

CITY OF GRAND HAVEN

Personnel Policies



Updated by Council on 11/2/2020

CITY OF GRAND HAVEN PERSONNEL POLICIES

TABLE OF CONTENTS

INTRODUCTION

Welcome and Mission Statement.....	1
Purpose of this Manual	1
Application of this Manual	2
Severability	2
Distribution and Revisions	3
City Government and Organization.....	3

HIRING AND EMPLOYMENT

At-Will Employment.....	4
Equal Employment Opportunity	4
Accommodation of Disabilities	5
Vacancies, Recruitment and Employment Postings.....	6
Application for Position Opening	6
Hiring and Selection	6
Residency.....	7
Employment of Relatives and Other Relationships in the Workplace	7
Background Checks.....	8
Physical & Psychological Exams, Drug Screening.....	9
Orientation Period	10
Anniversary Date	10
Outside Employment.....	10
Personnel Files	10
Genetic Information Non-Discrimination	12
Social Security Number Privacy and Protection.....	12
Disciplinary Action.....	14
Complaint Procedure	15
Voluntary Termination.....	15
Involuntary Termination and Procedural Rights	16
Return of Property.....	17

GENERAL EMPLOYMENT POLICIES

Ethics and Code of Conduct	18
Customer Service	19
Harassment	20
Drug-Free Workplace.....	23
Medical Examinations	24
Workplace Security	25
Employee Identification Cards	25
Keys and Security Codes.....	25
Workplace Violence	25
Concealed Weapons.....	26
Safety and Right to Know	26
Bulletin Boards.....	27
Hours of Work	27
Lunch and Break Periods.....	27
Attendance and Punctuality	28
Call-in or Call-back.....	28
Work Cancellation.....	28
Telecommuting.....	29
Personal Appearance and Hygiene	30
Uniforms and Safety Attire	30
Personal Articles in the Workplace/Search of Property.....	30
Smoke-Free Workplace and Smokeless Tobacco Use.....	31
Freedom of Information Act (FOIA).....	32
Sensitive Records	32
Public Statements/Press Calls	33
Use of the City's Resources.....	33
Care of Equipment	34
Use of Communication Systems.....	35
Computer, Internet & Email.....	35
Social Networking	36
City Website Content	37

CLASSIFICATION AND COMPENSATION

Classification and Compensation System.....	38
Wage Scale.....	39
Employment Definitions	39
Transfers.....	40
Promotions.....	40
Demotions.....	40
Fair Labor Standards Act Exemptions	40
Overtime for "Non-Exempt" Employees	41
Pay Periods and Paychecks	42
Travel Reimbursement and Advances	43

Unemployment Compensation	44
Social Security	44
Annual Incentive	44

HEALTH, RETIREMENT AND GENERAL BENEFITS

Employee Assistance Program	45
Use of Wellness Center	45
Eligibility and Enrollment	45
Health and Dental Insurance	45
Vision Reimbursement Plan	46
Insurance Opt-Out Payment	46
Flexible Spending Plan	46
Continuation of Benefits ("COBRA")	46
Life Insurance	48
Long-term Disability Insurance	48
Short-term Disability Insurance	49
Worker's Compensation	49
Retirement Programs	49
Retiree Health Insurance	50
Health Care Savings Plan	50
Tuition Reimbursement Program	51
Professional Memberships, Training, Licensing and Certification	52
Recognition Programs and Special Events	52
HIPAA Notice of Privacy Practices	52

PAID AND UNPAID LEAVES

Holidays	60
Vacation Time	61
Personal Days	62
Sick Leave	62
Paid Time Off	63
Family and Medical Leave	66
Bereavement Leave	71
Extended Leave of Absence	71
Jury Duty	72
Military Leave for National Guard or other Reserve Units	72

Appendix A	Organization Chart
Appendix B	Fraud Reporting Policy
Appendix C	Drug Free Workplace Policy
Appendix D	Computer, Network, Internet, Email Policy

INTRODUCTION

Welcome and Mission Statement

Welcome to the City of Grand Haven, Coast Guard City, USA! As an employee of the City of Grand Haven, you have a very important role to play in our community's success. Each and every day the work you do positively impacts the quality of life for our residents and visitors. You are our "front-line" and your interactions with the public will impact their opinion of City government.

We consider our employees to be our most valuable asset, and appreciate that you have accepted the responsibility that comes with serving the public. Your mission is to exceed our customers' expectations in all that you do by providing friendly, dedicated, efficient and effective service.

You will see our award-winning Council Goals posters throughout your work area. These graphics represent our elected leaders' objectives for City operations and will help you understand how the work you do each day translates to a positive, long-term impact on our community. Please become familiar with these and use them to guide you in your approach to public service.

Value Statements

- We value diversity: We welcome, honor, and respect the differences between us all
- We value ethics: We strive to do the right thing, even if it's hard
- We value professionalism: We are qualified, skilled, and committed to our citizens and visitors
- We value respectfulness: We respect each other's values, differences, and contributions
- We value service: We value our citizens and visitors so we empower our employees to solve problems

Purpose

These policies are intended to promote clarity, consistency, and positive employee relations with regard to employment rules, policies, procedures, and benefits. These policies do not, and cannot provide a policy for every situation that may arise; rather, it is designed to give you an overall understanding of our policies.

These policies, or any other written or verbal communication by the City, is not intended as, and does not create, a contract of employment, either expressed or implied.

Employees represented by a union collectively negotiate their wages, benefits, terms, and conditions of employment through their union representative. Nothing within these policies are intended to replace the collective bargaining process.

Application

These policies and procedures apply to all of the City's employees, unless specifically addressed in a collective bargaining agreement, formal employment contract, or insurance plan document. Where such documents specifically differ from these policies, then the applicable provision(s) of the subject agreement shall govern.

These policies are designed to work in combination with individual departmental policies and procedures; however, these policies shall prevail should they come into conflict with departmental policies or procedures.

No person, other than the City Manager as authorized by the Mayor and Council, has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the provisions of these policies. Any such Agreement must be in writing and signed by the City Manager.

These policies govern regardless of past practices or former policies. These policies supersede any previous verbal or written policies, statements, understandings, or agreements concerning terms and conditions of employment, except in cases of collective bargaining agreements, formal employment contracts, or other legally binding agreements.

Severability

If one or more provisions of these policies are superseded by, or come into conflict with, a collective bargaining agreement, formal employment contract, insurance plan documents, state or federal laws, or if they are determined by a court of competent jurisdiction to be inappropriate and voided, then the balance of the policies shall remain in effect.

Distribution and Revisions

A copy of these policies will be provided to each employee online through the City's website. The online version serves as the official version of the handbook, and employees are required to review it and sign a standard form certifying his/her receipt and review of the policies.

The City reserves the right to change, modify, or discontinue any policy, or create new policies for inclusion. Revisions or updates will be made in the official online version and notice of changes will be provided to employees.

Employees are expected to review all changes and updates and remain abreast of all current personnel policies. Periodically, employees may be required to provide an updated signature form to affirm that they have received and reviewed the policies, including changes.

City Government and Organization

The City of Grand Haven is governed by its City Charter which is available on the City's website. The City Charter serves as our constitution; it provides the government with its municipal powers and governs how the City is structured and organized.

The City Council is comprised of five City Council Members, one of whom serves as Mayor. City Council serves as the legislative and policymaking body for the City and adopts the City's budget each year.

"Laws" at the municipal level are also called "ordinances," which are codified and kept up to date in the City Clerk's office, along with other formal public documents and records. All City Council decisions are completed in open, public meetings.

The City Charter provides for a Council/Manager form of government which means the City Manager has formal authority to oversee the day-to-day management of City operations and staff. Along with the City Manager, the City Attorney and City Clerk are directly appointed by the City Council and serve at the pleasure of the Council. All other employees fall within the City Manager's chain of command.

The business of operating a municipal government is complicated and very rewarding. We provide a wide range of services that impact the quality of life within the community. It is helpful for all employees to develop a basic knowledge of the range of services and departments in the City so there is an

understanding of how one function impacts another, and so employees are prepared to provide the best possible customer service. An organizational chart is attached as Appendix A and provides an overview of the operations of the City.

HIRING AND EMPLOYMENT

This section addresses various topics related to how the City administers the personnel function, from posting a vacancy to concluding employment with the City.

Employees subject to collective bargaining agreements and/or employment contracts should consult those documents for alternative processes that may apply.

At-Will Employment

The City of Grand Haven is an “at-will” employer. This means that any employee may resign his/her employment with the City at any time for any reason or for no reason at all, with or without notice and with or without cause. Similarly, employees may be terminated at any time for any reason or for no reason at all, with or without notice and with or without cause, unless a collective bargaining agreement and/or “individual” employment contract states otherwise.

This at-will employment relationship with the City may not be changed by any written document, oral representation, or conduct unless the City Council specifically approves such change in writing. Nothing in these policies should be interpreted as being inconsistent with at-will employment.

Along with a signed acknowledgement of receipt and review of the personnel policies, at-will employees are required to sign a specific acknowledgement that their employment with the City is at-will.

Equal Employment Opportunity

It is the policy of the City of Grand Haven to provide equal opportunity to all qualified individuals in its recruitment, hiring, promotions, training, career development programs, and overall employment practices and to prohibit discrimination against any person on the basis of race, color, sex, age, religion, national origin, marital or veteran status, height, weight, disability, political

affiliation, sexual orientation, pregnancy, family medical history or genetic information, or other protected classes established through state or federal law or by local ordinance.

Accommodation of Disabilities

The Michigan Persons with Disabilities Civil Rights Act and the Americans with Disabilities Act (ADA) prohibit discrimination in employment against qualified individuals with a disability. These laws also require employers to reasonably accommodate applicants and employees with a disability so that they may participate in the job application process, perform essential functions of a job, and enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

According to the ADA, an individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having an impairment. A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question.

Through an interactive process, the City will provide reasonable accommodation to applicants and employees provided the accommodation does not impose an undue hardship. For instance, the accommodation is unduly costly, extensive, substantial, or disruptive or would fundamentally alter the nature or operation of the business.

Under Michigan law, employees and applicants requiring a reasonable accommodation should make their request in writing to the Human Resources Manager with as much notice as possible, and within 182 days after the date he/she knows or reasonably should know that an accommodation is needed. Under Michigan law, failure to properly notify the City in writing within the 182 day timeframe will preclude any claim that the City failed to provide accommodation.

