallways and stairways. This prohibition shall extend to entrance areas, parking areas, grounds and properties owned by the County, except County park grounds, but inclusive of enclosed buildings on parks grounds and County vehicles.

COMPLIANCE:

Smoking is strictly prohibited within building facilities and on all County owned grounds. Uniformed security and maintenance personnel shall inform violators from the general public of the Policy.

- A. Employees: Employees found to be in violation of this Policy may be disciplined up to and including termination of employment.
- B. Visitors: Employees are encouraged to inform those observed smoking in or on County applicable property, of the "Smoke Free Facilities and Grounds Policy."

However, under NO circumstance, should employees put themselves at risk addressing those smoking in violation of this Policy. Please call security personnel or law enforcement authorities if you encounter a problem visitor.

SOLICITATION OF/BY EMPLOYEES

In order to maintain efficiency and to prevent littering, the County has established a policy regarding solicitations and the distribution of literature.

Persons who are not employees of the County are not allowed to be on County premises at any time to engage in either oral solicitation or distribution of printed or written material.

Oral solicitations by employees are prohibited during working time. Employees are, however, permitted to engage in oral solicitations during their authorized break periods, meal times and other times when they are not required to be working, as long as the individuals being solicited are also on authorized break periods, meal times or otherwise not required to be working at the time the solicitations occurs.

The distributions by employees of printed or written material of any kind is prohibited in work areas. Printed or written materials may only be distributed in non-work areas, such as employee parking lots or lunch rooms and then only during authorized break periods, meal times and other times when the employee distributing the material is not required to be working.

CLOSING OF COUNTY OFFICES/BUILDINGS

When it is determined to be in the best interest of the public and County employees to close the buildings as a result of a snow emergency, tornado, power outage or other emergencies, the following procedure is to be enacted. The Chairman of the Board of Commissioners in consultation with the County Administrator, Sheriff, Emergency Services Coordinator and Road Commission Manager (if road conditions are at issue) will determine action to be taken, if any. A final determination will be made by the Chairman

of the Board. In the event a decision is made to close County buildings, Commissioners and Department Managers are to be notified by telephone or email; 911 is to be contacted requesting them to provide official announcement of the closing to local media outlets. Contacts will be made by assigned administrative staff.

Employees scheduled to work on days when their offices or buildings are closed will receive their regular pay for that day.

DRUG-FREE WORK PLACE

St. Joseph County is committed to establishing and maintaining a drug-free workplace for the benefit of its employees and the community. To achieve this goal, the County has adopted the following policy:

- The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance and/or alcoholic beverage is prohibited at all County work locations. Violation of this prohibition by an employee will result in disciplinary action up to and including discharge.
- It is a condition of employment that every employee abide by the terms set forth in this policy and notify the County of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- If an employee is convicted of a violation of a criminal drug statute occurring in the workplace, the County will take disciplinary action against the employee, up to and including discharge, or require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by the appropriate agencies.
- The County has established a drug-free awareness program to inform employees about a) the dangers of drug abuse in the workplace; b) the County's policy of maintaining a drug-free workplace; c) drug counseling, rehabilitation, and employee assistance programs that the County makes available to employees; and d) the penalties that may be imposed upon employees for drug abuse violations.
- A copy of the policy will be given to all new employees when they are hired.

Any questions regarding this policy should be directed to the Human Resources Office. The cooperation of employees in achieving the goal of a drug-free workplace is appreciated.

SOCIAL SECURITY NUMBER PRIVACY POLICY

In the ordinary course of business and in accordance with the Michigan Social Security Number Privacy Act (2004, PA 454, Effective January 1, 2006) which requires implementation of this policy, the County of St. Joseph, Michigan obtains the Social Security Numbers (SSN's) of individuals for identification and tax-related purposes. In order to properly secure the confidentiality of Social Security Number information, only authorized individuals may access, use or view SSN's when the duties of their position necessitates such access, use or viewing. To the extent practicable, the County of St. Joseph, Michigan shall maintain the confidentiality of all SSN's. SSN's will be used by the County of St. Joseph, Michigan as follows:

1. The County of St. Joseph, Michigan will use SSN's in the process of producing payroll (including any State or Federal requirements) and/or establishing, confirming the status of servicing, amending or terminating an account, policy or benefit, or to confirm the SSN of an individual who has an account, contract, policy, benefit or related transaction.
2. The County of St. Joseph, Michigan may use a SSN to perform background checks or to investigate a claim, credit, criminal or driving history.
3. The County of St. Joseph, Michigan may use a SSN to detect, prevent or deter identity theft or other crimes.
4. The County of St. Joseph, Michigan may use SSN's for any other administrative purpose.

