

# City of Owosso

## PERSONNEL POLICY MANUAL

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# **FOREWORD**

ON BEHALF OF THE CITIZENS OF OWOSSO, WE WILL PROVIDE SUPERIOR MUNICIPAL SERVICES, AND IMPLEMENT GUIDING PRINCIPLES THAT CONTINUALLY ENHANCE QUALITY OF LIFE.

The City of Owosso strives to set the bar. We focus on conducting daily business as a City aiming to provide our citizens with the best quality of life possible. The City Council and City staff are committed to moving in a direction that is best for the overall character and betterment of our community based on the voices and opinions of those living in Owosso. We believe that the cornerstones needed for a successful community are a fierce entrepreneurial spirit, a highly qualified and inspired city staff, an educated and extremely engaged citizenry, and a set of focused and attainable short-term and long-term goals.

As a historic city with an entrepreneurial heritage, we recognize the importance of quality of life, neighborhood integrity, education, and responsible growth and rehabilitation in our community. We must focus on forward thinking policies that retain the integrity and standard of service to which our citizens have become accustomed. Continual revitalization of our downtown commercial corridor, the city's neighborhoods, and our educational system is of the utmost importance to the city government.

Owosso, the proud home of numerous creative and entrepreneurial leaders and the heart of Shiawassee County, will be a vibrant, progressive, knowledge-based community, which promotes the highest quality of life by...

- > ensuring safe, tranquil, clean, and healthy neighborhoods with enduring character,
- > increasing and maintaining the mobility of Owosso citizens through a comprehensive and well-planned transportation system,
- > expecting urban development and management that strives to preserve our natural environment,
- > supporting well planned, quality and sustainable growth,
- > valuing and protecting our cultural and historical community resources,
- > developing and maintaining quality cost-effective community facilities, infrastructure and services which ensure our city is cohesive and well connected,
- > pro-actively creating and maintaining educational and economic opportunities for all citizens.

Owosso will remain among the friendliest and most responsive of communities and a demonstrated partner in maintaining and enhancing all that is good and celebrated in the Shiawassee County area. It will forever be a place where history is in the making.

### **City of Owosso Core Values to Uphold:**

The health, safety, and general well-being of the community.  
Excellence in customer service from City employees.  
Fiscal responsibility.  
Involvement and participation of the citizenry.  
Collaboration and cooperation among City departments.  
Regionalism: be an active member of the Shiawassee community and beyond.  
Active community participation that fosters municipal empowerment.  
Well-equipped, clean, safe community parks and green space.  
Community accessibility via support for a variety of means of transportation.

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### **City of Owosso Organizational Values to Uphold:**

Be One City, One Team  
Respect everyone  
Deliver excellent service  
Initiate  
Create  
Innovate  
Be personally responsible  
Do the right thing  
Act with integrity and honesty  
Have fun

Whether you have just joined our staff or have been at the City of Owosso for a while, we are confident that you will find our organization a dynamic and rewarding place in which to work and we look forward to a productive and successful association. We consider the employees of the City of Owosso to be one of its most valuable resources. We encourage you, the employee, to provide us with feedback (information, questions and suggestions) on a regular basis. The goal is to keep communications flowing both ways (from management to employees and from employees to management). Your thoughts are valued and absolutely necessary for the success of the City of Owosso. This manual has been written to serve as the guide for the employer/employee relationship.

There are several things that are important to keep in mind about this manual. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific question(s) to the Human Resources Department. Neither this handbook nor any other organizational document, confers any contractual right, either express or implied. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated by the City or you may resign for any reason, at any time. No supervisor or other representative of the City (except the City Manager) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

Second, the procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

Finally, some of the subjects described here are covered in detail in official policy documents. You should refer to these documents for specific information, since this manual only briefly summarizes those benefits. Please note that the terms of the written insurance policies are controlling.

It is the intention of the City of Owosso to follow all federal, state and local regulations. We ask that you come directly to the City Manager or Human Resources Director to report any violations or report it to any agency you feel appropriate.

# **INTRODUCTION**

## **Purpose of the Personnel Manual**

It is the purpose of this City of Owosso Personnel Manual to give effect to the intent and requirements of Chapter 7 of the Charter of the City of Owosso pertaining to personnel management. The rules and procedures hereinafter set forth the framework for the conditions of employment for City employees and administrative officers as defined, determined and implemented by the City Manager. The City Manager has the discretion to add and/or subtract conditions to assist in the effective and efficient management of the City of Owosso. This manual is to be a guide for General City - City of Owosso employees, if there is a conflicting section in this manual, as compared to an employment agreement, the employment agreement shall prevail. If you have a complaint while employed with the City please report it first to your direct supervisor. If your issue is not resolved by your supervisor or you are not comfortable approaching your supervisor, please report the complaint directly to the Human Resources Director.

## **Personnel Director**

The City Manager shall assume all of the duties and responsibilities as the Personnel Director of all City employees and administrative officers. The City Manager may delegate such duties to some other employee of the City who has the necessary training or experience to act in this capacity. Further, the City Manager may establish necessary procedures for the orderly administration of the Personnel Manual and human resources management in such a way as to ensure the following:

1. That the City of Owosso shall not discriminate in regard to hiring, terms of employment, promotion, transfer, or other conditions of employment because of race, color, religion, national origin, age, disability, height, weight, marital status, gender, gender identity, gender expression, genetic information, pregnancy, pregnancy-related decisions, military status, sexual orientation or any other protected characteristic as established by law.
2. That employment in the City service shall be made attractive as a career.
3. That all appointments and promotions to positions in this plan shall be on the sole basis of merit and fitness, which so far as is practical, shall be ascertained by means of comprehensive interviews and the City reserves the option to conduct competitive exams.
4. That a performance management program shall be provided and all employees may be evaluated on a yearly basis.
5. That each employee shall be encouraged to render the best service to the City.

## **Employer Rights**

(a) The City of Owosso retains the sole and exclusive right to manage and operate the City in all of its operations and activities. Among the rights of management, included only by way of illustration and not by way of limitation, is the right to determine all matters pertaining to the services to be furnished and the methods, procedures, means, equipment, and machines required to provide such services; to establish classifications of work and the number of personnel required; to determine the nature and number of facilities and departments to be operated and their location; to direct and control operations; to maintain order and efficiency; to continue and maintain its operations as in the past; to study and implement improved methods and equipment, and in all respect to carry out the ordinary and customary functions of city management.

(b) The City of Owosso shall have the exclusive right to hire, promote, assign, transfer, suspend, discipline, discharge, layoff and recall employees; to establish work rules and to fix and determine penalties for violations of such rules; to make judgments as to ability and skill; to determine work loads; to establish and change work schedules; and to provide and assign relief personnel.

## **Equal Employment Opportunity Policy**

Equal Employment Opportunity has been, and will continue to be, a fundamental principle at the City of Owosso, where employment is based upon personal capabilities and qualifications without discrimination because of race, color, religion, national origin, age, disability, height, weight, marital status, gender, gender identity, gender expression, genetic information, pregnancy, pregnancy-related decisions, military status, sexual orientation, or any other protected characteristic as established by law.

This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment.

The Human Resources Department has overall responsibility for this policy and maintains reporting and monitoring procedures. Employees' questions or concerns should be referred to the Human Resources Department.

Appropriate disciplinary action may be taken against any employee willfully violating this policy.

## **Non-Discrimination & Anti-Harassment Policy**

The City of Owosso is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the City expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment. Harassment and discrimination, based upon protected characteristics, are not tolerated at the City of Owosso and will be treated seriously with discipline up to and including discharge.

## **Definitions of Harassment**

a. Sexual harassment will not be tolerated at the City of Owosso. For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment is harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

b. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, religion, national origin, age, disability, height, weight, marital status, gender, gender identity, gender expression, genetic information, pregnancy, pregnancy-related decisions, military status, sexual orientation, or any other characteristic protected by law or that of the individual's relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

## **Individuals and Conduct Covered**

These policies apply to all applicants and employees, and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the City (e.g., an outside vendor, consultant or customer).

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

## **Retaliation Is Prohibited**

The City of Owosso prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action, up to and including termination.

## **Complaint Procedure**

### **Reporting an Incident of Harassment, Discrimination or Retaliation:**

The City of Owosso strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to the City's policy or who have concerns about such matters should file their complaints with their immediate supervisor, the Human Resources Director, or the City Manager before the conduct becomes severe or pervasive. The City prefers that employees submit concerns in writing, for a more thorough investigation. All concerns will be investigated, whether they are in a written format or not. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of one of the other City designated representatives identified above.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the City strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The City will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its staff/employees.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that the behavior is unwelcome and requesting that it be discontinued.

## **The Investigation**

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

## **Responsive Action**

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay or termination, as the City believes appropriate under the circumstances.

If an employee making a complaint does not agree with its resolution, the employee may appeal to the City Manager. Individuals who have questions or concerns about these policies should talk with the Human Resources Director.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of the City prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

## **Employees with Disabilities Policy**

It is the City's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability who has made the City aware of the disability, provided that such accommodation does not constitute an undue hardship on the City.

Employees with a disability believing they need a reasonable accommodation to perform the essential functions of their job should contact the Human Resources Department. The City encourages individuals with disabilities to come forward and request reasonable accommodation. Such requests must be made in writing and within 182 days of the employee learning of the need for an accommodation.

### **Procedure for Requesting an Accommodation**

On receipt of an accommodation request, a member of the Human Resources Department and the employee's supervisor will meet with the employee to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the City might make to help overcome those limitations.

The City will determine the feasibility of the requested accommodation considering various factors, including, but not limited to, the nature and cost of the accommodation, outside funding, the City's overall financial resources and organization, and the accommodation's impact on the operation of the City, including its impact on the ability of other employees to perform their duties and on the City's ability to conduct business.

The City will inform the employee of its decision on the accommodation request or by making the accommodation. If the accommodation request is denied, the employee will be advised of the right to appeal the decision by submitting a written statement explaining the reason(s) for the request to the HR Department. If the request on appeal is denied, that decision is final.

Employees or job applicants who have questions regarding this policy or believe that they have been discriminated against based on a disability should notify the Human Resources Department. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

# **Conflict of Interest**

## **In General**

The City of Owosso expects all employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the City. Business dealings that appear to create a conflict between the interests of the City and an employee are unacceptable. The City recognizes the right of an employee to engage in activities outside of employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that the City may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (i.e., spouse or significant other, children, parents, siblings) as a result of the City's business dealings.

Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones which most frequently present problems. Employees with any question on whether an action or proposed course of conduct would create a conflict of interest, should immediately contact the Human Resources Director to obtain advice on the issue. The purpose of this policy is to protect an employee from any conflict of interest that may arise.

A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

## **Contact with City Council Members**

Each employee should use the City Charter as a guide to understand the relationship between the City Council and City employees. City employees shall report all substantive City policy discussions with a City Council Member to the City Manager within a reasonable amount of time.

## **Outside Employment**

Outside employment is only allowed if it does not conflict with the City's interest. In general, outside work activities are not allowed when they:

- prevent employees from fully performing work for which they are employed at the City, including overtime assignments;
- involve organizations that are doing or seek to do business with the City, including actual or potential vendors or customers; or
- violate provisions of law or the City's policies or rules.

From time to time, a City employee may be required to work beyond the normally scheduled hours. In cases of conflict with any outside activity, the employee's obligations to the City must be given priority. The employee is hired and continues in the City's employ with the understanding that the City is the primary employer and that other employment or commercial involvement which is in conflict with the business interests of the City is strictly prohibited.

## **Acceptance of Gifts**

No employee, or group of employees, may solicit or accept, either directly or indirectly, any bribe, gift, reward, gratuity, loan or any material thing (including: items of significant value (i.e., in excess of \$50.00), lavish entertainment or other benefits) from potential and actual customers, suppliers or competitors who, through conflict of interest, might be in a position to benefit by such action. City of Owosso employees are prohibited from using their official position, badge or official identification for personal or financial gain or for obtaining privileges not otherwise available to them. Special care must be taken to avoid even the impression of a conflict of interest. The City Manager may authorize the receipt of a gift if it's in the best interest of the City of Owosso.

## **Reporting Potential Conflicts**

An employee must promptly disclose actual or potential conflicts of interest, in writing, to the HR Director. Approval to proceed with the activity will only be given in instances where the relationship does not interfere with the employee's duties or will not damage the City's relationship.

# **EMPLOYMENT**

## **Initial Employment Period**

Every new employee goes through an initial period of adjustment in order to learn about the City of Owosso and about the employee's job. During this time employees will have an opportunity to find out if they are suited to, and like, their new position.

Additionally, the initial employment period gives the employee's supervisor a reasonable period of time to evaluate the employee's performance. The initial employment period is six (6) months from the date of hire.

During this time, new employees will be provided with training and guidance from their supervisor. Employees may be discharged at any time during this period if their supervisor concludes that they are not progressing or performing satisfactorily. Under appropriate circumstances, the initial employment may be extended. Additionally, as is true at all times during an employee's employment with the City, employment is not for any specific time and may be terminated at-will, with or without cause and without prior notice.

At the end of the initial employment period, employees and their supervisor may discuss their performance. Provided their job performance is "satisfactory" at the end of the initial employment period, they will continue in the City's employ as an at-will employee.

## **Employee Categories**

Employees of the City fall into the following categories:

- Full-Time Employees,
- Part-Time Employees,
- Temporary Employees,
- Seasonal Employees, and
- Flexible Work Arrangements.

### **Full-Time Employee**

A non-exempt employee who works seven (7) hours per day or an exempt employee who works the number of hours necessary to fulfill the day-to-day job responsibilities.

1. An exempt employee is classified as such if the employee's job duties are exempt from the overtime provisions of the Federal and State Wage and Hour Laws. Exempt employees are not eligible for overtime pay. The employee's salary is calculated on a weekly basis. Full-time employees are allowed a sixty (60) minute lunch period, when time is available.

2. A non-exempt employee receives overtime pay in accordance with the overtime provisions of our policy and Federal and State Wage and Hour Laws. The employee's pay is calculated on an hourly basis. A full-time employee is allowed a 60 minute unpaid lunch period, when time is available.