Although Michigan law requires employees to provide requests for accommodation in writing, the ADA does not include a comparable requirement. Consequently, those in need of accommodation may make verbal requests to the Human Resources Manager under the ADA. Oral requests for accommodation should be confirmed in writing as soon as possible.

All requests should include the name of the person requesting the accommodation, contact information, date of request, accommodation requested and reason for request (medical condition/disability does NOT need to be

identified, rather the activity requiring accommodation should be, for example “to participate in interview”). During the interactive process of reviewing the request and identifying a reasonable accommodation, additional information, including medical verifications, may be sought to clarify the request.

Vacancies, Recruitment and Employment Postings

The Human Resources department will work closely with the City Manager and the hiring department to determine whether and how to fill position vacancies and the most appropriate recruitment strategy and selection process to utilize.

Vacant positions are generally posted internally and externally simultaneously. Internal applicants are required to complete a formal application and undergo the same employment process as external candidates to ensure consistency and fairness in the hiring process.

Application for Position Opening

All applicants seeking employment with the City, including former or current employees, must submit a job application. Additionally, a résumé or other materials may be required depending on the position. The purpose of the application is to obtain pertinent information related to the applicants' education, training, and qualifications. Applications will remain active for six months.

The City considers the accuracy of the information the applicant provides during the employment process to be of utmost importance. The City may reject employment applications or dismiss current employees if it finds inaccuracies in the job application or submitted résumé.

Unsolicited applications will remain active for six months but will not be considered for future job openings.

Hiring and Selection

According to the City Charter, the City will make all hiring decisions based on merit. That means employment decisions will be based upon job-related qualifications. The City also strictly adheres to the principles of equal employment opportunity as described in the above subsection.

All offers of employment are contingent upon successful completion of established post-offer, pre-employment examinations as described below.

Along with the City Manager, the City Attorney and City Clerk are directly appointed by the City Council and serve at the pleasure of the Council. All other employees fall within the City Manager's chain of command and are hired by the Manager or his/her designee.

Residency

Employees are required to live no further than 20 miles from the nearest boundary of the City within a reasonable time period of beginning employment with the City. Exceptions to this policy may be made with City Manager approval.

Employment of Relatives and Other Relationships in the Workplace

Employment of relatives of the Mayor, Council, City Manager, Trustees of the Board of Light and Power, or Director of the Board of Light and Power is prohibited by the City Charter. According to the City Charter, relatives of these individuals may not hold an appointive office or be employed by the City during the respective term of office or tenure of their relative.

"Relative" is defined in the charter as being related by blood or marriage as a brother, sister, spouse, parent, grandparent, child or grandchild, or bearing such relationship to any of their spouses.

This prohibition does not apply if a person is already employed by the City at the time of the election or appointment of their relative. Further, the prohibition does not apply if the relationship between an existing employee and a person in one of the named positions changes to become a prohibited relationship following commencement of employment.

Beyond the specific prohibition listed in the Charter, the City broadly prohibits favoritism based on familial relationships and makes all employment decisions on the basis of merit. To ensure this, applications for employment from relatives of staff, or elected or appointed officials, must disclose their familial relationship and will be discussed as part of the standard application and screening process.

In no event shall relatives be assigned to work within a direct or indirect reporting hierarchy.

This policy broadly defines "relative" to also include uncle, aunt, niece and nephew in addition to the relatives listed in the charter (brother, sister, spouse, parent, grandparent, child or grandchild). All relationships established through blood or marriage, including step-family and in-laws, are covered by this policy.

Lastly, dating or other romantic relationships in the workplace are strongly discouraged and must be disclosed. As with familial relationships in the workplace, these types of relationships can prove complicated and may cause unnecessary controversy. In some cases, workplace romance could even be construed as creating a hostile or sexually charged work environment for others. For all these reasons, employees should exercise the utmost discretion and avoid personal relationships of this type in the workplace.

Background Checks

The City will verify information provided during the application process through various background and reference checks, some of which are completed during the application process and some of which are completed “post-offer, pre-hire.” In every case the City will obtain appropriate signed releases to conduct the checks. The application form itself may serve as acknowledgement and permission from the applicant to complete certain investigations.

Public Safety personnel will undergo a more in-depth investigation process as part of the hiring process according to procedures specific to that department. For all other positions, the background checks required will vary by position, depending upon the requirements and duties of the job. These will be established prior to the selection process and will be uniformly applied to all applicants.

Background checks may include any or all of the following:

Driving Record

Verify the validity of the employee’s driver’s license and review their driving record to ensure a safe and consistent driving history and insurability.

References

Contact the personal and professional references provided by the applicant, as well as previous employers and educational institutions to validate the information provided and gather information on past work performance. The City may also review public sources of information that may speak to an individual’s judgment and character, such as social networking sites.

Criminal History

Review criminal conviction records to verify the information provided through the application process.

Credit History

Credit history reviews will be conducted for those positions with access to public funds and/or accounting functions. In accordance with the Fair Credit Reporting Act (FCRA), notices and forms will be provided to inform employees of the specific checks being conducted, and to obtain authorization prior to conducting the investigations.

Ongoing Review and Validation

The City reserves the right to review employee's background information ongoing throughout their employment, and expects that employees immediately report to Human Resources any of the following:

- Criminal convictions;
- Driving offenses that affect insurability (e.g. drunk driving, offenses with significant "points", speeding citations);
- Driving offenses that limit one's legal right to drive;
- Any other events that impact one's ability and availability to safely and consistently perform their job;
- Loss or revocation of certifications or errors/omissions in one's personnel file.

Physical & Psychological Exams, Drug Screening

Upon receiving a conditional offer of employment from the City, applicants in safety-sensitive positions will be required to undergo a medical examination including a drug and alcohol screening. The exam is conducted by a doctor designated by the City and is paid for by the City. Furnishing false or misleading information may result in immediate discharge.

Certain classifications may also be required to undergo a psychological examination as part of a conditional offer of employment.

In some circumstances and according to strict procedures and the requirements of the Americans with Disabilities Act, an employee may be required to undergo physical or psychological fitness-for-duty exams or submit to drug or alcohol testing.

Orientation Period

New employees are provided an orientation period during which the employee can learn their positional duties and become familiar with the organization as a whole. New employees typically require a year of orientation to learn their position and the processes of the City.

During the orientation period, the City will provide formal and informal training, instruction and direction, and employees should actively seek clarification on policies, processes, procedures, and performance expectations.

Employees may be eligible for benefits during the orientation period and begin accruing paid time off. See the benefits section and insurance plan documents for specific information.

Anniversary Date

The City of Grand Haven considers the first day of full-time employment to be an employee's "anniversary date" for purposes of accrual schedules, seniority, and other eligibility issues. Wage changes use the start date for the position.

Outside Employment

City employees wishing to hold outside employment in addition to his or her City employment must have prior approval from the Department Head and the City Manager, and must obtain approval in each succeeding year. Outside employment that creates, or gives the appearance of, a conflict of interest or inhibits an employee's ability to effectively perform City work is not permitted, subject to the Department Head and City Manager's determination. Outside work shall not be promoted in any way by the employee's City position.

Employees may not wear a City uniform, work shoes/boots, or any other apparel furnished by the City while performing outside work. Outside work may not be performed during regularly scheduled City work hours or at a City facility, and no City resources, equipment, tools, or supplies may be used for outside work. Approval of outside work may be revoked at any time.

Personnel Files

Official personnel files containing payroll and benefits information, training records, job performance records, and related employment information are

maintained on each employee in the Human Resources Department. Departments occasionally maintain notes, records, or documents within a department file related to an employee. These are adopted by reference as part of the official personnel record and should be copied to the central personnel file.

Employees are required to keep their personal information updated, including address, telephone numbers, emergency contacts, and related information as required for benefits administration.

Personnel files are secured and are considered strictly confidential with access allowed for very limited reasons as specifically provided in federal or state law. Medical information is filed separately in a secure area with access limited to Human Resources and others on a strict business need-to-know basis only.

The City complies with the State of Michigan Social Security Number Privacy Act, the Federal Fair Credit Reporting Act (FCRA) and Fair and Accurate Credit Transactions Act (FACTA) and will take reasonable measures to secure and limit access to Social Security numbers and other consumer information that may be contained within a personnel file, including pre-employment background investigations or inquiries, credit checks, and related information.

Personnel records that contain Social Security numbers or consumer information will be secured and held confidential with strictly limited access and uses. The City prohibits unlawful disclosure of Social Security numbers and/or consumer information, and will ensure all records are properly destroyed through shredding or other means that renders the information beyond reconstruction, including electronic information. The City will also take affirmative steps to ensure the reliability of any third party vendor used to dispose of this information.

All requests for personnel information are handled by the Human Resources Department. The City only releases confirmation of employment, job title, date of hire, and, if applicable, date of separation, unless written authorization is provided by the employee or the release of information is required by law.

Freedom of Information requests will be handled according to established FOIA procedure. With the exception of information required to be disclosed under FOIA, all other information about each employee will be kept confidential with the following exceptions:

These officials may inspect a personnel file:

1. Human Resources and payroll representatives
2. Employee's immediate supervisor, manager, or Department Head
3. City legal counsel whom as approved by the Human Resources Manager

4. Other City Department Heads and employment selection managers in the event the employee is being considered by said department for possible transfer or promotion

Any employee in violation of this policy will be subject to disciplinary action up to and including, discharge and criminal prosecution as may be appropriate.

Employees are legally entitled to review their personnel records upon reasonable notice, generally not more than twice per year. A Human Resources staff member or his/her designee will, at all times, observe the review of personnel files to protect against tampering. Copies of file contents may be obtained for the fee currently charged by the City for public copies. If an employee disagrees with any information contained in the personnel record, removal or correction of that information may be mutually agreed upon by the City and the employee. If an agreement is not reached, the employee may place a written statement, not to exceed five pages of 8.5"x11" paper, in the file which will be attached to the specific document.

Genetic Information Non-Discrimination

The Genetic Information Non-Discrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law.

Genetic information as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, participation in genetic research, and genetic information of a fetus carried by an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Please do not provide any genetic information when responding to requests for medical information.

Social Security Number Privacy and Protection

Pursuant to Public Act 454 of 2004, the City of Grand Haven will protect the confidentiality of Social Security numbers. No person shall knowingly acquire, disclose, transfer, or unlawfully use the Social Security number of any employee or other individual unless in accordance with applicable state and federal law and the procedures and rules established by this policy.