Information or documents that contain SSN's shall be stored in a physically secure manner. Access to information or documents that contain SSN's shall be stored in a physically secure manner. Access to information or documents that contain SSN's shall be limited to appropriate/applicable personnel/persons.

All unlawful disclosure of SSN's is prohibited. No employee of the County of St. Joseph, Michigan shall unlawfully acquire, disclose, transfer or use a SSN. The County of St. Joseph, Michigan will not publicly display more than four (4) sequential digits of any SSN unless required in the course of processing State and Federal reports or requirements. SSN's shall not be placed on identification cards, badges, time cards, rosters, bulletin boards, or any other materials or documents designed for public display.

Any County documents containing SSN's shall only be mailed to a person when State or Federal law, rule, regulation, or court authorizes, permits or requires that a SSN appear in the document or where the document is mailed at the request of the individual. Documents containing SSN's that are sent through the mail shall not reveal the number through the envelope window, nor shall the number otherwise be visible from outside the envelope or package.

SSN's shall not be viewed through email unless the connection is secure or the number is encrypted. No individual shall be required to send their SSN through email unless the connection is secure or the number is encrypted. SSN's shall not be stored on computers or other electronic devices that are not secured against unauthorized access.

Where a SSN is contained within a document subject to a Freedom of Information Act (FOIA) release, the SSN shall be redacted using permanent marker or other similar means that will properly and completely redact. Documents or other materials containing SSN's shall not be disposed of or discarded in the trash without previously being shredded.

Complaints concerning possible violation of this policy should be directed to the County Human Resources Director. If the complaint is about the County Human Resources Director, it should be directed to the County Administrator/Controller. The recipient of the complaint and/or an appropriate designee will conduct an investigation. Any employee who is found to have violated this policy shall be subject to disciplinary action up to and including termination of employment.

IT USE POLICY

This Electronic Systems and Information Perseveration Policy ("Policy") sets forth the rights and obligations of each employee with respect to the County's Systems and preservation of Information.

The Systems

The Systems include, but are not limited to the County's telephone systems, computer systems, internet and e-mail systems, fax machines, and company cell phones, laptops and PDA's. The Systems are proprietary to the County and, as such, all communications over and activity conducted on the Systems are also proprietary to the County. No employee should have any expectation of privacy when they use the Systems. The Systems will be periodically monitored and accessed to insure that these Systems are being used appropriately and in accordance with this Policy.

Software and Passwords

To prevent computer viruses from being transmitted through the County's computer system, there will be no downloading of any unauthorized software. All software downloaded must be registered to the County. Employees may not change the configuration of the Systems at any time, unless expressly authorized by the County's IT department.

Copyrighted materials belonging to entities other than the County may not be transmitted by employees on the County's e-mail and/or internet system. All employees

obtaining access to other companies' or individuals' materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission.

All passwords must be provided to management at the time that they are created, or upon request. The use of unknown passwords or encrypted files is prohibited.

E-mail and Internet Systems

Every employee has a responsibility to maintain and enhance the County's public image and to use the e-mail and internet systems in a productive manner. Since the Systems may be used for business purposes only, all other uses, including the following, are strictly prohibited:

1. Conducting illegal activities;
2. Soliciting employees or advertising for commercial ventures, religious or political causes, outside organizations, or other non-County related purposes (including charitable);
3. Harassing or discriminating against employees;
4. Creating, distributing, or transmitting offensive, harassing, vulgar, obscene, or threatening communications, including disparagement of others based on race, national origin, marital status, sex, age, disability, pregnancy, religious or political beliefs, height, or weight is prohibited;
5. Creating, distributing, or soliciting sexually-oriented messages or images, unwelcome sexual advances, requests for sexual favors, or other unwelcome conduct of a sexual nature;
6. Viewing material that may be considered racially, culturally, or sexually sensitive or explicit;
7. Disseminating or printing copyrighted material, including articles and software in violation of copyright laws;
8. Disseminating any confidential or proprietary information concerning the County, its customers, or employees;
9. Downloading unauthorized software to the County's computer systems;
10. Creating or distributing chain letters;
11. Gambling;

12. Playing computer games downloaded from the internet, copied from other sources, or installed on the system from a diskette, CD-Rom, or any other device.