### **Part-Time Employee**

A part-time employee is classified as exempt or non-exempt and works a regular schedule for an indefinite term and works less than thirty (30) hours per week. A part-time employee will not receive any additional compensation or benefits provided by the City.

### **Temporary Employee**

A temporary employee is hired for a specified project or time frame and works an irregular schedule. A temporary employee in a non-exempt position is paid by the hour and receives overtime when necessary; while a temporary employee in an exempt position is paid according to the terms of hire for that individual. A temporary employee will not receive any additional compensation or benefits provided by the City.

### **Seasonal Employee**

A seasonal employee is one hired for a definite term, which shall not be longer than one hundred twenty (120) calendar days. In general, a seasonal employee holds a position which can be expected to be available from year to year.

### **Flexible Work Arrangements**

Flextime is a variable work schedule outside the traditional work day. If you currently have what is termed "flextime" you must have your current supervisor and Department Manager approve it and then send to the HR Director for review and approval. Once it has been approved, you may then continue to take your "flextime." If you are a non-exempt employee you will need to indicate the actual hours worked in the Timesheets program. This is limited to a minimum number of people that have a business reason to work a varied schedule.

## **Transfers and Promotions**

The City of Owosso encourages all employees to assume higher-level positions or lateral transfers for which they qualify. The City Manager may add, change or remove responsibilities, duties and/or title from a position or transfer to a different position.

The City has a job posting program that offers each employee the opportunity to apply for certain positions within the City. Generally, an employee must be in the job for at least one year before applying for a change in position. In addition, an employee must have good performance, attendance and punctuality record.

An employee who wishes to apply for a transfer should discuss it first with the supervisor/manager and the Human Resources Department so that it may be determined if the employee's skills fit the

requirements of the desired job. An employee should also feel free to discuss career aspirations with the employee's supervisor/manager or the Human Resources Department at any time.

If an employee fits the basic criteria for the position, the employee must complete an internal application and return it to Human Resources within the specified time frame as stated in the job posting. The Human Resources Department will make arrangements to set up an interview with the employee.

Each employee requesting a transfer will be considered for the new position along with all other applicants.

Each transfer is judged on an individual basis, depending on the needs of both departments involved. All final decisions regarding transfers will be made by the City Manager, in conjunction with the Human Resources Department.

## **Classification Plan**

The Human Resources Director shall prepare a classification plan. In order to create any new full-time position, the Human Resources Director may study and define the position and allocate it to the proper class.. The Finance Director will ascertain that adequate funds are available to support the position for the remainder of the fiscal year and forward this information to the City Manager for approval.

## **Pay Grades**

The Human Resources Director shall determine the appropriate pay grade for each classification, considering such factors as the rates of pay for comparable positions in other communities and in the private sector, the duties and responsibilities of the position, the pay grades for similar positions in the City, and the importance of the position to the accomplishment of organizational objectives.

## **Examinations**

Unless the Human Resources Director determines otherwise, all full-time positions filled by recruitment from outside the City shall be filled through an interview process and the City reserves the option to conduct competitive exams for the appointment process of positions which require technical skill(s). All appointments and promotions in the City service shall be made without regard to race, color, religion, national origin, age, disability, height, weight, marital status, gender, gender identity, gender expression, genetic information, pregnancy, pregnancy-related decisions, military status, sexual orientation or any other protected characteristic as established by law, and shall be based on merit and fitness. Examinations may be written, oral, physical and/or performance tests or any combination of these which may take into consideration such factors as education, experience, aptitude, knowledge, skill, character, or any other qualifications which may enter into the determination of the relative fitness of applicants. Promotional examinations shall be open to all regular employees who meet the necessary requirements.

## **Physical Examination**

Employees may be required to undergo a physical examination at City expense. If the employee has City health care insurance, the City shall have the employee use this benefit to pay for the physical. However, the employee will be reimbursed for any costs not covered by the health care insurance plan. Continued employment may be contingent upon the employee passing a fitness-for-duty evaluation.

## **Disciplinary Action**

Every General City employee has the status of "at-will employment," no one has a contractual right, express or implied, to remain in the City's employ. The City may terminate an employee's employment, or an employee may terminate employment, without cause, and with or without notice, at any time for any reason. No supervisor or other representative of the City (except the City Manager) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

**THE FOLLOWING GUIDELINES MAY BE APPLIED AT THE DISCRETION OF THE CITY MANAGER (This list merely provides examples of situations that may result in disciplinary action and is not exhaustive):**

### **IMMEDIATE DISMISSALS/MISCONDUCT**

Any employee whose conduct, actions or performance violates or conflicts with the City's policies may be terminated immediately and without warning.

The following are examples of grounds for disciplinary action, up to and including immediate dismissal of an employee:

- Breach of trust or dishonesty
- Conviction of a felony
- Willful violation of an established policy or rule
- Falsification of City documents
- Gross negligence
- Insubordination
- Violation of the Anti-Harassment (including Sexual Harassment) and/or Equal Employment Opportunity Policies
- Time card or payroll violations
- False representation of another employee
- Undue and unauthorized absence from duty during regularly scheduled work hours
- Deliberate non-performance of work
- Inability to communicate effectively with co-workers/customers, including responding in a timely manner
- Larceny or unauthorized possession of, or the use of, property belonging to any co-worker or resident
- Possession of unauthorized dangerous weapons on the premises, whether or not an employee holds a permit to carry such a weapon

- Unauthorized possession, use or copying of any records that are the property of the City
- Unauthorized posting or removal of notices from bulletin boards
- Excessive absenteeism or lateness
- Marring, defacing or other willful destruction of any supplies, equipment or property of the City
- Failure to call or directly contact their supervisor when they will be late or absent from work
- Fighting or serious breach of acceptable behavior
- Violation of the Alcohol or Drug Policy
- Theft
- Violation of the City's Conflict of Interest/Outside Employment Policy and/or Confidentiality Policy
- Gambling, conducting games of chance or possession of such devices on the premises or during work hours
- Leaving the work premises without authorization during work hours
- Sleeping on duty
- Solicitation or acceptance of bribes, fees, or other items of value to influence performance of work for the City
- Making or publishing of false, vicious or malicious statements concerning any employee, Department Manager, or the City.

This list is intended to be representative of the types of activities that may result in disciplinary action. It is not exhaustive, and is not intended to be comprehensive and does not change the relationship between the employee and the City.

In the event of dismissal for misconduct, all benefits terminate at the end of the month.

## **DISCIPLINE OTHER THAN IMMEDIATE TERMINATION**

All employees are expected to meet the City's standards of work performance. Work performance encompasses many factors, including attendance, punctuality, personal conduct, job proficiency and general compliance with the City's policies and procedures. Employees are expected to work to create a positive working environment between and amongst departments and co-workers.

If an employee does not meet these standards, the City may, under appropriate circumstances, take corrective action, other than immediate dismissal.

The intent of corrective action is to formally document problems while providing the employee with a reasonable timeframe within which to improve performance. The process is designed to encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with the City's policies and procedures and/or other disciplinary problems.

## **WRITTEN WARNINGS**

The supervisor should discuss the problem and present a written warning to the employee. This should clearly identify the problem and outline a course of corrective action within a specific time

frame. The employee should clearly understand both the corrective action and the consequence (i.e., suspension, termination) if the problem is not corrected or reoccurs. The employee will acknowledge receipt of the warning and include any additional comments before signing it. A record of the discussion and the employee's comments will be placed in the employee's personnel file in the Human Resources Department.

Employees who have had formal written warnings are not eligible for salary increases or promotions for one (1) year after receiving the warning.

# **COMPENSATION**

## **Performance Management and Compensation Programs**

In order to attract and retain a highly qualified and competent work force, the City of Owosso has instituted a performance management program to compensate employees in a fair and equitable manner based upon demonstrated job performance and in accordance with its Equal Employment Opportunity policy.

Through this program employees may receive constructive work reviews designed to address performance and skill development needs and interests. Annually, the employee becomes eligible for consideration of a salary review.

## **Performance Management Program Schedule**

Employees may receive constructive work reviews on the following schedule:

### **FULL-TIME EXEMPT AND NON-EXEMPT EMPLOYEES MAY RECEIVE:**

- a. a yearly performance review .

### **PART-TIME EMPLOYEES MAY RECEIVE:**

- a. an annual work and salary review.

Under usual and appropriate circumstances, employees may receive a performance review annually. If an employee's job responsibilities change substantially at any time after the annual work review, however, another may be performed before the next annual review, after the new assignment has begun.

## **Payment of Wages**

Wages are usually paid bi-weekly by Friday of every other week. Hours at City Hall are generally 9:00 a.m. to 5:00 p.m., Monday through Friday, with a sixty (60) minute unpaid lunch period each day. Each employee is responsible for recording the employee's own hours on a daily basis. Each day, the time the employee starts and finishes work must be recorded in the Timesheets program. The employee's supervisor must approve the employee's hours worked at the end of each pay period in the program. Each employee is responsible for recording the actual hours worked. It is imperative that employees record the exact times they began and ended their work day. Non-exempt employees arriving late or leaving early will be docked, unless the employee uses vacation, sick or personal time to offset it.

It is the City's policy that employee paychecks will only be given personally to that employee. All other arrangements for mailing or pick-up must be made in advance and in writing with the Human Resources Department.

If the normal payday falls on a City-recognized holiday, paychecks will be distributed one workday prior to the aforementioned schedule. Under no circumstances will the City release any paychecks prior to the announced schedule.

Employees are paid only by direct deposit of funds to either a savings or checking account at their bank of choice (providing the bank has direct deposit capability). To activate direct deposit, a Direct Deposit Authorization form from Human Resources must be obtained and the employee must complete the form accurately. The completed form must then be returned with a voided personal check or a bank deposit slip to the Human Resources Department. Due to banking requirements it may take several weeks for activation of the Direct Deposit.

In the event of a lost paycheck, the Human Resources Department must be notified in writing as soon as possible before a replacement check can be issued. In the event the lost paycheck is recovered and the City identifies the endorsement as that of the employee, the employee must remit the amount of the replacement check to the City within 24 hours of the time it is demanded.

A statement of earnings is given each pay period to employees indicating:

- Gross Pay
- Statutory Deductions
- Voluntary Deductions
- Leave Bank Accumulations
- City Paid Expenses

The amount of Federal withholding is affected by the number of exemptions claimed on Form W-4, Employee's Withholding Allowance Certificate. If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the Human Resources Department.

## **Overtime Pay**

Depending on City of Owosso work needs, an employee will be required to work overtime when requested to do so. Prior approval of a supervisor and the Department Manager, however, is required before any non-exempt employee works overtime, please use the "Prior Approval for Overtime" form. The form must be completed prior to actually working the overtime, unless the overtime is unforeseeable (which should be very limited instances) and submitted with the bi-weekly payroll. An employee working overtime without approval will be subject to disciplinary action.

A non-exempt full-time employee is eligible for additional pay for work performed beyond the regularly scheduled thirty-five (35) weekly hours. Hours worked over thirty-five (35) in a workweek, but less than forty (40) will be paid at straight time. Any hours worked over forty (40) in a workweek will be paid at time and one-half.

Each day, the time the employee starts and finishes work must be recorded in Timesheets. The employee's supervisor must approve all hours worked at the end of each pay period in Timesheets. All additional overtime worked must be approved by a supervisor each day. Additionally, time records with overtime must be signed by the supervisor and must be turned in to the Payroll office

by 11:00 a.m. the Monday preceding payday in order for an employee's pay to be processed for payday.

## **Time Records**

The attendance of all employees is recorded daily by each individual employee in the Timesheets program and is submitted to the Department Manager bi-weekly. Employees are expected to enter their time in the program on the last Friday of the pay period (if they are not working the weekend). The supervisor must approve all time in the Timesheets program as soon as possible, but no later than 11am Monday morning. If the department is not working over the weekend, please make every effort to get the timesheets approved on Friday afternoon. Our attendance records are City records, and care must be exercised in recording the actual hours worked, overtime hours, and absences. An employee is not to clock or sign in or out for other employees. Violations of this policy may result in appropriate disciplinary action, up to and including immediate discharge.

Non-exempt employees must record the time they arrived/departed, each day, in Timesheets. If you come in early or stay late, please also indicate accordingly. Each employee is responsible only for the employee's own recordkeeping.

Lunch time is sixty (60) minutes unpaid unless approved by your supervisor ahead of time. A non-exempt employee is expected to take lunch after 11am and before 2pm. If you work all or a portion of your lunch, please include that as time worked in Timesheets. Please note that if you work through your lunch your supervisor needs to approve that time.

Once an employee clocks or signs in, work is to commence immediately. Failure to do so is considered falsification of timekeeping records.

A non-exempt employee must calculate overtime on a weekly basis (see overtime section for further explanation). An employee's supervisor must approve each overtime entry and the Department Director must sign-off on the overtime; an employee with overtime entries that does not have prior approval will be subject to disciplinary action.

An exempt employee is not required to sign in or out; however, business trips, training, vacation, sick and personal days must be recorded in Timesheets by the employee.

## **Personnel Records**

To keep necessary City records up-to-date, it is extremely important that you notify the Human Resources Department of any changes within thirty (30) days:

Name and/or marital status

Address and/or telephone number

# of eligible dependents

W-4 deductions

Person to contact in case of emergency

# **LEAVE TIME**

## **Vacation**

Time away from work to relax and pursue special interests is important to everyone. Each full-time employee is eligible for paid vacation days. A vacation day is equivalent to seven (7) hours. A vacation day shall only be taken in increments of two (2) hour blocks of time or more.

### **UPON HIRE THE FOLLOWING TABLE IS IN EFFECT:**

<b>Length of Service</b>	<b>Total Vacation Days</b>
0-3 years of service	15
4-7 years of service	18
8-10 years of service	20
11-12 years of service	22
13+ years of service	25

An employee should make a vacation request as far in advance as possible. Based upon department needs, the department manager will attempt to grant employees the vacation days requested.

When a City holiday falls during a scheduled vacation day, it is not counted as a vacation day.