The term "Social Security number" includes both the entire nine-digit number and more than 4 sequential digits of the number. Social Security numbers shall not be placed on identification cards or badges, membership cards, permits, licenses, time cards, employee rosters, bulletin boards, or any other materials or documents that are publicly displayed. Documents, materials, or computer screens that display Social Security numbers or other sensitive information shall be kept out of public view at all times.

Only persons authorized by the City Manager or his/her designee shall have access to information or documents that contain Social Security numbers.

Documents containing Social Security numbers shall only be mailed or transmitted in the following circumstances:

1. State or Federal law, rule, regulation, or court order or rule authorizes, permits, or requires that a Social Security number appear in the document.
2. The document is sent as part of an application or enrollment process initiated by the individual whose Social Security number is contained in the document.
3. The document is sent to establish, confirm the status of, service, amend, or terminate an account, contract, policy, or employee or health insurance benefit or to confirm the accuracy of a Social Security number of an individual who has an account, contract, policy, or employee health insurance benefit.
4. The document or information is a copy of a public record, filed or recorded with the County Clerk or Register of Deeds' office, and is mailed by that office to a person entitled to receive that record.
5. The document or information is a copy of a vital record recorded as provided by law and is mailed to a person entitled to receive that record.
6. The document or information is mailed at the request of an individual whose Social Security number appears in the document or information or his or her parent or legal guardian.

Documents containing Social Security numbers that are mailed or otherwise sent to an individual shall not reveal the number through the envelope window, nor shall the number be otherwise visible from outside the envelope or package.

Social Security numbers shall not be sent over the internet or a computer system or network (e.g. through e-mail or websites) unless the connection is secure or the transmission is encrypted. No individual shall be required to use or transmit his or her Social Security number over the internet or a computer system, or to gain access to an internet website, computer system, or network (e.g. through e-

mail or websites) unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification number or other authentication device is also required to gain access to the internet website or computer system or network.

All documents or files that contain 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 secured against unauthorized access. Documents or other materials containing Social Security numbers shall not be thrown away in the trash; they will be discarded or destroyed only in a manner that protects their confidentiality, such as shredding.

Social Security numbers should only be collected where required by Federal and State law or as otherwise permitted under the Michigan Social Security Number Privacy Act. If a unique identifier is needed, a substitute for the Social Security number shall be used.

Any officer or employee of the City of Grand Haven who violates the provisions of this policy shall be subject to disciplinary actions provided by City policies and applicable laws, up to and including dismissal or discharge, as well as civil and/or criminal action.

If any questions regarding Social Security number privacy and security should arise, contact the City Manager or the Manager's designee for policy clarification and guidance.

Disciplinary Action

It is the intention of the City to utilize disciplinary action in a constructive manner to correct and resolve problems in the workplace. Disciplinary actions may include any or all of the following, which are not necessarily administered in order, nor are all types of disciplinary action required prior to discharge. As an at-will employer, the City may immediately discharge an employee.

- Suspension is the temporary removal of an employee from duty, with or without pay. Documentation of suspension will be furnished to the employee and placed in the employee's personnel file indefinitely.
- Written Reprimand is a written notice to an employee that his/her behavior or performance must be improved or corrected. Written reprimands will be furnished to the employee and placed in the employee's personnel file.

- Discharge (also may be referred to as Dismissal or Involuntary Termination) is the removal of an employee from City employment.
- Verbal Reprimand is a verbal notice to an employee that his/her behavior or performance must be improved or corrected. A written account of the verbal reprimand will be placed in the employee's personnel file.

Employees may submit written explanations or responses to disciplinary actions to the employee's personnel file. In some cases, particularly discharge, an employee may have certain additional due process rights. See the section on "Involuntary Termination and Procedural Rights" for more information.

Each supervisor or manager is given discretion to begin discipline at any step, depending upon the seriousness of the offense, in conjunction with Human Resources. The supervisor or manager shall immediately inform Human Resources of any and all disciplinary action taken. In the event where suspension or termination of employment is considered, the supervisor or manager shall immediately inform Human Resources. No employee will receive disciplinary suspension or be terminated without a thorough review by Human Resources and approval of the City Manager.

Complaint Procedure

The City provides a constructive, positive work environment in which employees are empowered to contribute to the continuous improvement in the operations and services provided by the City. To this end the City expects open communication using appropriate reporting structures.

Employees should immediately report a complaint or "grievance" to their supervisor. Ideally most issues will be resolved informally at that level. However, if resolution is not achieved at that level, or if additional facilitation of the problem is needed, the Department Head and Human Resources will be engaged. If the problem remains, the City Manager will hear the issue and provide a final resolution for the matter.

Voluntary Termination

The City prefers written notification to the Department Head of an employee's resignation at least two (2) weeks prior to the effective date of resignation. Advance notice will allow the City to process paperwork and payments due the

employee.

In the case of retirement, it is recommended that an employee provide the City with as much notice as possible; a minimum of 6 weeks is requested. This advance notice will ensure that retirement issues are satisfactorily addressed prior to the actual date of retirement.

Involuntary Termination and Procedural Rights

The City may terminate employment of an at-will employee at any time, with or without reason.

Any employee terminated involuntarily has certain due process rights prior to discharge or other adverse employment decisions, if they have a liberty or property interest that is affected by the adverse employment action.

Where an employment decision could be stigmatizing to the employee, and the City intends to place a record of the action in the employee's personnel file (which makes it potentially subject to public disclosure) or if the action would foreclose a definite range of future employment opportunities, an employee will be provided notice of the action and an opportunity to respond prior to the employment action.

Stigmatizing reasons for discipline or discharge may include dishonesty, immorality, criminality, racism, harassment, falsifying forms, illegal drug abuse, use of position to obtain kickbacks or other privileges, or other charges impugning the employee's moral character.

Charges of incompetence, negligence, poor attendance, insubordination, failure to meet performance standards, failure to submit required forms or documentation, and related performance-based criteria have typically been held to be insufficiently stigmatizing to trigger a liberty interest.

In cases where public disclosure of stigmatizing information is possible, the employee will receive verbal or written notice of the charges, an explanation of evidence, and an opportunity to respond and clear his/her name prior to the decision being finalized and documented in the personnel file. Typically the employee would direct their response to Human Resources which will consult with the City Manager.

This process is a procedural protection and in no way limits the City's at-will employment status. The findings of the City Manager are final, will be stated in

writing and provided to the employee, as well as documented within the personnel file.

Layoff and Recall

If the City determines that a reduction in staff or “layoff” is necessary, affected employees will be notified of the effective date, pertinent benefits information and the possibility of recall, if any, as soon as it is practical.

All layoffs and recalls of non-union positions will be based upon the City’s operational needs, financial position, and the employee’s employment history, performance and job-related qualifications as determined by the City.

Return of Property

An employee separating from employment with the City is required to return all City-owned equipment, uniforms, property, City identification badges, and all building and equipment keys on the employee’s last day. The City will take appropriate action including legal prosecution for any City-owned items that are not returned by a separating employee.

GENERAL EMPLOYMENT POLICIES

The City has established the following employment policies to ensure a safe and productive work environment for all. Violation of any employment policies or departmental rules may result in disciplinary action up to and including discharge. Retaliation against an employee exercising his or her rights or reporting violations will not be tolerated, and may result in disciplinary action up to and including discharge.

Ethics and Code of Conduct

Detailed standards related to conflicts of interest and rules of conduct are included as part of the City's broad ethics policy, which applies to all officers, employees and volunteers of the City. The City also has a detailed policy and reporting procedure related to fraud prevention (Appendix B). Employees are expected to review and observe these policies and procedures. In summary, no officer, employee or volunteer of the City shall:

1. Use their public office or employment for private gain;
2. Give preferential treatment to any organization or person except as expressly permitted by law, ordinance, resolution or policy;
3. Impede government efficiency or economy for personal gain or profit;
4. Accept gifts for service exceeding \$25.00 in value unless disclosed and authorized;
5. Accept cash (including tips) for service;
6. Be directly or indirectly a party to any contract with the City unless filed with the City Clerk under the provision of Section 14.4 of the City Charter;
7. Engage in private or other public employment or render services for private or other public interests when such employment or service is incompatible with the proper discharge of his/her duties of the City;
8. Expend public funds unlawfully or without proper authorization;
9. Participate in activities for or advocate for any political campaign, referendum or recall while on duty, or display political posters or bumper stickers on City vehicles or property, or use one's title as an employee to take positions supporting or opposing political issues or candidates.

Employees shall immediately report any perceived conflict of interest or any alleged violation of the City's ethics policy in writing, to his or her direct supervisor. If the supervisor is involved, the report shall be made to the Department Head or next highest employee or officer/official who is not involved. Reports related to the City Manager or an elected or appointed official shall be made to the City Council. Reasonable efforts will be made to keep information

regarding alleged violations confidential. The City cannot, however, guarantee confidentiality.

With regard to general work rules, it is impossible to create an exhaustive list of behaviors or potential infractions. The City expects that common sense, professionalism and general decency will govern personal conduct. Employees, officers and volunteers should at all times act as good stewards of the public's trust and resources, and should at all times be:

- | | | |
|---------------|--------------|----------------|
| ✓ law-abiding | ✓ productive | ✓ professional |
| ✓ respectful | ✓ careful | ✓ efficient |
| ✓ honest | ✓ dedicated | ✓ courteous |
| ✓ trustworthy | ✓ discrete | |
| ✓ reliable | ✓ mature | |

The work place brings together many different types of people whose unique perspectives and individual skills and talents add tremendous value to the organization. We serve the public best when functioning enthusiastically as a coordinated team of professionals. All employees, officers, and volunteers, at every level within the organization, are expected to treat each other as respected and valuable colleagues.

Customer Service

Employees are expected to be customer-focused and service-oriented, treating customers and residents in a courteous and respectful manner at all times. To promote excellent relations with our residents and customers, all employees must represent the City in a positive manner and make residents and customers feel appreciated when dealing with the organization.

Attend to customers immediately; nothing is more important than providing first-class service. If you see a customer waiting, even if it is "not your department" or "not your job," greet the customer and try to help or direct them.

Even though City business is a daily routine for employees, most residents interact with the City just a few times a year. The interaction with you will shape their opinion of the City. Please do all that you can to make it a positive experience for them.

If they have a complaint or concern, listen patiently and provide feedback or explanation of City policy in a constructive, professional manner. Remember, it is not the customer's job to know the City's policy or process; don't treat them as

if they are at fault for not understanding. It is your job to help them understand, and to leave them feeling good about their government.