Each employee is responsible for the content of all text, audio or images that they place, send, receive or view over the County's e-mail and/or internet systems. All messages communicated on the County's e-mail and internet systems must contain the employee's name. No electronic communications may be sent which hide the identity of the sender or represents the sender as someone else or someone from another company or business.

Proprietary Information

Information prepared or compiled by an employee or furnished to an employee while in the employ of the County is the sole and exclusive property of the County. Information subject to this Policy includes product information, financial data, customer lists, management processes, marketing plans, technical data, personnel information, commission rates, compensation plans, employment contracts, sales representative contracts, sales projections and analyses, files, lists, data, records, source code, operating code, correspondence and other proprietary or confidential information pertaining to or concerning the County's business and its suppliers, customers or accounts.

Information covered by this Policy includes both paper copy and electronically stored information. The term "electronically stored information" means any record that is created, received, maintained or stored on the County computer systems or servers including, but not limited to: electronic mail (e-mail), word processing documents and spreadsheets, and databases.

All Information must be safeguarded and kept confidential and may not be used for any purpose nor disclosed to any other person in contravention of this Policy. Employees are prohibited from using any Systems Information in contravention of this Policy.

Preservation

Every employee has a responsibility to maintain and preserve the County's Proprietary Information in accordance with the procedures set forth herein.

Employees may not destroy any other Proprietary Information unless authorized by the management. Electronically stored information and communications must be preserved as if they were paper documents. Therefore, any electronically stored information including electronic files, documents, and communications, must be maintained electronically for the corresponding amount of time as provided in the County's preservation of documents schedule. Please see your supervisor if you have any questions about the preservation of documents schedule.

Litigation Hold

The County and its employees have a duty to preserve all information contained in documents and communication that pertain to the matters at issue in pending or threatened litigation against the County or its employees. As soon as the County is made aware of pending or threatened litigation, a litigation hold directive will be issued to the employees. The litigation hold directive overrides any document and information preservation policy schedule that may have otherwise called for the transfer, disposal or destruction of the relevant documents, until the hold has been cleared by the County. No employee who has been notified by the County of a litigation hold may alter, delete, or modify any electronic document that falls within the scope of that hold, including e-mails contained in individual electronic inboxes.

Violation

Any employee who violates this Policy will be subject to disciplinary action up to and including termination. If necessary, the County reserves the right to advise appropriate legal officials of any illegal violations. Any employee who knows of a violation of this Policy or any other County policy should immediately report the violation to his or her supervisor.

In addition, in the event that any employee violates this policy and such violation leads to damage to any of the County's Systems, including computer, voicemail, e-mail or internet systems, or any data stored on said Systems, the employee will be held financially responsible for any damages and for any necessary repairs to the County's Systems or the data stored on said Systems.

CONCEALED WEAPONS

An employee is prohibited from possessing any weapon on County property, even if that employee is licensed to carry a concealed weapon. This prohibition applies not only to weapons that may be carried on the person, but also to those kept inside anything in or on the County property.

The County reserves the right to conduct searches of any person, vehicle or object in or on County property, or to authorize searches by law enforcement of its premises or any object in or on its property. Refusal to cooperate with such a search will be considered a violation of this policy and may result in disciplinary action up to and including termination of employment. This policy shall not be construed to create any duty or obligation on the part of the County to take any actions beyond those required of an employer by existing law.

NOTICE OF CHANGES

For your protection, convenience and benefit, you are requested to notify the office immediately of any change in your name, address, phone number or number of dependents. Keeping this information accurate enables us to reach you in an emergency, forward your mail and W-2 form, maintain your insurance benefits and compute your payroll deductions. This personal information will be handled with complete confidence. We will not supply personal information to unauthorized individuals.