## **Unused Vacation Days**

Employees may elect to be compensated for unused vacation days in accordance with the following schedule:

<u>Vacation Days Earned Per Year</u>	<u>Maximum Unused Days Paid</u>
15	2
18	5
20	7
22	9
25	12

This payment will be made following the employee's anniversary date.

## **Guidelines for Vacation Pay for Terminating Employees**

An employee leaving the City due to voluntary resignation or dismissal will be eligible to be paid for unused vacation days. An employee who is dismissed for misconduct shall not be paid for unused vacation days. An employee that does not provide adequate notice of at least two weeks upon resignation forfeits any rights to unused vacation pay. An employee who does not return City equipment shall not be paid for unused vacation days.

## **Personal Business Days**

Each full-time employee will, in addition to regular vacation time, be granted four (4) additional days off with pay for necessary personal business, provided it can be scheduled by the department in such a manner so as not to inconvenience City/department operations. Each employee will receive these four (4) personal days on July 1 of each year. New employees hired between July 1 and December 31 are eligible to receive two (2) personal business days. New employees hired between January 1 and June 30 will not receive any personal business days until July 1. Personal business days shall not be carried from one year to the next.

## **Holidays**

All full-time employees (including those in the initial employment period) are eligible for eleven (11) paid holidays per year as follows:

New Year's Day  
Martin Luther King, Jr. Day  
Good Friday  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Friday after Thanksgiving  
Christmas Eve Day  
Christmas Day  
New Year's Eve Day

Where a holiday falls on a weekend, it will be observed on either the preceding Friday or following Monday. For employees to receive holiday pay, they must work the day before and day after the holiday to receive pay for the holiday. If a holiday occurs during a vacation leave, the employee will not be charged vacation for the holiday.

## **Bereavement Leave**

Bereavement leave is granted for purposes of allowing the employee the opportunity to attend the funeral/memorial and/or attending to matters related to the death. If a delay is necessary, approval is required from the employee's immediate supervisor. The City may request documentation for verification purposes. An employee shall be allowed five (5) work days as funeral leave, not to be deducted from sick leave for a death in the immediate family. The immediate family shall include: mother, father, spouse, child, step-parent, and stepchild.

An employee shall be allowed three (3) work days as funeral leave not to be deducted from sick leave for a death in the family. The family shall include: foster children, sister, brother, half-sister, half-brother, grandparents, grandchildren, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law and brother-in-law.

An employee shall be allowed up to four (4) hours of funeral leave, not to be deducted from sick leave for a death in the extended family. The extended family shall include: aunts, uncles, cousins, nieces, nephews, stepmother-in-law, stepfather-in-law, ex-spouse, stepsister, stepbrother, stepsister-in-law, stepbrother-in-law, stepdaughter-in-law, stepson-in-law, great grandparents, step-grandparents, grandparents-in-law, step-grandparents-in-law, and step-grandchildren.

## **Jury Duty**

A leave of absence for jury duty will be granted to any full-time or part-time employee who has been notified to serve. An employee is paid 100% of wages while on jury duty. All checks received from the court system must be signed over to the City, less any amount paid for travel. All documents the employee receives from the court must be turned in or copied to the City so we can verify if we need to subtract meals and/or mileage reimbursements. Employees on jury duty are expected to report to work any day they are excused from jury duty. If an employee is dismissed for the day from jury duty and 3.5 hours of work remain, the employee must report to work for the remainder of the work day. Failure to do so will result in the employee not being paid for the time off.

Upon receipt of the notice to serve jury duty, the employee should immediately notify the supervisor, as well as the Human Resources Department. Additionally, a copy of the notice to serve jury duty should be attached to the employee's attendance record for attendance purposes.

Upon the employee's return, the employee must notify Human Resources and must submit a signed Certificate of Jury Service indicating the number of days served.

If the jury duty falls at a time when the employee cannot be away from work, the City may request that the court allow the employee to choose a more convenient time to serve if the employee makes a request in accordance with the court's procedures. The employee must cooperate with this request.

## **Military Leave**

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service will be granted an unpaid leave of absence for military service, training or related obligations in accordance with applicable law. The employee may use accrued vacation or personal leave, but is not required to do so. At the conclusion of the leave an employee has a right to return to the same position the employee held prior to the leave or to a position with like seniority, status, benefits and pay that the employee is qualified to perform. Employees are requested to notify their supervisor as soon as they are aware of the military obligation. Group health insurance coverage for the employee and covered dependents will continue for thirty-one (31) days from the date the military leave of absence begins. After the thirty-one (31) days expires, the employee will have access to COBRA to continue coverage.

The City of Owosso abides by the mandatory provisions of Federal and State laws, and its judicial interpretations with respect to leaves of absence due to active military service, re-employment of veterans, Reserves/National Guard and the U.S. Public Health Service, contact the Human Resources Director if you require such a leave.

## **Absence Due to Illness**

To keep the business and each department running smoothly and efficiently, it is important that every employee be on the job on time regularly. For this reason, careful attention is given to promptness, absence record and overall dependability.

The City recognizes, however, that an employee may occasionally have an injury or illness. As a result, the Absence Due to Illness policy is designed to provide protection to each employee against loss of income during unavoidable illness or injury. A sick day may also be taken for an illness of the employee's child, spouse or for a child in which the employee is standing in "loco parentis." For an employee's own personal doctor or dentist appointments, sick time may be used. The employee may also use sick time for doctor or dentist appointments for the employee's child, spouse or for a child in which the employee is standing in "loco parentis." The employee's supervisor/Department Manager may request a physician's note be provided to verify appointments.

For employees hired prior to January 1, 2006: Each full-time employee will receive six (6) sick days per calendar year (receiving on January 1 of each year) and may carry over the days into the employee's sick bank. These will accumulate up to one hundred twenty (120) sick days. The banks will be capped at one hundred twenty (120) days, any days over one hundred twenty (120) accumulated will not be paid out at the end of the year. If the employee leaves the City or is terminated, prior to retirement, the payout of sick days will not be allowed. On retirement, the employee will be paid one-half of the accumulated unused sick leave at their current rate of pay, with maximum payment not to exceed sixty (60) days.

For employees hired after January 1, 2006: Each full-time employee will receive six (6) sick days on January 1. Because sick leave benefits are intended to provide income protection in the event of an actual illness or injury, sick days can be carried over from one calendar year to the next up to an accumulation of twelve (12) days. An employee will be paid out at fifty percent (50%) for any sick days over twelve accumulated at the end of the calendar year or when leaving the City.

To be eligible for sick pay, an employee unable to report to work due to illness must notify the employee's supervisor directly, each day of absence, as far in advance as possible, but no later than the start of the employee's shift. If the supervisor is not available, the Human Resources Department should be contacted. If an employee is unable to make the call personally, a family member or a friend should contact the supervisor. The supervisor or Human Resources Department must be contacted each day of absence. An employee who fails to contact the immediate supervisor or Human Resources may be considered as having voluntarily resigned. This policy must be followed unless an exception has been made for a particular absence, and a written memo to this effect has been sent to the Human Resources Department.

If the City has questions about the nature or length of an employee's disability, a written certification from a physician or licensed health care professional may be required. Any Family and Medical Leave Act (FMLA) leave to which an employee may be entitled runs concurrently with time off granted under this policy. In other words, an employee cannot take sick pay, and then take three months off under the FMLA; any time spent on sick leave counts as part of an employee's FMLA leave, as long as it is for an FMLA qualified reason.

In compliance with Michigan's Earned Sick Time Act (ESTA), please see Appendix L.

## **Family and Medical Leave Act ("FMLA")**

Please see Appendix A for the current City of Owosso FMLA policy.

## **Leave of Absence Without Pay**

Should a situation arise that temporarily prevents an employee from working, the employee may be eligible for a personal leave of absence without pay. However, employees must be employed for at least twelve (12) months prior to the requested leave.

Any request for a leave of absence without pay must be submitted in writing as far in advance as possible and will be reviewed on a case-by-case basis by the employee's supervisor/manager and the Human Resources Department. The decision to approve or disapprove is based on the circumstances; the length of time requested; the employee's job performance, attendance and punctuality record; the reasons for the leave; the effect the employee's absence will have on the work in the department and the expectation that the employee will return to work when the leave expires.

Leaves of absence will be considered only after all vacation time (and in some instances sick time) has been exhausted. While on a leave of absence without pay, time for pension purposes will not accrue. The duration of a leave of absence, if granted, is according to the following schedule:

<b>Length of Service</b>	<b>Allowable Leave of Absence (# of months without pay)</b>
Under 5 years	6 months
5 years and over	12 months

An employee will not receive holiday pay while on an unpaid leave of absence.

## **Continuing Benefit Plan Coverage**

While on a personal unpaid leave of absence an employee's medical coverage will end on the first day of the month following the start of such leave. An employee will have the opportunity to continue benefits for a maximum period of eighteen (18) months by paying the monthly premiums as required by COBRA legislation. Unemployment Insurance benefits cannot be collected while on a leave of absence without pay.

## **Salary Action**

Any planned salary increase for an employee returning from an approved unpaid leave of absence will be deferred by the length of the leave.

## **Vacation and Personal Time**

During the calendar year that an employee takes an approved unpaid leave of absence, the employee is not eligible for vacation. Unused vacation and personal days must be used before an approved unpaid leave of absence will be granted.

### Performance Appraisal

The normal performance appraisal of an employee on an approved unpaid leave of absence will be extended by the length of the leave.

### Returning/Not Returning From a Leave

Due to the nature of our business, the City cannot guarantee either that an employee's job will remain available or that a comparable position will exist when return from an unpaid leave is sought. When an employee is ready to return from a leave of absence without pay, the City will attempt to reinstate the employee to the employee's former position or to one with similar responsibilities. If the position or a similar position is not available, the employee will be terminated.

An employee who returns to work following an unpaid leave will be considered as having continuous service. If an employee does not return from an unpaid leave of absence, the termination date is the last day of the authorized leave period or the date the employee notifies the supervisor/manager the employee is not returning, whichever is sooner. Such employees may be considered for reemployment.

An employee who secures employment from another employer or who becomes self-employed without the prior approval of the City of Owosso while on an approved leave of absence shall be deemed to have voluntarily terminated employment with the City of Owosso. An employee's failure to return to work at the end of a leave of absence will result in termination of employment.

## **Return to Work Policy**

From time to time it may be necessary for employees to be absent from work when an illness or injury renders the employee unable to perform the essential job functions of the position, regardless of whether such illness or injury is work-related or non-work related.

During such periods of leave, the City may require an employee to report periodically upon the employee's status and intent to return to work to the HR Department. The City may also require, at the employee's expense, periodic reports from the physician while the employee is on leave.

At the expiration of a medical leave or if the employee wishes to return to work before the scheduled completion of the leave, there shall be a physician's certification confirming the employee's fitness to perform the essential functions of the job, with or without reasonable accommodation. The City may delay the return to work until the certification is provided.

Light duty may be given, when necessary, for work-related injuries. Light duty is not an option for non-work related injuries unless an accommodation is required under the American's with Disabilities Act (ADA). If a physician's certification indicates that the employee is able to return

to work with certain restrictions, the City will reasonably accommodate such request as required by law, and, in light of the operational needs of the city, may consider the following options:

- Reinstatement of the employee to the position vacated, while restructuring or removing certain non-essential functions, to meet the restrictions set forth in the physician's certification.
- The reinstatement of the employee to a vacant position for which the employee is qualified, the essential functions of which are within the restrictions set forth in the physician's certification. Such a reassignment may be for a temporary period of time.
- Reinstatement to a temporarily created position, the essential functions of which are within the restrictions set forth in the physician's certification.
- The City at its sole discretion may provide light duty.

Such assignments must be approved by the Human Resources Director or the City Manager, and may differ considerably from the assignment and shift previously held by the employee. No employee shall return to the previous position from such an assignment without a physician's certification confirming the employee's fitness to perform the essential functions of that position, with or without reasonable accommodation.

Nothing contained in this policy shall be construed to limit either the City's or the employee's rights and obligations under the Workers' Disability Compensation Act, the Family and Medical Leave Act, the Americans with Disabilities Act, the Michigan Person's with Disabilities Civil Rights Act and/or any applicable collective bargaining agreement.

# **EMPLOYEE BENEFITS**

## **Disclaimer**

The City of Owosso has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness and disability, and to help you plan for retirement. This portion of the Personnel Policy Manual contains a very general description of the benefits to which you may be entitled as an employee of the City. Please understand that this general explanation is not intended to, and does not provide you with all the details of these benefits. Therefore, this manual does not change or otherwise interpret the terms of the official plan documents. Your rights can be determined only by referring to the full text of the official plan documents, which are available for your examination from the Human Resources Department. To the extent that any of the information contained in this manual is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

Please note that nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits, or a binding contract between the City and its employees, retirees or their dependents, for benefits or for any other purpose. All employees shall remain subject to discharge or discipline to the same extent as if these plans had not been put into effect.

As in the past, the City reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein, including any health benefits that may be extended to retirees and their dependents. Further, the City reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

For more complete information regarding any of our benefit programs, please refer to the Summary Plan Descriptions, which were provided to you separately or contact the Human Resources Department. If you lost or misplaced those descriptions, please contact the Human Resources Department for another copy.

## **Health Insurance**

All full-time employees are eligible for health care coverage. Coverage begins the first of the month following thirty (30) days after the employee's date of hire. For example, if a full-time employee begins employment on August 15, coverage will be effective on October 1. Booklets detailing the medical plan will be given at the time coverage goes into effect. The City reserves the right to change any aspect of the carrier/medical plan at any time.

Changes in an employee's health care coverage (including adding or deleting dependents) must be made during the annual open enrollment period or within thirty (30) days of a life-changing event. The following are considered life-changing events to an employee or dependent: birth, adoption, marriage, divorce, death or loss of coverage. Employees must sign an enrollment form in order to

be covered by this benefit. If an employee has specific questions concerning health care contact the Human Resources Department.

The City abides by PA 152 of 2011. City Council has approved the hard caps for the cost of medical coverage, but Council may decide to change that at any time.