If the issue cannot be resolved at your level, or if the person becomes disgruntled, a supervisor should be called in immediately. Employees are not expected to accept abuse or harassment and should immediately refer belligerent customers to their supervisor. In the most extreme circumstances, and especially if you feel endangered, call 911 immediately.

Employees are encouraged to report recurring customer-related problems to their supervisor and to make suggestions for changes in City policies or operating procedures to solve problems. Continuous improvement in customer service is only possible with employees' constructive input.

Telephone Etiquette and Voicemail

Employees should be courteous at all times. A positive telephone contact with a customer can enhance goodwill, while a negative experience can destroy a valuable relationship.

Ideally City telephones are answered quickly and professionally. Voicemail should include an option for the caller to access an operator or alternative extension. No customer should be left feeling they can't reach a "live person."

Any employee with voicemail must check it regularly and never allow a mailbox to become full. If you will be gone for more than a day (i.e. on vacation, etc.) your outgoing message should indicate when you will return and provide an option/extension for the caller to access immediate assistance.

Harassment

It is the policy of the City of Grand Haven that harassment in the workplace will not be allowed or tolerated. Each employee has a right to work in an environment free from intimidation. Harassment is any unwelcome or unsolicited verbal, physical, or sexual conduct that unreasonably interferes with an employee's job performance or creates a hostile, offensive, or abusive working environment. This policy applies equally to all unlawful forms of harassment in the work place, including, but not limited to: sexual harassment and harassment or discrimination based on race, color, sex, age, religion, national origin, marital or veteran status, height, weight, disability, political affiliation, or other protected status.

Harassment may include: joking remarks; stories; nicknames; abusive conduct or speech; epithets; slurs; negative stereotyping; threatening, intimidating or hostile

acts; and written or graphic materials that denigrate or show hostility or aversion toward an individual or group.

The City will not tolerate or condone harassment of its employees by their supervisors, co-workers, or third parties on City premises or at City functions over which the City has control. The City will not permit any situation where an employee's submission to or rejection of harassment is used as a basis for employment decisions, or where harassment has the purpose or effect of unreasonably interfering with an individual's work performance, creating an intimidating, hostile, or offensive work environment or otherwise adversely affecting an individual's employment opportunities.

Any violation of this policy may subject the violator to disciplinary action including immediate discharge, at the sole discretion of the City, as well as any civil or criminal action which may be initiated by the victim.

Sexual Harassment

All of the above provisions also apply to conduct or communication constituting sexual harassment. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when any of the following occur:

- Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of employment.
- Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting the person's employment.
- Such conduct or communication:
 - has the purpose or effect of unreasonably interfering with a person's work performance,
 - has the purpose or effect of creating an intimidating, hostile or offensive work environment, or
 - otherwise adversely affects a person's employment opportunities.

Examples of sexual harassment include behaviors or actions of a sexual nature such as verbal kidding or abuse of a sexual nature, teasing or joking; foul or obscene language or gestures; display of foul or obscene printed or visual material; and physical contact such as suggestive patting, pinching, groping or rubbing against another's body, sexual advances or propositions, or requests for sexual favors.

Reporting potential violations

Any employee who believes that he or she has been harassed in violation of this policy or who has witnessed another employee who has been harassed in violation of this policy shall immediately report the conduct or communication to any supervisor, Human Resources, a Department Head or the City Manager.

An employee is not required to make a determination of whether the conduct or communication is a violation of this policy. For that reason, an employee shall report any offensive conduct or communication which occurs while the employee is conducting City business or as a result of the employee's employment with the City, whether on or off City premises.

It is stressed that the employee may choose to report the conduct or communication to any of the above-named persons. An employee is under no obligation to report the conduct or communication to any person who is the subject of or perpetrator of the conduct or communication.

Supervisory personnel are expressly obligated to educate employees on this policy; manage staff in a way that proactively prevents harassment; and report any incidences of harassment to Human Resources, the City Manager, or the City Attorney if the Manager and/or Human Resources are the subject of the complaint. Failure to do so renders the supervisor complicit in the harassment and subject to corresponding disciplinary action related to harassment and dereliction of duty.

Investigations

All complaints and reports shall be referred immediately to Human Resources for review, or to the City Manager or City Attorney, if Human Resources and/or the City Manager are subjects of complaint.

A prompt and thorough investigation of the alleged harassment will be initiated, with concern for the principles of due process and fairness. Outside experts, consultants, or attorneys may be enlisted to assist with the investigation.

Every effort will be made to keep all complaints (and their details) as confidential as possible; however, it is understood that in the course of an investigation, some information may become known to others.

A typical investigation includes one or more meetings with the person making the complaint, the accused, and any witness(es) to the alleged occurrence(s) of harassment.

If the complaint involves a direct supervisory relationship, the City may suspend the reporting relationship between the employee and the supervisor and designate another supervisor to whom the employee shall report during the period of investigation. During the investigation, the City may take other measures to limit contact between employees involved in the investigation to prevent retaliation and limit any potential for ongoing hostility.

Following completion of the investigation, if the report has merit, disciplinary action up to and including dismissal may be taken against the perpetrator to remedy the situation. It is the City's intent that remedies in no way disadvantage the victim of harassment.

Retaliation

There will be no retaliation against an employee for reporting harassment or for cooperating with the investigation of a complaint of harassment in good faith. Retaliatory action or conduct of any kind is strictly prohibited and shall be regarded as a separate and distinct violation of the City's policies and procedures, also subject to disciplinary action up to and including immediate discharge. An employee who knowingly submits false, inaccurate, or otherwise misleading information in connection with a report of alleged harassment or the investigation of an alleged incident of harassment shall be subject to disciplinary action up to and including immediate discharge.

Any questions, concerns, or other inquiries regarding the conduct that is prohibited by this policy or the procedures contained herein shall be directed immediately to the Human Resources Department, the City Manager, or the City Attorney.

Drug-Free Workplace

The City of Grand Haven is committed to providing a safe drug- and alcohol-free working environment. Substance abuse is a significant public health problem and the use of alcohol/drugs in the workplace jeopardizes safety, lowers productivity, and undermines public confidence.

As such, all City of Grand Haven premises, including work sites and all City of Grand Haven vehicles are declared to be drug/alcohol-free work places. City of Grand Haven employees are prohibited from unlawfully manufacturing, distributing, dispensing, possessing, selling, or using controlled substances and/or alcohol in the workplace.

Employees who are taking prescription medication that may affect their performance or impair their ability to drive and/or operate equipment/machinery shall notify their supervisor prior to beginning work. It is a violation of this policy to use prescription drugs illegally.

Please note that nothing in the Michigan Medical Marihuana Act requires an employer to accommodate the ingestion of marihuana in any workplace or any employee working while under the influence of marihuana.

Employees found to be in violation of this policy will be subject to appropriate personnel/disciplinary action up to and including immediate discharge. The City reserves the right to require drug or alcohol testing at any time for safety sensitive positions and in the case of reasonable suspicion for other job categories.

Employees required to maintain a Commercial Driver's License as a condition of their employment are subject to much stricter state and federal provisions regarding Department of Transportation (DOT) random drug testing. See Human Resources for additional detail.

Appendix C contains for specifics on the Drug-Free Workplace Policy.

Medical Examinations

The City may require an employee to submit to a medical or psychological exam to determine fitness for duty provided the examinations are job related and consistent with business necessity.

- Tests for alcohol or illegal drug use are not considered medical examinations, nor are physical agility tests.
- Fitness for duty exams will be conducted by a licensed professional designated by the City and will be paid for by the City.

The City will comply with all requirements of the American's with Disabilities Act (ADA,) Family Medical Leave Act (FMLA,) Michigan Persons with Disabilities Civil Rights Act, Worker's Compensation and related laws and guidelines in addressing circumstances where an employee is found to be unfit to perform some or all of his/her essential job functions. This policy in no way shall be construed to limit employer or employees' rights under any federal or state law.

Employees determined to be unfit for duty and requiring associated leave, may access accrued leave banks and other paid or unpaid leave time consistent with these policies and state and federal laws.

Light duty or modified return-to-work arrangements are not guaranteed, and would not indicate continued employment if provided.

Workplace Security

Most offices are easily accessible by other staff members and are open to the public. Employees are expected to remain aware of their surroundings and the visitors who enter work areas.

Abide by all department level procedures related to security and immediately report any suspicious activity to the Public Safety department. Be sure to secure your valuables and belongings at all times and, if you are the last to leave an area, be sure to properly secure it according to department rules and procedures.

Employee Identification Cards

The City issues employee ID cards to enhance workplace security and to make employees identifiable to the public. These cards are to be used only in the course of official City business. Lost or stolen cards must be immediately reported to Human Resources.

Keys and Security Codes

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

Workplace Violence

The City of Grand Haven is committed to reducing the potential for workplace violence. In this regard, it is the policy of the City to prohibit acts or threats of violence by any party, directed toward employees, the public, elected officials, and visitors to the City's facilities or others.

The City is committed to providing a safe and healthful work environment, consistent with established rules and will take prompt remedial action, up to and including discharge or criminal prosecution, against any employee who engages in threatening behavior or acts of violence.

The City will also take appropriate action against any non-employee who engages in threatening behavior including former employees and visitors to City facilities, up to and including criminal prosecution.

Employees who engage in violent, abusive, or threatening behavior will be subject to disciplinary action, up to and including immediate discharge.

Additionally, it is the responsibility of City employees to assist in identifying problem employees. Human Resources shall be immediately notified of situations or incidents involving threats, acts of violence, aggressive behavior, threatening or offensive comments, and similar acts. Any employee report made pursuant to this policy will be held in confidence to the maximum possible extent. The City will not tolerate retaliation against any employee reporting a violation of this policy.

Concealed Weapons

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

Safety and Right to Know

Each employee must be familiar with applicable safety rules and operating guidelines associated with their department, and the machinery and equipment required of their work.

No employee should perform any work tasks or take any action which may endanger the employee, another employee, or the public. If an employee is in doubt about the safeness of a situation, the employee should report his/her concerns to their supervisor prior to engaging in the activity.

The City complies with federal and state occupational safety and health laws including "Right-to-Know" laws and will make every effort to provide information to employees about any hazardous chemical to which they may be exposed. Right-to-Know information is posted near the areas in which employees may be exposed to chemicals or other potentially hazardous materials. Employees are required to read and be familiar with all posted materials.

Bulletin Boards

Each City building has a bulletin board for official City business and important neutral informational postings. Political, inflammatory, or controversial items are prohibited. If you would like to post something, please request permission from your Department Head prior to doing so. Be aware that tampering, defacing, or destroying any posting is prohibited.

Union contracts may provide for separate union bulletin boards in the workplace. Consult those documents for specifics.

Hours of Work

A normal workweek for most non-union office staff typically consists of 40 productive work hours, with time for a meal and reasonable rest breaks, usually between the hours of 8:00 am and 5:00 pm, Monday through Friday.

Many departments are required to work alternative schedules or days, such as nights or weekends.

An employee's hours of work are set based on, and may be rescheduled to satisfy, workload demands, operational needs, or to accommodate special requests. An employee seeking modification of the established work schedule, either as a special circumstance or permanent change, must obtain prior approval from his/her supervisor.

All hourly employees are expected to accurately record their hours worked on a daily basis which are subject to supervisor review and approval.

Lunch and Break Periods

Non-union employees are typically provided a one-hour unpaid lunch break around the middle of their workday. Reasonable paid rest breaks during the course of a normal working day may be provided depending on operational demands.

Break periods are provided and scheduled based on operational demands. In some cases breaks or lunch period may be shortened or eliminated.

Attendance and Punctuality

All employees are required to report for work on time and to work all scheduled hours and any required overtime. Excessive tardiness, schedule revisions and poor attendance will not be tolerated.

It is the employee's responsibility to notify their supervisor, as far in advance as possible, when an employee will be late for their scheduled shift or when they will be absent. An absence is excused when the employee notifies their supervisor before the absence and supervisor grants approval, except in case of emergencies or illness. In case of an emergency or illness, please notify your supervisor prior to your shift or as soon as possible.

An employee who has three (3) or more consecutive working days of unexcused absences will be considered to have voluntarily resigned their employment with the City.

Excused absences in excess of those covered by sick, PTO, comp time, or vacation shall be taken by the employee without pay. Unpaid absences must be approved by the Department Head and Human Resources prior to the leave. Unpaid absences are a rarity and must be signed by the Department Head and City Manager.

Call-in or Call-back

The City has extensive responsibilities during an emergency. As such, any employee may be called in to work at unscheduled times and may be required to perform duties outside his/her normal job function. As with mandatory overtime, employees are expected to be available and as flexible as possible to meet operational demands.

Work Cancellation

On the sole authority of the City Manager, if the City is forced to temporarily close its operations employees will be directly notified. The information will also be broadcast on the local radio station. If you are not called directly and told that work is cancelled, you are expected to report for work.

In the event work is cancelled, employees who are scheduled for work may take the time off without pay or may opt to use paid time off (PTO), a personal day, comp time, or a vacation day.

Telecommuting

Telecommuting allows certain positions to work at home, or at an alternate location, for all or part of their work week. The City reserves the right to determine which positions and employees may telecommute without a detriment to the employee's team, department, organization, or customer service. Telecommuting will only be permitted under specific circumstances as outlined below and on a case-by-case basis. City employees are expected to generally work on-site at a City building and should not expect to telecommute.

Employees and the Department Head may determine if an employee and/or position can telecommute. Eligible employees should have at least one year of full time employment with the City and have a successful performance record.

Telecommuting may be available for the following circumstances:

- Natural disaster
- Pandemic outbreak
- Inclement weather
- Medical accommodation (if part of the ADA accommodation process)
- Other instances as approved by the City Manager

In the case that an employee is allowed to telecommute, the employee is required to work from the alternate location during normal hours for the position and the location must be within the State of Michigan. The Department Head shall collaborate with Human Resources to create a telecommuting agreement that includes performance expectations for the employee.

All necessary technology and equipment will be provided and is expected to be returned in the same condition that it was given. The employee is required to self-certify that the off-site work location complies with MIOSHA and workers' compensation recommendations for a safe work environment. A telecommuting agreement may be required by the City for an employee to work from home in the City's discretion.

Personal Appearance and Hygiene

Appearance is important to demonstrating the professionalism of our organization. Employees are expected to report for work each day with appropriate hygiene, appearance, and attire for their position.

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

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

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

- Excessively worn, torn, or dirty clothing.
- Clothing with suggestive or offensive logos, pictures, insignia, etc.
- Very tight, revealing, or otherwise sexually suggestive clothing.
- Exercise attire including "sweats."

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

Uniforms and Safety Attire

The City may issue uniforms directly, or provide an allowance or reimbursement for employees in certain departments for safety attire, work shoes/boots, uniforms, etc. These items are to be clean and worn with reasonable care. The City will replace worn or damaged items as needed and within reason. City attire or uniforms are to be worn as required, and only while on duty for City business.

Personal Articles in the Workplace/Search of Property

The City is not responsible for lost or damaged personal articles brought into the workplace. All property belonging to the City, including City vehicles, computers, phones, desks, file cabinets, lockers and other storage areas, is subject to inspection or search at any time without notice to retrieve work-related materials

or to investigate a violation of workplace rules. Employees should not have any expectation to privacy with regard to City premises.

Also be advised that personal workspace is still considered property of the City and is oftentimes accessible and viewable by co-workers and the public. Reasonable, tasteful displays of personal pictures, decorations, and related items are acceptable. However, any personal displays that violate harassment, code of conduct, or other policies will be addressed as a violation according to those procedures. The Department Head, the City Manager and/or Human Resources Manager have the final authority to determine what is acceptable.

Smoke-Free Workplace and Smokeless Tobacco Use

In accordance with Michigan's 2010 Smoke Free Air Law, and the Ottawa County Smoke-Free Indoor Air Regulation, the City of Grand Haven prohibits smoking in all public places, public buildings, and public and private places of employment, and through this policy, will inform employees, vendors, customers, or visitors of this prohibition and the penalties involved for violation.

The City of Grand Haven is committed to providing a healthy workplace for our employees and a tobacco-free business environment for the public which uses our services. Smoking, vaping, and the use of tobacco products is prohibited in all buildings, facilities, and grounds owned, rented, leased or otherwise under the control of City of Grand Haven, including any city-owned vehicle.

Smoking, vaping, and tobacco use is strictly prohibited within all work areas and public spaces,

No smoking signs at entrances to and throughout work areas shall be posted, and all ash trays or other smoking paraphernalia shall be removed from work areas.

Persons observing a violation of this policy shall report it to their supervisor or Human Resources. All complaints will be investigated and all personnel are expected to cooperate fully.

Employees in violation will be considered insubordinate and will be subject to related disciplinary action up to and including discharge.

The City is supportive of tobacco cessation programs and offers assistance to employees in seeking help with their tobacco use through health plan and employee assistance program offerings.

Retaliation against individuals for reporting violations of this policy or for exercising their rights under the law will not be tolerated. If you believe you are being retaliated against, immediately report it to your supervisor or Human Resources. Those engaging in retaliation are subject to disciplinary action up to and including discharge.

Freedom of Information Act (FOIA)

It is the policy of the City of Grand Haven to comply fully with the Freedom of Information Act. All individuals are entitled to certain and specific information regarding the affairs of government and the actions of public officials and public employees.

All FOIA requests are to be immediately directed to, and processed by, the City Clerk or his/her designee. Requests for public information may be either verbal or written, and ideally are handled within five (5) business days after the request has been received. In some cases, an extension may be required, and certain information may be denied or redacted. Original documents will not be allowed to leave City property, and the costs associated with compiling and providing the information will be charged.

Be aware that many forms, documents, and other paperwork you handle or create in the course of your work may be considered an official public record, including emails. Never destroy or dispose of an official document or records without approval from a supervisor; and then, only according to established document retention procedures.

Sensitive Records

Though much of the information handled by the City is public information, employees may have access to sensitive or confidential information or records not intended for or required to be publicly released.

- City employees are not to disclose sensitive or confidential information without approval of the City Manager and should only discuss sensitive or confidential information when necessary to carry out job duties.
- Employees should not attempt to acquire sensitive or confidential information that is not germane to their work.

- Under no circumstance may an employee remove documents, photos, reports, personnel information, or any sensitive material that is the property of the City of Grand Haven.
- City computers and/or cell phones shall have appropriate security features to safeguard sensitive records.

Employees found to be in violation of this policy may be disciplined, up to and including discharge.

Public Statements/Press Calls

Unless otherwise delegated, the City Manager is the official designated spokesperson for City staff. Staff should refer all requests for formal statements, interviews and related activities to the City Manager. Staff may not make formal statements on behalf of the City without prior authorization.

Department Heads are expected to act as a primary contact for routine informational requests or to comment on situations that clearly fall within their area of expertise.

Use of the City's Resources

Vehicles, materials, facilities and equipment owned by the City are intended for City business use only. Further, City employees are expected to perform work related only to City business while on work time. Specifically:

- Mail & Letterhead - Employees may not use the City's postage for personal mail. Additionally, employees should not routinely receive personal mail or package deliveries while at work. City letterhead is to be used for official City business only.
- Phone - All phone lines are to be kept available for the City's business. Personal calls must be held to a minimum. Employees are expected to reimburse any expense associated with personal long distance calls or excessive personal calls made using a City telephone.
- Cell Phone - Personal calls on City cell phones are to be held to a minimum and are allowed only where personal use does not result in an overage of the contracted minutes. Employees may be given a monthly stipend when using their personal devices for City business, as approved by the City Manager.

- Vehicles – City vehicles are only to be used for official City business. When driving a City vehicle, employees must refrain from any actions that would be considered distracted driving.

Employees who use their personal vehicles for City business will be reimbursed at the IRS mileage rate.

Any employee driving on City business, whether using their personal vehicle or the City's, must have a valid Michigan driver's license, a satisfactory driving record, and proper insurance. Any restrictions on, or revocation of, an employee's legal right to drive must be immediately reported to the appropriate Department Head.

Drivers are responsible for any driving infractions or fines that result from their driving and must report them to their supervisor. Damage to a vehicle, including a personal vehicle while driving on City business, must be immediately reported.

- Equipment, Facilities, and Supplies - Equipment, facilities and supplies are to be used for City business only, including tools, machinery, computers, copiers, faxes, and other office machines.
- Personnel – City personnel are only to perform work related to City business and/or projects while on work time. Further, all employees should be sensitive to the public's expectations and perceptions regarding use of work time. Never create the impression that you are wasting a valuable public resource: your work time.