## **Health Insurance Opt-Out**

An eligible employee, covered by health insurance from another source, may elect to forego the City provided health insurance set forth above and receive, in lieu of such coverage, an annual stipend equal to one-quarter (1/4) of the subscriber rate for the coverage in which the employee would be enrolled, for each year the eligible employee has foregone the City provided health insurance. For example, single employees will receive one-quarter (1/4) the single rate; employees with only one dependent will receive one-quarter (1/4) the double rate; and employees with a family would receive one-quarter (1/4) the family rate. Retirees, non-bargaining unit members and bargaining unit members whose spouse works for the City are not eligible for the program set forth in this section, nor can they be double covered. The stipend payment will be paid by separate check on or about June 30 of each year and will be pro-rated on the basis of one-twelfth (1/12) of the stipend payment for each full month the eligible employee has foregone the City provided health insurance. Employees choosing the Health Insurance Opt-Out must submit on a form provided by the City, evidence satisfactory to the City, of health coverage from another source. In the event an eligible employee elects to forego City provided health insurance coverage, the employee will be allowed to elect, once each year, to be re-covered by the City health insurance, effective during the City's annual open enrollment period or at any time if the employee loses coverage from the other source. If an employee retires or leaves the City's employment the employee is entitled to a pro-rated payment in the final paycheck for each full month the employee has opted out of health insurance. Any time an employee opts-out of health insurance the employee will be paid for each pro-rated month the employee opted-out at the rate specified above.

## **Dental Insurance**

All full-time employees are eligible for dental coverage, which will be effective on the first of the month following thirty (30) days of employment. For example, if a full-time employee begins employment on August 15 dental coverage takes effect on October 1. Booklets detailing the dental plan will be given at the time coverage goes into effect. The City reserves the right to change the carrier or plan as necessary. An eligible employee, covered by dental insurance from another source, may elect to forego the City provided dental insurance and receive, in lieu of such coverage, an annual stipend equal to one-quarter (1/4) of the subscriber rate for the coverage in which the employee would be enrolled, for each year the eligible employee has foregone the City provided dental insurance. For example, single employees will receive one-quarter (1/4) the single rate; employees with only one dependent will receive one-quarter (1/4) the double rate; and employees with a family would receive one-quarter (1/4) the family rate. Retirees, non-bargaining unit members and bargaining unit members whose spouse works for the City are not eligible for the program set forth in this section, nor can they be double covered. The stipend payment will be paid by separate check on or about June 30 of each year (and if more than one insurance is opted-out, will be combined into one check) and will be pro-rated on the basis of one-twelfth (1/12) of the

stipend payment for each full month the eligible employee has foregone the City provided dental insurance.

## **Vision Insurance**

All full-time employees are eligible for vision coverage, which will be effective on the thirtieth (30<sup>th</sup>) day of employment. For example, if a full-time employee begins employment on August 25 vision coverage will go into effect on September 25. Booklets detailing the vision plan will be given at the time coverage goes into effect. The City reserves the right to change the carrier or plan as necessary. An eligible employee, covered by vision insurance from another source, may elect to forego the City provided vision insurance and receive, in lieu of such coverage, an annual stipend equal to one-quarter (1/4) of the subscriber rate for the coverage in which the employee would be enrolled, for each year the eligible employee has foregone the City provided vision insurance. For example, single employees will receive one-quarter (1/4) the single rate; employees with only one dependent will receive one-quarter (1/4) the double rate; and employees with a family would receive one-quarter (1/4) the family rate. Retirees, non-bargaining unit members and bargaining unit members whose spouse works for the City are not eligible for the program set forth in this section, nor can they be double covered. The stipend payment will be paid by separate check on or about June 30 of each year (and if more than one insurance is opted-out, will be combined into one check) and will be pro-rated on the basis of one-twelfth (1/12) of the stipend payment for each full month the eligible employee has foregone the City provided vision insurance.

## **Life Insurance**

The City will provide group life insurance for each employee of at least one times the employee's annual salary. Coverage takes effect the first of the month following date of hire. For example, if an employee begins August 15, coverage takes effect September 1.

## **Retirement**

### **Retirement-Option A**

- (a) For employees hired prior to January 1, 2006 who remained in the City's defined benefit plan, their retirement plan will be administered by MERS. Benefits shall be the terms of the City Ordinance in effect on May 31, 2020 or the MERS Defined Benefit equivalent plan, whichever results in the greater benefit. The exception is that the City's retirement plan (defined benefit pension) allowing nine (9) months in the last year of service to count as one year (12 months) of service will no longer be in effect. The City shall maintain and make available the ordinance for reference regarding potential questions about the terms of the ordinance.
- (b) Vacation, sick leave, life insurance, hospitalization insurance and all other benefits, shall terminate at the date of the employee's retirement.
- (c) Effective July 1, 2010: Benefit formula will change to Final Average Compensation (FAC) times the sum of 2.5% for all years of credited service, total benefit not to

exceed 80% of FAC. Retirement eligibility is age sixty (60) with ten (10) years or more of service. Retirees will receive a 1.4% non-compounding cost of living adjustment (COLA) for the first 10 years in retirement effective January 1<sup>st</sup>, after the retiree has been receiving a pension for at least 12 months. As non-compounding, COLA is based on the original retirement amount and the same increase is added each year. After the addition of 10 years of COLA increases, retirement benefits remain at that level thereafter.

- (d) FAC shall include all taxable income, such as regular wages, including training time, overtime, vacation and sick time and longevity, taken, earned and paid out, holiday, bereavement, jury duty, health care opt-out and workers compensation payments. The only exception to inclusion of the FAC is non-taxable amounts, such as reimbursement for expenses paid based on receipts.
- (e) It is specifically agreed that each employee's annual retirement contribution cost shall be six percent (6%) of their gross annual compensation. The employer shall be responsible for any required contribution above the employee's six percent (6%). The employee's contribution shall be made by payroll deduction.
- (f) Once the employee completes the MERS Application for Defined Benefit Retirement form and returns a copy to the Director of Human Resources the employee shall be granted thirty (30) vacation days or two hundred ten (210) hours. This grant of an additional thirty (30) vacation days shall be added to the employee's leave bank.
  - 1. This time may be used at the end of his/her employment to accumulate the full ten (10) years of service/age 60 required under the MERS pension plan.
  - 2. This time may be used at the end of his/her employment once a minimum of ten (10) years of service/age 60 is attained, as vacation time off.
  - 3. This time may be used at the end of his/her employment once a minimum of ten (10) years of service/age 60 is attained as compensation of unused vacation credits under "Leave Time, Vacation, Unused Vacation Days" consistent with maximum unused credits paid plus these thirty (30) granted days, which shall count toward the employee's FAC.

### **Retirement-Option B**

- (a) General City employees hired after January 1, 2006 may participate in a Defined Contribution (401a) pension program by making contributions to the MERS Defined Contribution (DC) plan immediately upon hire.
- (b) Vacation, sick leave, life insurance, hospitalization insurance, and all other benefits shall terminate at the date of the employee's retirement.
- (c) Employees may make contributions to the program in such amounts as permitted by the Federal laws and regulations.
- (d) The employer will contribute to the employee's defined contribution account, a maximum of six percent (6%) of the employee's gross annual salary. The City will match employee contributions dollar for dollar, up to a maximum of 3%. If an employee contributes an additional 1%, the City will match that 1%, for a total of 7%

City contribution. If an employee contributes an additional 3%, the City will match that 3%, for a total of 9% city contribution.

- (e) Employees are one hundred percent (100%) vested in their contributions. Employees will become vested in the Employer's contributions in accordance with the following schedule :

50% upon completion of two (2) years of service  
60% upon completion of three (3) years of service  
70% upon completion of four (4) years of service  
80% upon completion of five (5) years of service  
90% upon completion of six (6) years of service  
100% upon completion of seven (7) years of service

## **Section 125 Flexible Spending Account Plan**

Employees may elect to have a certain dollar amount transferred from the employee's paycheck into a special account to pay for expenses as they occur. This money is taken from the employee's gross pay prior to taxes. The employee saves by not having to pay federal and most state and local taxes on the amount the employee sets aside. Employees can pay for eligible out-of-pocket health care and dependent care expenses with pre-tax dollars. A flex plan is a Section 125 Plan, which provides tax savings by reducing employee medical premiums and employee elected dollars for out-of-pocket health care expenses and dependent care expenses from the employee's gross salary prior to calculation of federal income and FICA taxes, as allowed under Internal Revenue Code (IRC) Section 125. Each employee's participation is purely voluntary. To enroll an employee must:

1. Complete a Election Form, this form helps the employee determine the contribution to be placed into the flex account during the plan year.
2. Each pay period this amount is deducted from the employee's pay prior to deducting federal income tax and social security tax.
3. As applicable expenses occur, the employee is reimbursed with the monies in the employee's account.

All employees enrolled in the FSA will receive a debit card for transactions. If the charges are applicable according to IRS code, the card will accept the transaction. All applicable charges are defined by the IRS. Any funds left in the account at year-end are lost. There are two types of reimbursement accounts:

1. Medical Reimbursement: This can be used to pay for qualified medical costs and health care expenses that are not paid by insurance. Examples include: chiropractor, podiatrist, deductibles, co-pays, office visits, prescriptions, hearing aids, glasses, contact lenses, orthodontic, therapy, physical impairment needs, smoking cessation programs, etc. An employee may elect to contribute up to the federal maximum in the account. Any leftover money will be forfeited.
2. Dependent Care Reimbursement: This can be used to pay for eligible dependent care expenses such as child care for children under age 13 or children who are physically or mentally incapable of self-care and, in some cases, elder care, so that the employee (and the

employee's spouse, if married) can work, look for work, or attend school full-time. A single parent or a married couple filing jointly can elect up to \$5,000 per family, while a married person filing separately can elect up to \$2,500. This is a pay as you go account. Reimbursements are not made until funds are available. The childcare provider must claim payments as income. Any leftover money will be forfeited.

An employee may change the annual election if the employee has a qualified change in status (marriage, birth, adoption, death or divorce). The change in status must correlate with the event and be made within thirty (30) days of the event. The City of Owosso Human Resources Director is the administrator of the plan.

## **Short Term Disability (STD) Benefits**

The short-term disability benefit is a source of income replacement for employees unable to work due to illness, pregnancy or injury.

### **Eligibility**

For all regular, full-time employees, the employee must exhaust the employee's bank of sick and ESTA time prior to the short-term disability taking effect.

A regular, full-time employee who has completed six months of continuous employment and who is unable to work due to illness, pregnancy or injury (other than a self-inflicted injury) is eligible. There is an eight (8) calendar day waiting period, sick and ESTA time must be used for this waiting period (if the employee's sick/ESTA time is exhausted the employee must use personal or vacation time to fill the eight (8) day waiting period if they wish to be paid for scheduled work days missed during the eight (8) day waiting period). The employee must have exhausted all sick/ESTA time before the STD will begin. The employee may also use personal or vacation time in lieu of STD. An employee receiving workers' compensation or disability pay under any state or federal plan is ineligible for this benefit. 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 a return to work.

### **Medical certification**

The employee must provide medical certification of the disability that includes the starting and expected ending date of the disability. This certification must be submitted to the Human Resources Department. The enrolled carrier will make the determination of disability.

### **Benefit payment**

The short-term disability benefit payment is 66 2/3 percent of the employee's base weekly wages calculated on average earnings in the previous 12 months. The benefit may be paid for a maximum of twelve (12) weeks per calendar year. Payments are made once a week. The benefit is taxable income.

### **Return to work**

The employee must return to work as soon as permitted by the health care provider. The employee must submit a fitness-to-return-to-duty clearance to the Human Resources Department. An employee whose absence has been designated as FMLA (Family and Medical Leave Act) leave is eligible for reinstatement as provided by the FMLA.

The City will attempt to return an employee who is returning from a short-term disability leave to the same or similar job, at the same salary that the employee held prior to the leave. Under some circumstances, however, permanent replacement during a leave may be required, or in some instances, staffing requirements may change. Therefore, unless an employee is entitled to return to the same or an equivalent position under the FMLA, a job cannot be guaranteed when the employee is ready to return to work from a short-term disability leave. In the event the employee is not entitled to return to the same or an equivalent position under the FMLA and a position is not available or if the employee chooses not to return to work, upon the expiration of the disability leave, the employee will be terminated. If an employee does not return from a short-term disability leave, the termination date is the last day that the employee was authorized to return or the date the employee notifies the supervisor that the employee is not returning, whichever is sooner. Such employees may be considered for reemployment. An employee who returns to work following a short-term disability leave will be considered as having continuous service.

## **Long-Term Disability**

The City offers regular, full-time employees (who are regularly scheduled to work a minimum of 32 hours per week) a non-contributory Long-Term Disability (LTD) base plan. This non-contributory base plan provides for monthly LTD benefits of 66 2/3% of basic monthly earnings to a maximum benefit of \$5,000 per month, less any other offsets. Eligible employees are automatically enrolled the first of the month following their date of hire. The benefit and its rules and requirements are handled by our life insurance company.

## **Workers' Compensation Benefits**

Each regular full-time employee covered by this Plan who is unable to work as the result of an injury incurred in the performance of the employee's job shall receive pay during such workers' compensation as follows:

1. During the first seven (7) days, the City shall pay the employee the basic weekly wage.
2. An Employee will be paid the regular bi-weekly income while out on worker's compensation. The City's Worker's Compensation provider will still send a check to the Employee. When the check arrives, the City requires that the Employee sign it over to the City. The Employee's bi-weekly income shall not exceed twenty-six (26) weeks.
3. If, upon expiration of the six (6) month period, the employee is unable to return to work, the employee may elect to use accumulated sick leave to supplement the difference between the employee's regular weekly wage and Workers' Compensation benefits.
4. To become eligible for injury leave with pay, an employee must immediately report the injury to the department manager and the Human Resources department on prescribed forms and be available for first aid treatment.

5. No employee shall be entitled to regular compensation for absence from duty on account of injuries, if said injuries were not job incurred. Such absence from duty will be considered as sick leave and will be governed by the rules pertaining to sick leave.

## **Employee Assistance Program**

We all experience times when we need a little help with life's challenges. The City understands this and is providing the employee assistance program (EAP) to offer support, guidance and resources to help the employee and the employee's family resolve personal issues. An EAP can help by assisting the employee in balancing work and personal life.

A master's level Member Advocate will confidentially consult with the employee over the phone and help him/her find solutions and resources to meet life's challenges. The Member Advocate will provide the employee with consultation, resources, an action plan and information to help the employee address any issues. The employee may also receive referrals to support groups, community resources, a counselor or health plan. The EAP can help with the following issues, among others:

- Child care and elder care
- Alcohol and drug abuse
- Life improvement
- Difficulties in relationships
- Stress and anxiety with work or family
- Depression
- Personal achievement
- Emotional well-being
- Financial and legal concerns
- Grief and loss

All calls and counseling services are completely confidential. Information will be released only with the employee's permission or as required by law. Phone consultation and online access to EAP services is always available. This program also includes up to three (3) face-to-face assessments and counseling sessions. If you accept a referral to services that are not a part of your program, you may be responsible for the costs associated with those services. For more information contact the Human Resources Department.

## **Longevity**

After completion of the third year of employment, the employee will be paid annual longevity pay according to the following schedule on or after the employee's anniversary date of employment.

Longevity Schedule	
3 – 4 years completed	\$150.00
5 – 9 years completed	\$400.00
10 – 14 years completed	\$650.00
15 or more years completed	\$750.00

An employee leaving the employ of the City under any circumstances other than retirement or death shall not be granted longevity pay for any partially completed year. Upon retirement or death, the longevity pay shall be prorated according to full calendar months completed.

## **Expense Reimbursement**

Each employee shall be entitled to recover actual out-of-pocket expenses that may be incurred while on official City business. Reimbursement for use of automobiles is discussed in Appendix E (Use of City Vehicles by City Employees).

## **Conferences and Workshops**

The City of Owosso strongly supports professional development by sending employees to conferences and workshops. Employees are encouraged to attend these events to get up-to-date information in their field and network with colleagues in other municipalities. Knowledge is fundamental to the efficient operation of the City. Prior to registering for a conference/workshop, please seek the approval of your direct supervisor and Department Director. If you have any professional development or training suggestions, please contact the HR Department.

## **Employee Training, Recognition and Service Programs**

It shall be the responsibility of the Human Resources Director to foster and promote programs of employee training, employee recognition, and employee service programs for the purpose of improving the quality of personnel services rendered to the City and of aiding employees to develop themselves for advancement in the service. City resources may be expended to develop these programs.

## **Administration of Employee Development Program**

The Human Resources Director shall develop and conduct supervisory and management training and other types of training and employee development programs common to all departments; the HR Director shall establish standards of performance and procedures for evaluating employee efficiency and shall assist supervisors in development and conducting training to meet the specific needs of their departments and in developing and utilizing other techniques for increasing employee efficiency in present positions, and in preparing for promotions to higher positions in the City service.

## **Political Activity**

No employee will be required to contribute to or work in any election on behalf of any candidate and no such employee shall participate in any political activities or electioneering on City property during business hours.

# **ON-THE-JOB**

## **Attendance, Punctuality and Dependability**

Because the City depends heavily upon its employees, it is important that employees attend work as scheduled. Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times. As such, an employee is expected at work on all scheduled work days and during all scheduled work hours and to report to work on time. Moreover, an employee must notify the employee's supervisor or the Human Resources Department as far in advance as possible, and no later than the starting time of the employee's shift. This policy applies for each day of absence. An employee who fails to contact the employee's immediate supervisor or the Human Resources Department may be considered as having voluntarily resigned. A careful record of absenteeism and lateness is kept by the employee's supervisor and becomes part of the personnel record. To the extent permitted by law, absenteeism and lateness lessen an employee's chances for advancement and may result in dismissal.

## **Appearance and Conduct**

The City expects employees to maintain a neat, well groomed appearance at all times. City Hall is a business casual environment and all employees working in City Hall must abide by this dress code. Jeans, beach footwear, shorts and bare-midriiffs are prohibited attire for employees, unless prior approval is granted by the supervisor. On special occasions jeans and/or shorts may be appropriate, with prior approval by the Department Manager. Fridays are considered casual days and jeans are appropriate.

The City requires order and discipline to succeed and to promote efficiency, productivity and cooperation among its employees. The orderly and efficient operations of the City require that employees maintain proper standards of conduct at all times.

Employees who fail to maintain proper standards of conduct toward their work, their co-workers or the City's customers, or who violate any of the City's policies, are subject to appropriate disciplinary action, up to and including discharge.

All instances of misconduct should be referred to the Human Resources Department immediately.

## **Anti-Nepotism Policy**

Members of an employee's immediate family will be considered for employment on the basis of qualifications. Immediate family may not be hired, however, if employment would:

- (i) Create a supervisor/subordinate relationship with a family member;
- (ii) Have the potential for creating an adverse impact on work performance; or
- (iii) Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must also be considered when assigning, transferring, or promoting an employee. For the purpose of this policy, immediate family includes: spouse, parent, child, sibling, in-law, aunt, uncle, niece, grandparent, grandchild and members of household. This policy also applies to romantic relationships.

An employee who becomes an immediate family member or establishes a romantic relationship may continue employment as long as it does not involve any of the above situations. If one of the conditions outlined above should occur, attempts will be made to find a suitable position within the City of Owosso to which one of the employees may transfer. If employees become immediate family members or establish a romantic relationship, the City will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security or morale. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. If the employees cannot make a decision, the City will decide in its sole discretion who will remain employed.

## **Romantic or Sexual Relationships**

Consenting "romantic" or sexual relationships between a supervisor/manager and an employee may at some point lead to unhappy complications and significant difficulties for all concerned - the employee, the supervisor/manager and the City. Any such relationship may, therefore, be contrary to the best interests of the City.

Accordingly, the City strongly discourages such relationships and any conduct (such as dating between a supervisor/manager and an employee) that is designed or may reasonably be expected to lead to the formation of a "romantic" or sexual relationship.

By its discouragement of romantic and sexual relationships, the City does not intend to inhibit the social interaction (such as lunches, dinners or attendance at entertainment events) that are or should be an important part or extension of the working environment; and the policy articulated above is not to be relied upon as justification or excuse for a supervisor's/manager's refusal to engage in such social interaction with employees.

If a romantic or sexual relationship between a supervisor/manager and an employee should develop, it shall be the responsibility and mandatory obligation of the supervisor/manager promptly to disclose the existence of the relationship to the HR Director. The employee may make the disclosure as well, but the burden of doing so shall be upon the supervisor/manager.

The City recognizes the ambiguity of and the variety of meanings that can be given to the term "romantic." It is assumed, or at least hoped, however, that either or both of the parties to such a relationship will appreciate the meaning of the term as it applies to either or both of them and will act in a manner consistent with this policy.

Upon being informed or learning of the existence of such a relationship, the HR Director may take all steps necessary and as deemed appropriate. At a minimum, the employee and supervisor/manager will not thereafter be permitted to work together on the same matters (including matters pending at the time disclosure of the relationship is made), and the supervisor/manager must withdraw from participation in activities or decisions (including, but not limited to, hiring, evaluations, promotions, compensation, work assignments and discipline) that may reward or disadvantage any employee with whom the supervisor/manager has or has had such

a relationship. If a romantic relationship does occur, discipline up to and including termination will occur.

In addition, and in order for the City to deal effectively with any potentially adverse consequences such a relationship may have for the working environment, persons who believe that they have been adversely affected by such a relationship, notwithstanding its disclosure, are encouraged to make their views about the matter known to the HR Director.

This policy shall apply without regard to gender of the participants in a relationship of the kind described.

## **Violence in the Workplace**

The City strongly believes that all employees should be treated with dignity and respect. Acts of violence will not be tolerated. Any instances of violence must be reported to the employee's supervisor and/or the Human Resources Department. All complaints will be fully investigated.

The City will promptly respond to any incident or suggestion of violence. Violation of this policy will result in disciplinary action, up to and including immediate discharge.

## **Accidents and Emergencies**

Maintaining a safe work environment requires the continuous cooperation of all employees. The City strongly encourages employees to communicate with fellow employees and their supervisor regarding safety issues.

All employees will be provided care, first-aid and emergency service, as required, for injuries or illnesses while on City premises. Employees should contact their supervisor, the nearest supervisor, and/or 911 in the event of an accident or emergency.

If an employee is injured on the job, the City provides coverage and protection in accordance with the Worker's Compensation Law. When an injury is sustained while at work, it must be reported immediately to the employee's supervisor, who in turn, will notify Human Resources of the incident.

Failure to report accidents is a serious matter as it may preclude an employee's coverage under Worker's Compensation Insurance.

## **Open Door Policy**

The City promotes an atmosphere whereby employees can talk freely with members of the management staff. Employees are encouraged to openly discuss with their supervisor any problems, so appropriate action may be taken. If the supervisor cannot be of assistance, Human Resources is available for consultation and guidance. The City is interested in all of our employees' success and happiness with us. We, therefore, welcome the opportunity to help employees whenever feasible.

## **Internal Complaint Procedures**

To foster sound employee-employer relations through communication and reconciliation of work-related problems, the City provides employees with an established procedure for expressing employment related concerns.

In situations where employees feel a complaint is in order, the following steps should be taken:

1. If employees believe that they have a legitimate work-related complaint, employees are encouraged to first attempt to resolve the issue(s) through discussions with their immediate supervisor.
2. If the situation is not resolved within five (5) working days from the time the complaint is discussed with the employee's immediate supervisor, barring extenuating circumstances, it should be brought to the attention of the next level supervisor or the HR Director with written documentation.

The City will attempt to resolve the complaint within a reasonable period of time while preserving the confidentiality and privacy of those involved to the extent possible.

## **Solicitations, Distributions and Use of Bulletin Boards**

Employees may not solicit any other employee during working time, nor may employees distribute literature in work areas at any time. Under no circumstances may an employee disturb the work of others to solicit or distribute literature to them during their working time.

Persons not employed by the City may not solicit the City employees for any purposes on City premises.

### **Bulletin Boards**

Bulletin boards maintained by the City are to be used only for posting or distributing material of the following nature:

- notices containing matters directly concerning City business;
- announcements of a business nature which are equally applicable and of interest to employees.

All posted material must have authorization from Human Resources. All employees are expected to check these bulletin boards periodically for new and/or updated information and to follow the rules set forth in all posted notices. Employees are not to remove material from the bulletin boards.

## **Internal Investigations and Searches**

From time to time, the City may conduct internal investigations pertaining to security, auditing or work-related matters. Employees are required to cooperate fully with and assist in these investigations if requested to do so.

Whenever necessary, in the City's discretion, work areas (i.e., desks, file cabinets, etc.) and personal belongings (i.e., brief cases, handbags, etc.) may be subject to a search without notice. Employees are required to cooperate.

The City will generally try to obtain an employee's consent before conducting a search of work areas or personal belongings, but may not always be able to do so.

## **Reference Checks**

All inquiries regarding a current or former City employee must be referred to the HR Director.

Should an employee receive a written request for a reference, the employee should refer the request to the HR Director for handling. No City employee may issue a reference letter to any current or former employee without the permission of the HR Director.

Under no circumstances should any City employee release any information about any current or former City employee over the telephone. All telephone inquiries regarding any current or former employee of the City must be referred to the Human Resources Department.

In response to an outside request for information regarding a current or former City employee, the Human Resources Department will furnish or verify only an employee's name, dates of employment, job title and department. No other data or information regarding any current or former City employee, or prior employment with the City, will be furnished unless the employee authorizes the City to furnish this information in writing that also releases the City from liability in connection with the furnishing of this information or the City is required by law to furnish any information.

## **Tape Recording Policy**

It is a violation of City policy to record conversations with a tape recorder or other recording device unless prior approval is received from your supervisor or a member of upper-level management or all parties to the conversation give their consent.

The purpose of this policy is to eliminate a chilling effect on the expression of views that may exist when one person is concerned that the conversation with another is being secretly recorded. This concern can inhibit spontaneous and honest dialogue especially when sensitive or confidential matters are being discussed.

Violation of this policy will result in disciplinary action, up to and including immediate termination.

## **Tuition Reimbursement Policy**

If an employee is a regular, full-time non-union employee and has worked for the City at least one (1) year, the employee may be eligible to participate in the City's tuition reimbursement program. In the event that the City agrees to support an employee's academic efforts, and believes that the

employee's general job performance warrants such, the City will partially reimburse the employee's tuition for certain courses that it believes are job-related. Eligible courses must be directly and substantially related to an employee's improving productivity in the employee's current job. Costs for textbooks and materials will not be reimbursed. The amount an employee receives will depend on the City's approval and upon the grade received and will not exceed \$600 per semester.

To receive tuition reimbursement, an employee must apply and be approved before the course begins. This is how the program works:

1. Complete a Tuition Reimbursement Form. See the Human Resources department for the form. Complete the form and submit to the City Manager.
2. If the City Manager approves the form, return the signed form to the Human Resources Department.
3. The employee pays the initial course fees.
4. Once the employee receives grades, the employee should attach the tuition bill and the final grades to a copy of the initial Tuition Reimbursement Form and send them to the Human Resources Department.
5. Within thirty (30) days, the employee will receive a reimbursement.
  - For 90 percent reimbursement, the employee must receive a grade of "A" or grade point average (gpa) in the range of 4.0-3.5.
  - For 70 percent reimbursement, the employee must receive a grade of a "B" (gpa of 3.4-3.0).
  - For 50 percent reimbursement, the employee must receive a grade of a "C" (gpa of 2.9-2.5/pass).
  - No reimbursement is provided for a grade of a "D" or less (or below a gpa of 2.5/fail).

If an employee resigns or is terminated before receiving a grade, the employee will not be reimbursed for tuition expenses. If an employee resigns within twelve (12) months after receiving reimbursement, the employee must repay the City in full.