Care of Equipment

Employees are expected to follow prescribed safety and maintenance rules and show reasonable care for all City equipment, electronic equipment/devices, and vehicles. Employees are expected to actively guard against damage or loss to the City's resources and must immediately report any damage or loss.

In the case of excessive or repeated damage or loss, an employee may be required to reimburse some or all of the expense related to repair or replacement to City equipment/resources. Intentional equipment abuse, careless use of equipment, or habitual loss of equipment will not be tolerated and may result in disciplinary action, up to and including discharge and/or may require reimbursement by the employee.

Use of Communication Systems

The City of Grand Haven provides its employees with the necessary communication equipment for prompt and efficient execution of City business, such as computers, telephones, cell phones, voice mail, radios, etc. All messages sent by means of an electronic communication device must display the same degree of professionalism and confidentiality that would be exhibited by an official written correspondence or public record. Supervisors are responsible for instructing employees on the proper use of communications equipment for both internal and external City communications.

Employees are not to use a cell phone, text, email, or browse the web while driving.

Personal use of City communication devices must be reasonable and held to a minimum. These devices shall never be used to harm another individual's identity, reputation, or credentials. Any overage costs or other costs incurred as the result of personal use will be reimbursed by the employee.

All City communications equipment, including personal messages or photos transmitted or stored by them, is the property of the City of Grand Haven. All City communications, services, and messages are subject to all Freedom of Information Act (FOIA) requirements and may be required to be made public upon request. In addition, the City may access and monitor internal and external communications.

Improper use of City of Grand Haven communication equipment or systems will result in discipline, up to and including termination. Improper use includes communication that violates the harassment policy, or policies regarding personal use or abuse of City property, or any other policy.

Computer, Internet & E-Mail

All documents, e-mail, and other electronic work products originating from or received by the City computer systems are the property of the City of Grand Haven, and are not considered private information. Employees should have no expectation of privacy with regard to computer use and communications. The City may monitor computer use, internet activity, and emails. Violation of this policy may result in disciplinary action up to and including discharge.

Employees must be aware that electronic mail may constitute a public record subject to the Freedom of Information Act. Employees are required to observe related record retention and disposal policies and procedures.

Only those persons currently employed or given written permission are allowed to use any computer resources of the City, including internet and email. No employee shall permit any unauthorized person to gain access to the City's computer network system or furnish any information about the City's system or software.

Software and hardware may only be installed on City systems and equipment with specific approval from the Department Head, IT Coordinator, Finance Director or City Manager. All other installations are strictly prohibited. The City forbids any violation of copyright laws.

All City employees must refrain from opening emails or other forms of electronic messages from unknown or questionable sources. If an employee is to receive an email or message from a questionable source, it is the responsibility of the employee to report the message immediately to a supervisor. The message may then be discarded at the discretion of the supervisor.

Use of the City's computer resources, data, email, and/or internet connections for any illegal activity, personal gain, commercial business use, or recreational pursuits is strictly forbidden. This includes but is not limited to gambling, playing games and shopping; and viewing, obtaining, or distributing pornographic, obscene, vulgar, indecent, or offensive materials, including those which violate the City's harassment policy. Your Department Head, the City Manager, and/or Human Resources Manager have the final authority to determine what is offensive. Appendix C contains policy specifics.

Social Networking

The City expects that staff participation in personal social networking sites will not be disruptive or subversive to the City's interest in maintaining an efficient and effective workplace.

Any information provided on a personal social networking site with regard to the City or your employment with the City is expected to conform to established policies regarding access to and release of information and communications procedures. The City's logo or other proprietary information or images are not to be used. City property, including images that depict its property, is never to be used for personal gain or commercial use.

Further, employees should be thoughtful in how they present themselves and how their online presence may reflect on them as employees of the City. In accordance with our code of ethics and conduct, social networking that includes your status as an employee of the City of Grand Haven must be done in good taste and reflect sound judgment. Personal accounts should never be used as a vehicle for discrimination, retaliation, or harassment of other employees. This includes photos of coworkers or members of the general public without their consent. Personal accounts should never be used to disclose an individual's or business' private information without their consent as well. Social networking that adversely affects the City, or is disruptive or subversive to the City's interest in maintaining an efficient and effective workplace, is subject to corrective and disciplinary action up to and including discharge.

Supervisors are strongly discouraged from sending "friend requests" or similar non-work related social networking invitations to subordinate employees. Conversely, employees should refrain from making such requests of supervisors. Further, all employees are strongly discouraged from inviting elected officials to engage in non-work related social networks, and should avoid accepting "friend requests" from elected officials.

City Website Content

The purpose of the City of Grand Haven's website is to provide information about City operations and governance and topics of general interest to the community. Creating new web sites or social media pages that resemble, replicate, or represent the City of Grand Haven without the consent of a supervisor is not permitted. This includes using the City logo, or any other tangible symbol that is used or has been used to represent the City. The City Manager or his/her designee has final approval of any links or postings to the website.

CLASSIFICATION AND COMPENSATION

It is the intent of the City of Grand Haven to provide fair and equitable pay to its employees, to reward strong performance and recognize dedicated service through its compensation program. Compensation levels are tempered by the City's ability to pay, overall financial condition, and general fiscal responsibility to the taxpayers, as well as an individual's performance on the job.

Within this context, the City Manager is responsible for establishing and maintaining a comprehensive classification and compensation system through the budget process for non-union staff.

Classification and Compensation System

The non-union classification and compensation structure is based upon systematic internal job evaluation and an analysis of the external labor market. Comprehensive job analysis is used to establish written job descriptions for all positions, and these serve as the basis for all internal and external evaluations and comparisons. Newly created positions begin with a job description and are subject to the same evaluation process for placement within the classification structure.

Internal job evaluation determines how positions are grouped within the classification structure into "grades." External market study determines the corresponding salary ranges for each grade, which may change periodically to reflect cost of living adjustments to the system.

While the competitive market and annual cost of living drives the pay ranges, individual employee compensation, or their placement in and progression through their respective pay range, is based upon time-on-the-job, performance, qualifications, experience, and other job-related factors.

If a position undergoes a substantive change in duties, scope of responsibility, required training or qualifications or related factors, the job description will be updated. Following the formal change in job description, the position will be reevaluated to determine if a change in its placement within the grade structure is warranted. Employees may request an analysis of their position, or the City may initiate the reevaluation. All requests for reclassification are to be made through Human Resources and will be handled in a timely manner. FLSA exemption status must be reevaluated when job functions change.

Wage Scale

The Wage Scale is set by City Council through the annual budgeting process. The Wage Scale states the wage range for non-union positions. The Wage Scale may be adjusted annually, or as seen fit, by City Council. Cost of Living Adjustments (COLA) are generally based on the consumer price index for the Michigan Taxable Value calculation.

The City of Grand Haven utilizes a combined wage scale system with both formal steps and a flexible, open range. With this system, step increases are initially based on longevity with merit-based progression after three years. This system recognizes the “learning curve” found in early years of employment and focuses on performance once longer tenure and associated job mastery is achieved.

New hires generally start at Step 1, or entry level, of the pay scale. Offers of employment above Step 1 due to candidate qualifications and/or experience must have approval of the Human Resources Manager. Offers above Step 3 require the approval of the City Manager.

Step increases are not automatic. All employees must receive a performance evaluation annually at the minimum. A positive performance evaluation must accompany a supervisor’s request for a pay increase.

New hires starting at Step 1 upon hire shall receive a performance evaluation and, if the evaluation is positive, step increase at six months of service. New hires starting above Step 1 shall receive a performance evaluation at six months but are generally not eligible for a step increase until one year of service.

Employment Definitions

Full-time Employees: Regularly scheduled to work 36 or more hours per week and are eligible for the City’s employee benefits program.

Part-time Employees: Regularly scheduled to work 20 or more and less than 36 hours per week on a year-round basis. The schedule for part-time employees is fixed or semi-fixed. Occasional work beyond 35 hours in a week will not create a change in status to full-time/benefit eligible. Part-time employees are not eligible for the City’s insurance benefits unless the employee works on average 30 hours or more per week, but do earn certain types of paid time off on a pro-rated basis.

Part-time employees may be covered by certain statutory protections such as Family Medical Leave and workers' compensation.

Dual Employment: City employees employed full-time in one department may not be employed part-time in another department. Part-time employees in one department may not work part-time in another department if the total scheduled work hours exceed 29 hours per week.

Seasonal or Temporary Employees: May be scheduled to work on a full- or part-time basis, or intermittently, as dictated by operational needs, for specific, limited time periods. Seasonal or temporary employees are not eligible for employee benefits.

Casual Employee: will only be guaranteed work when needed and compensated for time actually worked.

Transfers: An assignment to a position with comparable duties, responsibilities, authority, and compensation. The City may require a transfer to accommodate its operational needs.

Promotions: A change in work assignment that results in an expanded scope or job duties and responsibilities. An employee can be promoted to fill an existing vacant classification; or an employee's position can be reclassified if duties and responsibilities have been expanded over time. Promotions are a mutually agreeable event, and may result in an increase in pay.

Demotions: A change in work assignment that results in a reduced scope of job duties and responsibilities. An employee can be demoted to fill an existing, vacant classification; or an employee's position can be reclassified if duties and responsibilities have been reduced over time. Demotions may result in a decrease in pay and may be completed on a mutually agreeable basis or may be required to accommodate the City's operational needs.

Fair Labor Standards Act Exemptions

Section 13(a)(1) of the Fair Labor Standards Act (FLSA) provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, computer, and outside sales employees.

To be considered "exempt," the position generally must meet certain tests regarding job duties and the employee must be paid on a salary basis. Being paid on a "salary basis" means an employee regularly receives a predetermined

amount of compensation each pay period regardless of variations in the quality or quantity of the employee's work. Some deductions from pay are permissible; for example:

- When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability;
- For practice of providing compensation for salary lost due to illness;
- To offset amounts employees receive as jury or witness fees, or for military pay;
- For penalties imposed in good faith for infractions of safety rules of major significance; or
- For unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

Also, an employer is not required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.

Discretionary time for exempt employees

Exempt employees may be required to work more than forty hours in a workweek to satisfy work demands or to attend evening meetings. In these instances, exempt employees may take discretionary time off provided such time does not adversely impact operations.

Discretionary time off for exempt employees is provided as a professional courtesy and is not an entitlement, nor is it to be viewed as an hour-for-hour offset to hours worked in excess of forty. Exempt employees should expect that, from time-to-time, more than forty hours is required of their position.