# **LEAVING THE CITY OF OWOSSO**

## **Resignation**

When an employee decides to leave for any reason, the employee's supervisor and the Human Resources Department would like the opportunity to discuss the resignation before final action is taken. The City often finds during this conversation that another alternative may be better. If, however, after full consideration the employee decides to leave, it is requested that the employee provide the City with a written two-week advance notice period (bear in mind that vacation days or personal days may not be included in the two-week notice period). The City will only compensate employees for unused vacation when the employee works throughout the notice period, and is not terminated for gross misconduct or cause; otherwise, unused vacation will be forfeited. If, as sometimes happens, the employee's supervisor wishes for the employee to leave prior to the end of the employee's two-weeks notice, the employee may be paid for the remainder of that period.

## **Post Resignation/Termination Procedures**

### **Exit Interview**

Human Resources is responsible for scheduling an exit interview with a terminating employee on the employee's last day of employment and for arranging the return of City property including:

- Office keys
- City-issued credit cards/gas cards
- City manuals
- Any additional City-owned or issued property

In order to receive a disbursement of any amounts due from the MERS retirement plans, the employee is required to complete and sign a distribution form and submit it to MERS. Specific information will be provided at the exit interview.

Employees may choose the continuation or waiver of comprehensive medical, dental and vision coverages under Consolidated Omnibus Budget Reconciliation Act (COBRA). Specific information will be provided at the exit interview.

### **Benefits**

Benefits (Life, Medical, Vision and Dental) end on your last day of employment. An employee has the option to convert to individual life insurance, and/or to continue Medical, Vision, or Dental Benefits in accordance with the COBRA regulations.

### **Final Paycheck**

Employees leaving the City must return office keys, city credit cards, etc., before their final paycheck can be issued. This final paycheck will be mailed during the next normal pay period. If there are unpaid obligations to the City, the final paycheck will reflect the appropriate deductions.

### Retirement Plan

If an employee is in the retirement plan, information regarding this plan will be provided at the exit interview.

## ACKNOWLEDGMENT

PLEASE READ THE FOLLOWING AND SIGN BELOW TO INDICATE RECEIPT OF THIS PERSONNEL POLICY MANUAL AND ACKNOWLEDGMENT OF THE FOLLOWING.

I have received my copy of the Personnel Policy Manual. I have read and agree to keep my Manual for future reference and observe present and future City personnel policies and rules outlined in this Manual. I agree that if there is any policy or provision in the Manual that I do not understand, I will seek clarification from the Human Resources Department. I understand that this Manual is simply intended as an informational guide describing personnel policies, benefits and general information and that these guidelines are not to be construed as either a contract or guarantee of continued employment. This Manual is to be a guide for all City of Owosso employees, if there is a conflicting section in this manual, as compared to a union contract, the union contract shall prevail. I also understand that within the limits allowed by law, the City of Owosso reserves the right to unilaterally amend, modify or cancel this Manual, as well as any or all of the various policies, procedures and programs outlined within it at any time without any required notice period; this also extends to any other employment-related policies and/or procedures and standards. It supersedes any and all past manuals, handbooks, policies, procedures, understandings, and standards written or verbal, express or implied.

**I understand that the City of Owosso is an "at will" employer and as such employment with the City is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice.**

Please sign and date this receipt and return it to the Human Resources Department.

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

Print Name: \_\_\_\_\_

## **FAMILY AND MEDICAL LEAVE ACT ("FMLA")**

In accordance with the Family and Medical Leave Act (FMLA), an employee who has been employed by the City of Owosso for twelve (12) consecutive months (and has worked 1250 hours during those months) may take a leave of absence for up to a total of twelve (12) weeks during any 12-month period for the following reasons:

- The employee's own physical or mental health condition;
- To care for a child, spouse or parent who has a serious physical or mental health condition;
- Birth of a child;
- The placement of a foster or adoptive child with the employee; or
- A qualifying exigency.

The City utilizes a "rolling" 12-month period for purposes of computing the amount of remaining leave an employee has available to use at any given time. Thus, an employee's current entitlement to leave is based on how much FMLA leave the employee has taken in the preceding 12 months, as measured backwards from the date the currently requested leave would commence. For example, if an employee has taken eight weeks of leave during the past 12 months, an additional four weeks of leave could be taken.

1. Employees anticipating the need for a leave pursuant to the FMLA are requested to provide at least thirty (30) days advance written notice of a need for the leave. If it is not possible for the employee to provide thirty (30) days advance notice for a foreseeable leave, based upon the circumstances, the employee should provide advanced notice as soon as practicable, on the same day or the next business day. An employee's notice of FMLA leave should include:
  - The employees statement asserting the need for leave
  - The reason for the need for leave
  - The anticipated duration of the leave
  - The anticipated start of the leave
2. When the need for FMLA leave is foreseeable at least thirty (30) days in advance, and the employee fails to provide notice, without a reasonable excuse, the City reserves the right to delay FMLA coverage for thirty (30) days after the employee actually provided notice.
3. Employees needing to initiate FMLA leave where the approximate timing of the leave is not foreseeable, the employee must provide notice to the City as soon as practicable. It is expected that the employee will provide the notice for an

unforeseeable leave, however, in emergency situations notice may be given by a spokesperson for the employee.

4. When the necessity for the leave is foreseeable based upon planned medical treatment, employees are required to make a reasonable effort to schedule the treatment so as to not unduly disrupt the operations of the City of Owosso.
5. The family or medical leave can be taken intermittently or on a reduced work schedule when there is a medical necessity.
6. Employees requesting a medical leave for a serious health condition, including intermittent or reduced schedule leaves, must provide certification of the serious health condition of the employee or eligible family member which includes the following:
  - A. The date on which the serious health condition began;
  - B. The probable duration of the condition;
  - C. Appropriate medical facts regarding the condition; and
  - D. The name, address, and telephone number of the health care provider.

Such certification shall be on a form approved by the U.S. Department of Labor. An employee requesting leave should return the medical certification for FMLA leave within fifteen (15) calendar days.

If the City questions the need for the leave or the adequacy of the medical certification, it shall have the right to obtain a second opinion, at the City's expense. If the two health care providers' opinions differ, a third opinion from a health care provider may be requested by the employee mutually agreed upon by the City and the employee, which opinion shall be paid for by the City and will be final and binding on the parties.

7. The City may require periodic re-certification from the employee during the leave period. Furthermore, if the leave is necessitated by the employee's own serious health condition, the employee will be required, before a return to work, to provide medical certification that the employee is able to resume work.
8. There shall be no loss of seniority or accrued benefits during the period of FMLA leave. Health insurance benefits shall be maintained during the FMLA leave at the same level and conditions as if the employee had continued to work. Employees will be asked to utilize any accrued paid time-off as part of the twelve (12) week period granted for any of the reasons set forth above.
9. The employee shall accrue seniority while on an FMLA leave.
10. An employee on FMLA leave who desires to return to work must notify the Human Resources Director, in writing, at least seven (7) calendar days prior to the return date.

11. An employee who has been absent for medical reasons must obtain a return to work release from the physician which must certify the employee is fit for duty without restriction or specify the type, nature and duration of any work restriction, if applicable.
12. An employee on FMLA leave for twelve (12) weeks or less shall be returned to work either to the position held prior to taking the leave, or to an equivalent position. An employee is returned to the position with the same rights the employee would have had if the employee had been continuously employed during the FMLA leave. An employee is not entitled to any greater rights or benefits than the employee would have been entitled had the employee not taken the leave.
13. An employee seeking to return to work with medical restrictions shall be returned to work in line with the employee's seniority to an available position, if any, which the restricted employee is capable and qualified to perform. If an employee cannot be placed in a suitable position, the employee will be placed on continued leave status until an appropriate accommodation can be made, up to a maximum of twelve (12) months. Nothing in this provision is intended to preclude the rights and obligations of either the employee or the City of Owosso under the American with Disabilities Act (ADA) and related state law.
14. Once an employee has expended the full 12-week allotment of leave time, the employee is no longer entitled to the benefits and protections of this Section, which include, but are not limited to, the right to continued health insurance benefits and the right to be returned to the prior position or an equivalent position. An employee's failure to return to work at the expiration of FMLA leave may result in termination of employment.
15. If an employee on FMLA leave fails to return to work, and the reason for the failure to return to work is due to circumstances within the employee's control, such employee shall reimburse the City of Owosso for the health insurance premiums paid on behalf of the employee during the leave.

If an employee is the spouse, son, daughter, parent, or next of kin of a "covered service member" in the military, who is suffering from a "serious injury or illness," the employee is entitled to take up to twenty-six (26) weeks of leave during a single twelve (12) month period to care for the "covered service member." This twelve (12) month period begins on the first day the eligible employee takes this military caregiver leave to care for a covered service member, and not on the "rolling" basis described in the first portion of this exhibit. Any other leaves taken under FMLA during the twelve (12) month period, other than military caregiver leave, are considered in calculating how much leave the employee has available, up to twenty-six (26) weeks. The employee will be required to provide certification that the "covered service member's" serious injury or illness was incurred in the line of duty on active duty.

An employee may take up to twelve (12) weeks of FMLA leave for a "qualifying exigency" that arises when a spouse, parent or child is on or has been called to active duty. The availability of this twelve (12) weeks of qualifying exigency leave will be based upon the "rolling" twelve (12) month period described above. A qualified exigency leave can be taken for: (1) Short-Notice Deployment, (2) Military Events, (3) Childcare and School Activities, (4) Financial and Legal Arrangements, (5)

Counseling, (6) Rest and Recuperation, (7) Post-Deployment Activities, and (8) Other events that arise out of the active duty or military call-up, where the City and employee agree that such leave shall qualify as an exigency, and agree to the timing and duration of the leave. The employee will be required to provide certification of a qualifying exigency leave, on the first occasion that an employee requests such leave.

The above FMLA benefits are in coordination with other leave of absence benefits provided by the City of Owosso. To the extent that any provision of this Section conflicts with the FMLA, the language of the Act will prevail.

## **SOCIAL SECURITY NUMBER PRIVACY POLICY**

### **Purpose**

The City of Owosso is required by the Michigan Social Security Number Privacy Act, Public Act 454 of 2004, MCL 445.81, *et seq.*, to create a privacy policy concerning the Social Security numbers that it possesses or obtains.

### **Policy**

The City will protect the confidentiality of the 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, disclose, or dispose of a Social Security number that the City obtains or possesses except in accordance with the Act and this Privacy Policy.

### **Procedure**

- a. **Obtaining Social Security Numbers.** Social Security numbers should be collected only where required by federal and state law, or as otherwise permitted by federal and state law for legitimate reasons consistent with this Privacy Policy.

Legitimate reasons for collecting a Social Security number include, but are not limited to:

- Applicants may be required to provide a Social Security number for purposes of a pre-employment background check.
  - Copies of Social Security cards may be obtained for purposes of verifying employee eligibility for employment.
  - Social Security numbers may be obtained from employees for tax reporting purposes, for new hire reporting or for purposes of enrollment in any City employee benefit plans.
  - Social Security numbers may be obtained from creditors or vendors for tax reporting purposes.
- b. **Public Display.** All or more than four sequential digits of a Social Security number shall not be placed on identification cards, badges, time cards, employee rosters, bulletin boards, permits, licenses or any other materials or documents designed for public display. Documents, materials or computer screens that display all or more than four sequential digits of a Social Security number shall be kept out of public view at all times.
  - c. **Account Numbers.** All or more than four sequential digits of a Social Security number shall not be used as a primary account number for an individual.

- d. **Computer Transmission.** All or more than four sequential digits of a Social Security number shall not be used or transmitted on the Internet or on a computer system or network unless the connection is secure or the transmission is encrypted.
- e. **Mailed Documents.** City documents containing all or more than four sequential digits of a Social Security number shall only be sent in cases where state or federal law, rule, regulation, or court order or rule authorizes, permits or requires that a Social Security number appear in the document. Documents containing all or more than four sequential digits of a Social Security number, that are sent through the mail, shall not reveal the number through the envelope window or otherwise be visible from outside the envelope or package.
- f. **Freedom of Information Act.** 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, the Social Security number shall be redacted or otherwise rendered unreadable before the document or copy of a document is disclosed.
- g. **Storage.** All documents containing Social Security numbers shall be stored in a physically secure manner. Social Security numbers shall not be stored on computers or other electronic devices that are not secure against unauthorized access.
- h. **Access to Social Security Numbers.** Only personnel who have legitimate business reasons to know will have access to records containing Social Security numbers. The Department Manager having access to records containing Social Security numbers shall determine which other personnel within their departments have legitimate reason in the City's ordinary course of business to have access to such Social Security numbers. Personnel using records containing Social Security numbers must take appropriate steps to secure such records when not in immediate use.
- i. **Disposal.** Documents containing Social Security number will be retained in accordance with the requirements of state and federal laws and the City's retention policy. At such time as documents containing Social Security numbers may be disposed of, such disposal shall be accomplished in a manner that protects the confidentiality of the Social Security numbers, such as shredding.
- j. **Unauthorized Use or Disclosure of Social Security Numbers.** The City shall take reasonable measures to enforce this Privacy Policy and to correct and prevent reoccurrence of any known violations. Any employee who knowingly obtains, uses or discloses Social Security numbers for unlawful purposes or contrary to the requirements of this Privacy Policy shall be subject to discipline up to and include discharge. Additionally, certain violations of the Act carry criminal and/or civil sanctions. The City will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains, uses or discloses Social Security numbers through the City for unlawful purposes.

- k. **Guidance.** If any questions regarding Social Security number privacy and security should arise, contact the office of the City Manager for policy clarification and guidance.

## **TECHNOLOGY USE AND ELECTRONIC RECORDS POLICY**

The purpose of this Technology Use and Electronic Records Policy is to establish guidelines and policies for use of the computer, internet, and e-mail systems owned by the City of *Owosso*, as well as for the preservation of the public records created and received using these systems.

This Policy is developed in recognition of the current work environment, where a large portion of communications between public employees transacting public business on behalf of the City is done through electronic means. Although there are many benefits to working in an electronic forum, there are also many challenges, including the ability to easily modify electronic documents and concerns about the security of public records. Adherence to this Policy will provide consistency, efficiency, and openness to the public and help lessen any potential negative impacts to the City as it increases its reliance on electronic methods of conducting City business.

### **Definitions**

1. *Electronic mail (e-mail)*: A means of exchanging electronic messages and documents using telecommunications links. A complete e-mail message not only includes the contents of the communication, but also the transactional information, aka metadata (dates and times that messages were sent, received, opened, deleted, etc., as well as aliases and names of members of groups), and any attachments. Transactional information can be found and printed or saved from the e-mail system.
2. *Electronic records*: Electronic records include e-mail messages, word documents, electronic spreadsheets, digital images, and databases. Electronic records are kept in computer networks, servers, personal computers, USB storage, Geographic Information System (GIS) databases and digital image.
3. *Public Record or Record*: Recorded information that is prepared, owned, used, in the possession of, or retained by the City in the performance of an official function, as more fully defined and interpreted under the Freedom of Information Act (FOIA), being MCL 15.231et seq.
4. *Text Messages*: Recorded messages sent from a cell phone used for City business through the cell phone number or other electronic device that has a phone number.
5. *Transitory Record*: Records relating to activities of the City or its employees or elected or appointed officials that have temporary value and do not need to be retained once their intended purpose has been fulfilled. A transitory record is that which does not set policy, establish guidelines or procedures certify a transaction, or become a receipt.
6. *Non-Records*: Recorded information in the possession of the City that is not needed to document the performance of an official function, such as drafts, duplicates,

convenience copies, publications, and other materials that do not document agency activities.

7. *Personal Records*: Records that document strictly non-governmental business or activities.

### **Electronic Communications and Internet Use**

1. **Purpose**: The purpose of this Technology Use and Electronic Records Policy is to assist the City employees in their day-to-day conduct of business activities. This Policy sets forth the City's policies regarding the use of e-mail, internet, telephones, voicemail, fax machines, external electronic bulletin boards, wire services, and other telephonic communication equipment. All authorized users are expected to be familiar with and comply with this policy. Violation of this policy can lead to system privileges being revoked and/or disciplinary action, including, but not limited to, termination of employment. The City encourages the use of these media and associated services, as they can make communication more efficient and effective, and because they can provide valuable information about vendors, customers, technology, and new products and services. However, all employees and others connected with the City should remember that electronic media and services provided by the City are public property and their purpose is to facilitate and support City business. All users of these systems have a duty to use these resources in a professional and lawful manner. The computer network and e-mail systems are the property of the City. All electronic communication and other information transmitted by, received from, or stored in these systems are the property of the City. Employees have no expectation of privacy with regard to their use of the City's computer network and e-mail system.

#### **2. Prohibited Uses:**

a. Electronic media shall not be used for knowingly transmitting, retrieving, or storing any communication that:

- i. Is in violation of local, state or federal law;
- ii. Shares technology in a way that violates federal copyright laws;
- iii. Circumvents the Open Meetings Act;
- iv. Misrepresents the user's identity, except where authorized as part of a law enforcement operation, task or purpose;
- v. Results in a hostile workplace environment;
- vi. Contains an offensive, obscene, disruptive or malicious message;
- vii. Is discriminatory or harassing;

- viii. Is defamatory or threatening;
- ix. Is for political or religious purposes;
- x. Is for purposes of lobbying or solicitation;
- xi. Creates or forwards chain letters;
- xii. Violates license governing the use of software;
- xiii. Creates any liability for the City of Owosso; and/or
- xiv. Is for Personal Use without approval from their manager.

b. The Internet and/or World Wide Web shall not be used for the following purposes:

- i. Commercial purposes other than the business of the City;
- ii. Participating in gambling, betting pools or investment clubs;
- iii. Downloading non-business related data;
- iv. Downloading non-approved applications or programs;
- v. Is for personal use without approval from their manager; and/or
- vi. Political activities in violation of state law.

### **3. Personal Use:**

The computers, electronic media, and associated services provided by the City are primarily for business use to assist employees in the performance of their jobs. Limited, occasional, or incidental use of electronic media (sending and/or receiving) for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the systems' use for their business purposes. However, employees are expected to demonstrate a sense of responsibility and not abuse this privilege. This limited personal use applies whether the employee is working or on personal time. Management can limit and/or cease personal use at any time for any reason. Any electronic mail or other record that is created as a result of an employee's personal use of the City's computers, electronic media, or other associated services may be considered a public record that would be subject to disclosure under the Freedom of Information Act. All email originating from or received by the City's computer systems is City property, and there is no individual right of privacy on the City's computers, electronic media, and associated services. Personal use of such systems may be monitored by your supervisor and/or department head as deemed necessary.

### **4. E-Mail:**

a. Only City employees who have an e-mail account and password are permitted to use these systems. However, passwords do not imply confidentiality, nor do they grant the user an expectation of privacy. All users of the system must receive a copy of this policy and acknowledge receipt of same in writing. Copies of such signed acknowledgment will be kept in the employee's personnel file. Upon separation of an employee from City employment, that user's e-mail account will be terminated.

b. Electronic Records may be subject to the Michigan Freedom of Information Act and discovery in litigation to the same extent as and with the same exemptions as those applicable to paper documents. The City reserves the right to inspect and monitor any e-mail, business or personal, found in its system for its business activities, and to disclose the contents of any e-mail to appropriate personnel.

c. Employees should also consider that e-mail messages can be read by persons other than the addressee and that the message may be later disclosed to outside parties or a court in connection with litigation. Therefore, employees are required to maintain the highest standards of good grammar, courtesy, and professionalism when creating and transmitting electronic records.

d. For purposes of record retention, electronic records related to an email account are subject to the same retention/disposal schedule applicable to City paper files and documents of like type.

e. The City's IT Department shall be responsible for establishing, maintaining, and monitoring all City-provided e-mail accounts. Requests for new accounts must be approved by the IT Department.

f. It is the responsibility of each employee to organize, extract, and purge e-mail at their workstation in accordance with the applicable record retention schedule.

g. The IT Department shall establish the maximum e-mail account size for each employee. It is the responsibility of each employee to manage their email account within these storage limitations.

**h. Auto Signature Disclaimer:** E-mail messages and the transfer of information through the Internet cannot always be guaranteed as secure. Any employee preparing to transmit information must include the following disclaimer or use the traditional paper mail system.

*"This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. This communication does not form any contractual obligation on behalf of the sender or the City of Owosso and, when applicable, the opinions expressed here are my own and do not necessarily represent those of the City."*

**5. Text Messages and Emails:** Employees should understand that emailing on personal email or text messages on personal equipment related to City business are subject to public disclosure laws and discovery in litigation involving the City. Only City issued email addresses or City issued phones may be used for City business. Personal email addresses and personal phones should not be

used for City-related business. Any employee who does use a personal device to send an email or text message for City-related business must comply with the City record retention policy before any such email or text message is deleted. Messages that only remind the receiver of a meeting or to read their email are permitted.

#### **6. Internet/World Wide Web:**

a. Use of the Internet shall be for the purpose of, or in support of education; research; state, local or national government affairs; economic development; City-related activities; public service; work-related communications and individual professional development.

b. Employees should not have any expectation of privacy regarding websites accessed through the computer system. Computer systems may leave “tracks” at websites visited. Therefore, any incidental use of the Internet for personal use must be conducted with the highest level of professionalism. Personal use should be limited and not interfere with work responsibilities or work time. City does not allow personal devices on the City network.

c. It is unacceptable to interfere with, or disrupt another network’s users’ files, or service equipment. Such interference or disruption includes, but is not limited to:

- i. Exceeding normal user privileges.
- ii. Creating accounts or using any account without authorization.
- iii. Probing or tampering with any security feature or file.
- iv. Exploiting any security vulnerability.
- v. Distribution of unsolicited advertising.
- vi. Transmitting excessive amounts of non-business related e-mail.
- vii. Propagation of computer worms or viruses.
- viii. Transmission of any type or quantity that causes disruption of service to others.
- ix. Using the network to make unauthorized entry, or other acceptable use, to other computational, information, or communications devices or resources.
- x. Sending, receiving, transferring, storing, or using sniffers, spoofers, hacking scripts, etc.
- xi. Employees who share their passwords with others and/or leave their computers unattended with an open web browser may be held responsible for any resulting unauthorized usage.

**7. Software:** The City prohibits the unauthorized use of City software. The City expects its employees to conduct themselves responsibly in this regard. Employees will refrain from making

or using unauthorized copies of software programs. Employees may not install or run outside software on City computers. Software requests must be approved, purchased, and installed by IT Department staff.

**8. Reporting Violations:** Use of the computer system to engage in any communications or uses that are in violation of any City policy, including, but not limited to, the acquisition, possession, or transmission of defamatory, obscene, offensive, or harassing material, is strictly prohibited. If you are harassed or discriminated against through the use of the City computer system, you must immediately report this to the Human Resources Department. Any employee who violates this Policy may be subject to discipline as set forth in this Policy.

**9. Electronic Records Retention:** In order for the City to function administratively, undergo periodic audits, provide for its legal requirements, and document its heritage, it must manage its records properly. Therefore, the City requires its employees to retain and destroy electronic records that are created, sent and received in the course of conducting official business in accordance with the City's approved Records Retention and Disposal Schedule.

**10. Right to Monitor:** All City-supplied technology and City-supplied work records belong to the City and not to the employee. The City may routinely monitor the use of City-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

### **Certificate of Receipt**

I, \_\_\_\_\_ (please print) certify that I have received a copy of the City of Owosso's Technology Use and Electronic Records Policy dated February, 2025.

I further acknowledge that I have read the City of Owosso's Technology Use and Electronic Records Policy dated February, 2025 and understand the policy and agree that if there is any policy or provision in the policy I do not understand, I will seek clarification from the IT Department. I understand the Policy is effective and agree to fully comply with all allowances, provisions and requirements of this policy and understand this policy applies to me in all aspects of my employment/service with the City of Owosso.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **VOICE MAIL POLICY**

Every City employee is responsible for using the Voice Mail system properly and in accordance with this policy. Any questions about this policy should be addressed to the Human Resources Department.

The Voice Mail system is the property of the City. It has been provided by the City for use in conducting City business. All communications and information transmitted by, received from, or stored in this system are City records and property of the City. The Voice Mail system is to be used for City purposes only. Use of the Voice Mail system for personal purposes is prohibited.

Employees have no right of personal privacy in any matter stored in, created, received, or sent over the City's Voice Mail system.

The City, in its discretion as owner of the Voice Mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the Voice Mail system, for any reason without the permission of any employee and without notice.

Even if employees use a password to access the Voice Mail system, there is no confidentiality of any message stored in, created, received, or sent from the City's Voice Mail system. Use of passwords or other security measures does not in any way diminish the City's rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system.

Even though the City of Owosso reserve's the right to retrieve and read any Voice Mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or listen to any Voice Mail messages that are not sent to them. Any exception to this policy must receive the prior approval of the City Manager.

The City's policies against sexual or other harassment apply fully to the Voice Mail system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no Voice Mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, national origin, age, disability, height, weight, marital status, gender, gender identity, gender expression, genetic information, pregnancy, pregnancy-related decisions, military status, sexual orientation or any other classification protected by law.

The Voice Mail system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

Users should routinely delete outdated or otherwise unnecessary Voice Mails. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.

Because of the storage space required for Voice Mail messages, employees should not send a Voice Mail message to a large number of recipients without prior approval from their supervisor.

Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. Voice Mails are sometimes misdirected or forwarded and may be heard by persons other than the intended recipient. Users should create Voice Mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on the City's letterhead.

Employees should also use professional and courteous greetings on their Voice Mail boxes so as to properly represent the City of Owosso to outside callers.

Because Voice Mail records and messages may be subject to discovery in litigation, the City's employees are expected to avoid making statements in Voice Mail that would not reflect favorably on the employee or the City if disclosed in litigation or otherwise.

Any employee who discovers misuse of the Voice Mail system should immediately contact the Human Resources Department.

Violations of the City's Voice Mail policy may result in disciplinary action up to and including discharge.

The City reserves the right to modify this policy at any time, with or without notice.

## **USE OF CITY VEHICLES BY CITY EMPLOYEES**

### **PURPOSE**

- To standardize the use of City-owned vehicles;
- To provide standard funding toward on-going maintenance and daily expenses for those employees driving;
- To reduce maintenance and overall expenses for the City car fleet and related traveling expenses; and
- The City recognizes that certain employees are required to be “on-call” during off-duty hours. This policy is intended to assure that these employees are able to have the vehicles at their disposal to fulfill the duties of their positions while at the same time ensuring that those uses are authorized and permitted by the City.

### **PROCEDURES**

#### **Employee’s with a designated City vehicle:**

- City employees must leave City-owned vehicles on City-owned property nearest to their main office when they leave for the workday. The City Manager may give approval with limited exceptions to this policy only when there is a specific demonstrated business need to take the City-owned vehicle to another location.
- A log book must be maintained by the employee. The Finance Director shall report the employee’s personal use of the City vehicle while not “on call” as a taxable fringe benefit to the Internal Revenue Service (IRS). If the employee fails to maintain a legible log book of the employee’s off-duty use of an unmarked vehicle, then all of such off-duty use of the vehicle, whether “on call” or “off call,” will be deemed to be personal use that is reportable as a taxable fringe benefit.
- Employees who must use marked vehicles during off-duty hours to respond to emergency calls, may with the prior approval of the City Manager, use the City’s unmarked vehicles while “on call” during off-duty hours, they may also use such vehicles to travel to and from the employee’s home. Any other personal use of the City’s vehicles during off-duty hours is strictly prohibited.
- An employee with an employment agreement will be allowed to follow the agreement for City vehicle use, travel compensation, and/or car allowances.