Exempt employees shall coordinate their use of discretionary time with their supervisor to ensure proper coverage. In some cases, operational needs may not allow the use of discretionary time off.

Discretionary time is not intended to be used to take a full day off; rather it provides flexibility from time to time. It is in no way to be construed as "overtime" compensation; it is not tracked, accrued, banked, or in any way owed to the employee.

Overtime for "Non-Exempt" Employees

Employees in positions that are defined as "non-exempt" by the Fair Labor Standards Act (FLSA) will be compensated for overtime work at the rate of time

and one-half for all time worked over forty hours in a week. Only actual hours worked shall be considered in calculating overtime.

- All overtime must be approved in advance by the supervisor.
- Overtime will be scheduled in a manner most advantageous to the City and consistent with the operational needs of the City. Hours may be reduced later within the pay period to avoid overtime.
- Employees may opt to take compensatory time off ("comp time") rather than overtime payment. Comp time, like overtime pay, is earned at time and one-half for all time worked over forty hours in a week. Comp time must be agreed upon by the employee and supervisor prior to the extra hours worked.
- Employees may accrue up to forty hours of comp time (or just under twenty-seven hours of overtime hours actually worked) before cash payments are required.
- Employees will be permitted to use accrued comp time within a reasonable period after making the request, and should provide as much notice as possible for their request. Comp time requests are subject to approval. Requests may be denied or postponed.

The FLSA does not prohibit the employer from freely substituting cash in whole or in part for accrued compensatory time off. The City reserves the right to substitute cash payments for accumulated compensatory time at its discretion.

Pay Periods and Paychecks

- Pay periods cover two (2) weeks, beginning at 12:00a.m. every other Monday and paydays are every other Friday
- When a payday falls on a holiday, employees will be paid the day before
- Direct deposit forms for receiving paychecks can be completed in the Finance Department
- It is the City's policy to comply with the Fair Labor Standards Act, court-ordered garnishments, tax levies, and other legally required deductions from employee's wages
- Improper deductions from an employee's wage should be reported to the Finance Department immediately. Upon determination the amount of the deduction will be reimbursed to or recovered from the employee

- An employee who believes that any overpayment or underpayment of his/her wages has been made should contact the Finance Department immediately.

Travel Reimbursement

On occasion, employees may be required to travel on City business or attend professional development and training functions as a part of the job. Employees must always be mindful that they are stewards of the public's trust and resources. Work-related travel must never be abused, treated as a personal benefit, or seen as opportunity to spend lavishly. Travel on City business, including professional development, must demonstrate respect for the public's trust and prudence with their resources.

Whenever possible, a City vehicle should be used to travel for City business and employees should carpool to limit travel expenses.

Employees who are required to use their personal vehicle for work-related travel will be reimbursed at the IRS mileage rate. Employees are to record the exact number of miles traveled, by most direct route, from the first place of business to the next. No reimbursement will be made for travel between home and a normal place of business.

Employees will be reimbursed at the City's established per diem rate for reasonable, actual meal expenses incurred in conjunction with a program or meeting that provides a primary benefit for, or serves the best interests of, the City. Alcohol, luxury meals, or excessive reimbursement claims will not be reimbursed.

Employees will be reimbursed for reasonable, actual lodging expenses when a full day's work must be performed a considerable distance from the City, or under other appropriate circumstances with prior City Manager approval. Luxury lodging or excessive claims will not be reimbursed.

Employees claiming reimbursement for travel expenses must use the appropriate form and must submit all receipts to the Finance Department. Requests submitted without receipts will not be honored.

Unemployment Compensation: The City participates in the State of Michigan unemployment insurance program according to statutory guidelines. Terminated employees are advised to refer questions or benefit eligibility to the appropriate State office.

Social Security: Most employees are covered by Social Security, a federally administered plan for supplemental old age pensions and survivor's insurance. Questions concerning Social Security benefits and coverage should be directed to any Social Security office.

Annual Incentive: Each year all employees are expected to carry out their duties in the most cost effective manner possible, and employees are constantly asked to seek ways to reduce and minimize costs so that the demand on the taxpayer is correspondingly minimized during each budget year.

Following receipt of the annual audit each year, the City Manager may provide an incentive payment to City employees provided the City exceeds revenue expectations or spends less than budgeted in the previous fiscal year. The City Manager shall budget for this expense in expectation of positive budget performance, however it shall not be applied unless the City experiences a budget surplus.

HEALTH, RETIREMENT, AND GENERAL BENEFITS

The City of Grand Haven strives to provide a program of health, retirement, and general benefits that protects employees and their families, promotes healthy lifestyles, and ensures an available and productive workforce. The City values its employees and their health, and attempts to be fair in the scope and cost of benefits offered, while also being prudent and fiscally responsible.

Employees covered by a collective bargaining agreement negotiate wages, benefits, terms, and conditions of employment through their union representative. Nothing within these policies is intended to replace the collective bargaining process.

In some cases, the City may determine that it is necessary to make changes to employee benefits, including, for example, modifying or eliminating benefit offerings, or plan choices, changing related co-pays or deductibles, or requiring employee contributions to the costs associated with insurance. The City reserves the right to modify, revoke, suspend, terminate, change, or amend benefits as they apply to current, former, and retired employees which, at its sole discretion, it deems necessary or desirable.

See the Human Resources department for detailed plan documents, program information and materials, and to complete required enrollment forms or changes to your benefits.

Employee Assistance Program (EAP)

The City offers an employee assistance program (EAP) to all employees and their household members. The EAP provides confidential assessment, referral, and short-term counseling with a range of substance abuse, mental health issues, and other situations.

IF YOU NEED HELP PLEASE CALL: (800) 227-0905

Use of Wellness Center and Fitness Related Activities

The City promotes regular exercise and a healthy lifestyle for employees. City of Grand Haven fitness centers may only be used by full-time and part-time employees, spouses of the included employees, and retirees. An Acknowledgment Risk Assumption form must be completed prior to using the equipment or center. Use of the fitness/exercise facilities and/or equipment is at the individual's sole risk.

Eligibility and Enrollment

Full-time employees are eligible for the insurance benefits outlined within this section. Enrollment forms, available through Human Resources, must be completed and employees are responsible for updating their enrollment forms, records, and beneficiaries in order to remain eligible for benefits. Specific insurance coverage information is detailed below.

Health and Dental Insurance

The City provides health and dental insurance, including prescription coverage, to all full-time employees. Employees may elect to include their spouse and/or eligible dependents. Coverage begins on the first of the month following date of hire.

The City will meet all statutory requirements related to health insurance, including those created under National Health Care reform and Affordable Care Act.

Vision Reimbursement Plan

The City reimburses full-time employees up to \$150 each fiscal year toward the costs of prescription optical care for the employee and their dependents, or optical care if needed for the employee's position. A paid receipt is required for reimbursement, which is processed through the Finance Department.

Insurance Opt-Out Payment

Employees may elect to receive a payment-in-lieu of participating in City-provided health insurance, provided the employee receives insurance from another source and provides proof of such coverage. Payments-in-lieu of insurance are made at the end of the calendar year.

Flexible Spending Plan and Supplemental Insurance

Employees may opt to participate in a pre-tax, flexible spending plan. Using this tax-saving tool, employees may redirect a portion of their pre-tax earnings into an account they may use to reimburse themselves for medical expenses or dependent care (i.e. childcare.) Maximums and other details are determined by the IRS.

Aflac, a supplemental insurance program, is also made available to employees at their own expense.

Continuation of Benefits ("COBRA")

Federal law requires that certain employers sponsoring health plans offer employees and their families the opportunity for a temporary extension of health coverage at group rates in certain instances where coverage under the plan would otherwise end. This notice is intended to inform employees of their rights and obligations under the continuation coverage provision of the law. Both employees and dependents, if applicable, should take time to read this notice carefully.

City employees covered by the health plan have a right to choose continuation coverage if group health coverage is lost because of an IRS-defined qualifying life event. If continuation is election, a monthly premium, which will be indicated to you before you make your decision, is required.

The spouse of an employee covered by the plan, has the right to choose continuation coverage for him/herself if group health coverage is lost under the plan for any of the following four reasons:

1. Death of an employee;
2. Termination of employment (for reasons other than gross misconduct) or reduction in hours of employment;
3. Divorce or legal separation; or
4. Employee becomes eligible for Medicare.

In case of a dependent child of an employee covered by the plan, including a child who is born or placed for adoption during a period of COBRA coverage, they have the right to continue coverage if group health coverage under the plan is lost for any of the following five reasons:

1. Death of an employee parent;
2. Termination of a parent's employment (for reasons other than gross misconduct) or reduction in a parent's hours of employment with the City;
3. Parent's divorce or legal separation;
4. Employee parent becomes eligible for Medicare; or
5. Dependent ceases to be a "dependent child" under the plan.

Each employee or family member has the responsibility to inform the City of a divorce, legal separation, or child losing dependent status under the plan. When the City is notified that one of these events has happened, the City will notify the employee of the right to choose continuation coverage. Under the law, employees and/or dependents have at least 60 days from the date the qualifying event occurs to inform the City of continuation of coverage. If coverage continuation is not selected, group health insurance coverage will end.

If coverage continuation is elected, the City is required to provide coverage identical to that which is provided to similarly situated employees or family members. The law requires the opportunity to maintain continuation coverage for three years unless group health coverage was lost because of a termination of employment or reduction in hours. In that case, the required continuation coverage period is 18 months. If group health coverage is lost because of a termination of employment or reduction in hours and the employee is determined

to be disabled as defined by the Social Security Act at the time of the termination or reduction in hours, or at any time during the first 60 days of COBRA coverage, the continuation coverage period is 29 months. However, the law also provides that coverage continuation may be cut short for any of the following reasons:

1. If the City no longer provides group health coverage to any of its employees;
2. If the premium for coverage continuation is not paid timely;
3. If the employee/dependent becomes covered under another group health plan which does not contain any exclusions or limitations with respect to any pre-existing condition they may have;
4. If the employee/dependent becomes eligible for Medicare;
5. If the employee/dependent extends coverage for up to 29 months due to disability and there has been a final determination that the employee/dependent is no longer disabled;
6. If the employee/dependent was divorced from a covered employee and subsequently remarry and are covered under the new spouse's group health plan.