#### **Employee’s utilizing a non-designated City vehicle for City business:**

- The only reimbursement or compensation employees will receive for transportation purposes is for specific mileage reimbursement, unless designated in an employee contract. When a City vehicle is not available, a City employee who uses the employee’s own vehicle for strictly a City purpose shall receive mileage reimbursement based on the current IRS reimbursement standard rate. If an employee uses the employee’s own vehicle when a City vehicle is available, then the employee shall be reimbursed at a rate of ½ of IRS reimbursement standard rate. The employee must submit the reimbursement application within seven (7) days. Day, time, start location, end location, and calculation of total miles must be submitted with the application. The City Manager shall pre-approve this

reimbursement method when feasible. An employee with a need to conduct City business, who does not have a designated City car, may sign out a City-owned car through the Outlook Public Folders. When using a city vehicle, upon return, ensure that there is at least a ½ tank of gas left in the car. The vehicle policy will be coordinated by the City Manager's office.

## **DRUG & ALCOHOL ABUSE**

The City of Owosso has an Anti-Drug and Alcohol Policy and Procedures, adopted by City Council on July 1, 1996 and additions/revisions made and adopted by City Council on March 18, 2002. Manufacture, distribution, dispensation, possession, or use of any illegal drug, alcohol, or controlled substance while on City premises is strictly prohibited. These activities constitute serious violations of City rules, jeopardize the City and can create situations that are unsafe or that substantially interfere with job performance. Employees in violation of the policy are subject to appropriate disciplinary action, up to and including dismissal. Additionally, the City reserves the right to require an employee to undergo a medical evaluation under appropriate circumstances.

### **Drug Testing**

The City is determined to eliminate the use of illegal drugs, alcohol, and controlled substances at our work sites. The purpose of this program is to improve job safety on all projects. This program is designed solely for the benefit of our employees to provide reasonable safety on the job and protection from offending individuals. In addition, this program attempts to meet our responsibility to the public, whom we serve.

Testing: Drug and alcohol tests will be administered under the following conditions:

- when an employee shows signs of impairment on the job;
- after any accident or occurrence that results in an injury on the job as defined by the Occupational Safety and Health Administration;
- after any vehicular accident when it appears that the employee might reasonably have avoided the accident or minimized the consequences, but did not do so; and
- at hiring time, when all new hires will be required to pass a pre-employment drug-screening test as a condition of employment.

Employees who refuse to submit to drug and alcohol testing will be terminated.

### **Progressive Discipline**

- A first-time offender who tests or screens positive shall be suspended for at least one calendar month (four work weeks) without pay. During that time, the employee is expected to examine the continued working relationship with the City and seek appropriate rehabilitative assistance.
- At the end of the suspension and before returning to work, the employee must be retested with negative results. Failure to test negative at this point will result in termination.
- An employee who tests positive for the first time and completes the period of suspension, rehabilitation (if required), and subsequent negative testing shall be offered an opportunity to return to work. This employee will be subject to unscheduled random drug testing during a two-year probationary period.
- Second-time offenders and/or those subject to unscheduled random retesting who test positive will be discharged and terminated.

## **WEAPON-FREE WORKPLACE POLICY**

To ensure that the City of Owosso maintains a workplace safe and free of violence for all employees, the City prohibits the unauthorized possession or use of perilous weapons on City property. A license to carry the weapon on City property does not supersede City policy. Any employee in violation of this policy will be subject to prompt disciplinary action, up to and including termination. All City employees are subject to this provision, including contract and temporary employees, visitors and customers on City property.

"City property" is defined as all City-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the City's ownership or control. This policy applies to all City-owned or leased vehicles and all vehicles that come onto City property.

"Dangerous weapons" include, but are not limited to, firearms, explosives, knives and other weapons that might be considered dangerous or that could cause harm. Employees are responsible for making sure that any item possessed by the employee is not prohibited by this policy.

The City of Owosso reserves the right at any time and at its discretion to search all City-owned or leased vehicles and all vehicles, packages, containers, briefcases, purses, lockers, desks, enclosures and persons entering its property, for the purpose of determining whether any weapon has been brought onto its property or premises in violation of this policy. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including termination.

This policy is administered and enforced by the Human Resources Department. Anyone with questions or concerns specific to this policy should contact the Human Resources Department.

## **EMERGENCY CLOSING POLICY**

At times, emergencies (such as severe weather, fires, power failures, etc.) can disrupt City operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs, local radio and/or television stations will be asked to broadcast notification of the closing.

### **City Closings**

Employees may obtain broadcast information regarding the City's status on Z92.5 FM. Employees' immediate supervisor will attempt to notify them two hours prior to their scheduled start time.

The employee may use available vacation or personal leave according to the respective policy during adverse weather when the City has not declared an emergency closing.

### **Failure to Report to Work**

When the facilities are officially closed due to emergency conditions, the time off from scheduled work will be paid and will not require the use of vacation or personal leave for the time off.

In cases where an emergency closing is not declared, employees must use vacation or personal leave for any absence according to the respective policy.

## **PUBLIC RELATIONS/MEDIA INQUIRIES**

The City of Owosso will generally provide a response to media inquiries within 24 hours of receipt. Individuals designated to speak on the City's behalf are the City Manager, Assistant City Manager, Mayor, City Clerk and Public Safety Director. No one other than these individuals (with the exceptions noted below) should represent the City's position to the media.

### **Exceptions**

When inquiries require a detailed technical explanation, a spokesperson may be designated to address a particular issue. That spokesperson will usually be a senior volunteer leader, senior staff person or outside expert who is qualified to speak on the City's behalf on the issue in question.

### **Procedure**

All media inquiries, whether verbal or written, are to be directed to the City Manager who will evaluate the request and answer or direct it as appropriate.

All press releases will be issued as deemed necessary and relevant by the City Manager. The City Manager will approve all press releases prior to distribution. In addition, press releases that include quotes by staff will be approved by the individual quoted. Staff who work with organizations seeking approval for press releases that mention the City of Owosso must send such releases to the City Manager for review prior to distribution. Inquiries should be directed to the City Manager.

## **SMOKE-FREE WORKPLACE POLICY**

The City of Owosso is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. As motivated by our desire to provide a healthy work environment for our employees, the following smoking policy has been adopted and shall apply to all employees of the City of Owosso.

It is the policy of the City of Owosso to prohibit smoking on all City premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette, e-cigarette or pipe of any kind." Tobacco use shall include, but not be limited to, cigarettes, pipes, cigars, smokeless tobacco, vaping products and any tobacco designed for human consumption.

The Smoke-Free Workplace policy applies to:

- All areas or buildings occupied by City employees.
- All City-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the City.
- All visitors (customers and vendors) to City premises.
- All contractors and consultants and/or their employees working on City premises.
- All temporary employees.

Smoking is permitted in the parking lot of each building.

Employees who violate this smoking policy will be subject to disciplinary action up to and including immediate discharge.

Resolving complaints about smoking:

- Any complaints about the application of the policy to the workplace should be brought to the attention of the Human Resources Director for resolution.
- The complaint should be submitted in writing and identify specific objections. The City will investigate the complaint and resolve it in accordance with the policy.
- No employee shall suffer any form of retaliation for raising a complaint or asking a question about this policy.

## **Building Security Policy**

### **PURPOSE**

The purpose of this procedure is to outline the City of Owosso's approach to establishing security and safety for City Buildings and staff interaction with the public at City Buildings.

### **DEFINITION**

City Buildings include: City Hall, Public Safety Building, Water Treatment Plant, Wastewater Treatment Plant, and Department of Public Services.

### **SECURITY**

All non-front doors shall be locked and closed at all times. All visitors must enter through the main public entrance at the front of their building, except City Hall. City Hall may have three entrances open to the public during business hours and public meetings. From 6pm to 7am, visitors are not allowed in any public building, unless there is a public meeting; an immediate public issue; or an immediate City business request that is being discussed. From 5pm to 9pm, family members are authorized to visit with employees who are working. Family members shall be escorted at all times while in the City Buildings. Remember that this is a business and you must respect your fellow employee by not interfering with their functions while on-duty. This will not apply to other city employees that have business in other City Buildings.

### **PROCEDURE**

The City Manager, Human Resources Director, or Department Director may allow visitors outside of these policies. Each individual visit must have the approval of the City Manager, Human Resources Director, or Department Director.

## **Michigan's Earned Sick Time Act (ESTA)**

All employees including full-time, part-time, seasonal, and temporary workers are eligible to accrue paid ESTA sick time. Employees will accrue one (1) hour of paid ESTA sick time for every 30 hours worked. Leave time and holidays are not included as hours worked. ESTA sick time will begin accruing on an employee's first day of employment or February 21, 2025, whichever is later, but cannot be accessed until after 90 days of employment. Employees can use earned ESTA sick time for any of the following reasons:

1. The employee's mental or physical illness, injury or health condition; medical diagnosis, care or treatment of the employee's mental or physical illness, injury, or health condition; or preventive medical care for the employee.
2. For the employee's family member's mental or physical illness, injury or health condition; medical diagnosis, care or treatment of the employee's family members' mental or physical illness, injury or health condition; or preventive medical care for a family member of the employee.
3. If the employee or the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
4. For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child; or
5. For the closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For the purpose of this policy, "family member" includes all of the following:

- Biological, adopted or foster child, stepchild, or legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis.
- Biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child.
- A person to whom the employee is legally married under the laws of any state or a domestic partner.
- A grandparent.
- A grandchild.
- A biological, foster or adopted sibling.
- Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Accrued ESTA sick time can be used in 0.5 hour increments with as much notice as is practicable given the circumstances of the absence. Employees are asked to provide notice 7 days in advance, if they are aware of the need to use ESTA sick time or as soon as reasonably practicable. Once accrued, you can use up to 72 hours of ESTA sick time each year. Employees can accrue a maximum of 72 hours of ESTA sick time per calendar year.

Unused, accrued paid ESTA sick time will be carried over into the next benefit year, up to a maximum of 72 hours. However, only a maximum of 72 hours of accrued ESTA sick time can be used in a year. Sick time will be paid at the employee's regular rate of pay. For the purposes of this policy, a year is defined as the City's fiscal year (July 1 to June 30).

All unused, accrued ESTA sick time will be forfeited at the time of separation, unless the employee is reinstated within 2 months.

Employees will not be penalized or retaliated against in any way for requesting or using accrued ESTA paid sick time for the purposes designated above. Employees who feel as though their rights under this act have been violated can file a complaint with the Wage and Hour Division of the Michigan Department of Labor and Economic Growth or bring civil action against the City of Owosso.

This policy is administered by the Human Resources Department. Anyone with questions or concerns specific to this policy should contact the Human Resources Department.

## **Generative Artificial Intelligence (AI) Chatbot Usage Policy**

### **Purpose**

With the increasing popularity of generative AI chatbots such as OpenAI's ChatGPT and Google's Bard, it has become necessary to outline the proper use of such tools while working at the City of Owosso. While we remain committed to adopting new technologies to aid our mission when possible, we also understand the risks and limitations of generative AI chatbots and want to ensure responsible use. Our goal is to protect employees, residents, suppliers, customers and the city from harm.

### **Overview**

While AI chatbots can be used to perform a variety of functions, this policy addresses only the use of a web-based interface to ask or "prompt" the chatbot in a conversational manner to find answers to questions or to create or edit written content.

Some examples of what could be created using an AI chatbot include:

- Emails and letters.
- Reports and other publications.
- Policies and job descriptions.
- Spreadsheet calculations.
- Foreign language translations.
- Coding development or debugging.
- Document or information sorting.
- Outlines or summaries of internal or external information.

There are, however, risks in using this technology, including uncertainty about who owns the AI-created content and security/privacy concerns with inputting city information or sensitive information about an employee, resident, customer, etc., when interacting with the chatbot. Additionally, the accuracy of the content created by these technologies cannot be relied upon, as the information may be outdated, misleading or—in some cases—fabricated.

### **Eligibility**

This policy applies to all employees of the City of Owosso and to all work associated with the City of Owosso that those employees perform, whether on or off company premises.

### **Policy**

Limited use of generative AI chatbots will be allowed while performing work for the City of Owosso with the approval of your department manager. City email addresses, credentials or phone numbers can be used to create an account with these technologies. No company data of any kind may be submitted (copied, typed, etc.) into these platforms.

Employees wishing to use generative AI chatbots must inform their department manager in writing how the chatbot will be used. Managers must approve or deny requests within 7 days.

All AI-generated content must be reviewed for accuracy before relying on it for work purposes. If a reliable source cannot be found to verify factual information generated by the chatbot, that information cannot be used for work purposes.

Acceptable uses include:

- For general-knowledge questions meant to enhance your understanding on a work-related topic.
- To brainstorm ideas related to projects you are working on.
- To create formulas for Excel spreadsheets or similar programs.
- To develop or debug code, to be verified before deployment.
- To draft an email or letter.
- To summarize online research or to create outlines for content projects to assist in full coverage of a topic. Only content written by employees may be included in a final product.

Unacceptable uses include:

- Using any text created by an AI chatbot in final work products of any kind.
- Copying and pasting, typing, or in any way submitting company content or data of any kind into the AI chatbot.
- Failing to properly cite an AI chatbot when used as a resource.

Any violation of this policy will result in disciplinary action, up to and including termination.

### **Ethical Use**

Employees must use generative AI chatbots in accordance with all of the City of Owosso's conduct and anti-discrimination policies. These technologies must not be used to create content that is inappropriate, discriminatory or otherwise harmful to others or the city. Such use will result in disciplinary action, up to and including termination.

### **Monitoring**

The City of Owosso's Technology Use Policy and relevant monitoring policies still apply when using generative AI chatbots with city equipment.

## **Lactation/Breastfeeding Policy**

### **Objective**

As part of our family-friendly policies and benefits, the City of Owosso supports breastfeeding employees by accommodating an employee who needs to express breast milk during the workday.

### **Accommodation for Lactating Employees**

For up to one year after the child's birth, any employee who is breastfeeding will be provided reasonable break times to express breast milk. The City of Owosso has a designated room available for this purpose.

Employees must reserve the room by contacting the Director of HR. Employees who work offsite or in other locations will be accommodated with a private area as necessary.

Breaks will be allowed as the employee needs to pump. The frequency and duration of breaks will vary by employee. The schedule of breaks can be agreed to with the employee's immediate supervisor, based upon the employee's need to express.

This policy is administered by the Human Resources Department. Anyone with questions or concerns specific to this policy should contact the Human Resources Department.