This notice is provided as a matter of information only. It does not, and is not intended to create any contractual, legal, or other rights. Rather, rights are only as expressly set forth in the plan and in federal and state law. The City reserves the right to amend and/or change the plan as permitted by the terms of the plan.

In addition, a subsequent qualifying event and an initial qualifying event can extend the period of coverage for qualified beneficiaries.

Life and AD&D Insurance

The City provides group life and accidental death and dismemberment insurance to full-time employees, and a partial benefit for retirees until age 70. Coverage begins the first of the month following date of hire. Non-union employees receive \$20,000 life insurance and AD&D and non-union management receives coverage equivalent to the manager's annual salary.

Long-term Disability Insurance

All full-time employees are provided long-term disability coverage through a group insurance plan. Coverage begins after 91 days of continuous employment and provides for partial income replacement in the event of qualifying illness or injury.

Short-term Disability Insurance

Non-union, full-time employees hired after April 11, 2008, are provided short-term disability coverage. Coverage begins the first of the month following date of hire and provides for partial income replacement in the event of qualifying illness or injury.

Workers' Compensation

The applicable Workers' Compensation laws cover each employee. Employees are responsible for immediately reporting any work-related injury, no matter how slight, to their supervisor and for completing the Injury Report Form.

In many cases, leave compensated under workers' compensation also qualifies as FMLA leave or duty disability retirement. These programs will be coordinated. Check policies on paid and unpaid leave for more information about income replacement.

Retirement Programs

The City of Grand Haven provides a pension program through the Michigan Employees Retirement System (MERS) for full-time employees. The pension program provides a defined benefit for retirement based on years of service, final average compensation and a multiplier used to calculate the benefit amount. Retirement programs are only available to full-time employees. Participation begins on the date of hire and employees are fully vested after six years of MERS service credit. One month of service credit is defined as 60 work hours. Work hours are defined as regular hours or paid time off (compensatory time, vacation, sick, PTO, personal, workers' compensation, and short-term disability). Unpaid time and long-term disability are excluded.

All employees contribute a percentage of their earnings toward the pension benefit, depending upon actuarial valuations. The City also contributes to the pension benefit on behalf of each qualified employee. The employees and the City evenly split the percentage as set by the actuarial valuation. The maximum employee contribution is 17 percent of earnings.

Employees unable to work and collecting short-term disability (maximum of three months) or workers' compensation payments shall receive a month of MERS service credit provided the following conditions are met:

1. Employee supplements payments with credit from a leave bank to achieve compensation equivalent to full-time hours worked during the month.
2. Employee pays the adjusted actuarially calculated employee responsibility for all credited time. This will be calculated off of the total compensation from the short-term disability or workers' compensation provider and the City. The MERS employee responsibility shall be collected via payroll deduction while on-leave if the balance of the employee's pay is net positive. If the employer is unable to collect the deduction, it shall be paid through payroll deduction upon the employee's return.

In addition to the pension program, certain employee groups participate in a 401(a) defined contribution plan. This program requires an employee contribution of 2 percent of gross earnings, and the City provides a 2 percent match.

The City makes a 457 defined contribution retirement plan and a Roth IRA investment plan available to all employees. This is funded by employee contribution only; the City does not provide a match.

Retiree Health Insurance

For non-union employees hired before July 1, 2008, POLC union employees hired before January 29, 2009, and SEIU union employees hired prior to July 1, 2010, the City provides retiree health insurance and pays a portion of the premium for eligible retirees and their dependents. The coverage converts to a Medicare supplement when eligible and the amount paid by the City changes.

Health Care Savings Plan

The City makes a health care savings plan (HCSP) available to all full-time employees to save toward the cost of post-employment healthcare expenses using pre-tax dollars.

This account is accessible by you, your spouse and/or legal dependents upon separation from employment, regardless of the reason or your age. It may be used to reimburse healthcare and related expenses such as insurance premiums, COBRA, co-pays, deductibles, prescriptions and over-the-counter medications, etc.

For non-union employees hired prior to July 1, 2008:

These employees may choose to waive their right to the retiree health care benefit. If that choice is exercised, the employee must participate in the HCSP. This program requires an employee contribution of 3 percent of gross earnings, and the City provides a 3 percent match. This option will begin on the date of the request by the employee and will not be retroactive. Those who choose not to waive their right to retiree health may still have access to an HCSP account with no match.

For non-union employees hired July 1, 2008 and after:

In an effort to provide support for medical expenses following employment with the City, a HCSP is provided. The HCSP has a mandatory contribution of 3 percent of gross earnings with a 3 percent City match.

Tuition Reimbursement Program

Full-time employees are eligible for the City's tuition reimbursement program, which provides up to 100 percent reimbursement for tuition, books and required fees for approved courses taken at a City recognized, accredited, college, university, technical school, or adult education program. Reimbursement may not exceed the IRS non-taxable allowance per calendar year.

In order to qualify for reimbursement:

1. The class must directly relate to the employee's position with the City and/or would be of direct benefit to the City, as determined by Human Resources;
2. The number of courses approved per year will be determined on an individual basis based on the employee's ability to maintain performance on the job and handle the course load requested. Final determination will be made by the Department Director and Human Resources;
3. Classes shall be taken from a City recognized, accredited, college, university, technical school, or adult education program;
4. Prior approval of the course's eligibility for reimbursement is obtained through the annual budgetary process and authorized by Human Resources, or the Department Director if under a separate Authority/Board;
5. The class must be completed;

6. The employee must receive an acceptable grade in the course. Grade received will determine the amount of the reimbursement:

A (3.50 – 4.0 or above)	100% reimbursement
B (2.50 – 3.49)	80% reimbursement
C (2.00 - 2.49)	60% reimbursement
7. Tuition expenses will be paid personally and directly by the employee, excluding education loans.

To request tuition reimbursement, an employee shall complete the appropriate form prior to taking the course and before January of the prior fiscal year in which the course is to be taken (during the budget draft). The intent is for the City and separate authorities to be able to appropriately budget for the fiscal year. Human Resources, or the Department Director if under a separate Authority/Board, will then approve/deny the request and budget appropriately. Following completion, the employee shall complete the appropriate form, provide supporting proof of completion with passing grade, along with receipt(s) for tuition, books, and fees. Tuition reimbursement forms are available from Human Resources.

In the event an employee separates from employment with the City within two years of receiving tuition reimbursement, the City may require the employee to pay back a prorated amount of the funds received under this program, except in the case of death or disability.

Professional Memberships, Training, Licensing, and Certification

The City may pay the cost of certain job-related memberships to professional organizations, job-related trainings, seminars, conferences, and related events that enhance the employee's job knowledge and performance. As well, the City may pay the cost to become licensed or certified in a job-related field, and may pay the cost to remain so qualified. Employer-paid memberships, training, licensing, and certifications are subject to budgetary approval and require advance approval.

Recognition Programs and Special Events

The City seeks to encourage peak performance and recognize exemplary service through various recognition programs and special events. Related supplies are considered to be "de minimus" expenditures of the operating department.

HIPAA Notice of Privacy Practices

The City sponsors group health plans that provide medical, dental, and other benefits to eligible employees. The Privacy Rules under the Health Insurance Portability and Accountability Act (HIPAA) generally restrict the ability to use and disclose certain health or medical information about you that is created or received by these group health plans or by the City in connection with these group health plans.

This Notice describes how medical information about you may be used or disclosed, and describes your legal rights regarding your medical information. References to the Plan throughout this notice also shall mean the City, as plan sponsor.

If you have any questions about this Notice, please contact Human Resources, which serves as plan administrator.

Protected Health Information

The HIPAA Privacy Rules protect only certain medical information known as “protected health information” (PHI). Generally, PHI is individually identifiable health information, including demographic information collected from you or received by a health care provider, a health care clearinghouse, a health plan or your employer on behalf of a group health plan, that relates to:

- 1) your past, present, or future physical or mental health or condition;
- 2) the provision of health care to you; or
- 3) the past, present, or future payment for the provision of health care to you.

Our Pledge and Responsibilities Regarding PHI

We understand that PHI about you and your health is personal and the Plan is committed to protecting PHI. The Plan is required by law to satisfy the following responsibilities with respect to any PHI created or received by the Plan:

- Maintain the privacy of your PHI;
- Provide you with certain rights with respect to your PHI;
- Give you this Notice of the Plan’s legal duties and privacy practices with respect to your PHI; and
- Follow the terms of the Notice that is currently in effect.

How the Plan May Use and Disclose Medical Information About You

Under law, the Plan may use or disclose your PHI under certain circumstances without your permission. The following categories describe different ways that the Plan may use and disclose PHI. For each category of uses or disclosures an attempt will be made to provide an explanation and present some examples. Not every use or disclosure in a category is listed. However, all of the ways the Plan is permitted to use and disclose PHI will fall within one of the categories.

For Treatment. The Plan may use or disclose your PHI to facilitate medical treatment or services by providers. The Plan may disclose PHI about you to providers, including doctors, nurses, technicians, medical students or other hospital personnel, who are involved in taking care of you. For example, the Plan might disclose information about your prior prescriptions to a pharmacist to determine if prior prescriptions contraindicate a pending prescription.

For Payment. The Plan may use and disclose PHI about you to determine eligibility for Plan benefits, to facilitate payment for the treatment and services you receive from health care providers, to determine benefit responsibility under the Plan, or to coordinate Plan coverage. For example, the Plan may tell your health care provider about your medical history to determine whether a particular treatment is experimental, investigational or medically necessary or to determine whether the Plan will cover the treatment. The Plan also may share PHI with a utilization review or pre-certification service provider. Likewise, the Plan may share PHI with another entity to assist with the adjudication or subrogation of health claims or to another health plan to coordinate benefit payments. The Plan may release PHI about you to a family member, friend or other person who is involved in your medical care or payment for your medical care, unless you tell us not to release such information.

For Health Care Operations. The Plan may use and disclose PHI about you for other Plan operations. These uses and disclosures are necessary to run the Plan. For example, the Plan may use PHI in connection with: conducting quality assessment and improvement activities; underwriting, premium rating, and other activities relating to Plan coverage; submitting claims for stop-loss (or excess loss) coverage; conducting or arranging for medical review, legal services, audit services, and fraud and abuse detection programs; business planning and development such as cost management; and business management and general Plan administrative activities.

To Business Associates. The Plan may contract with individuals or entities known as Business Associates to perform various functions or to provide certain types of services on the Plan's behalf. In order to perform these functions or provide these services, Business Associates will receive, create, maintain, use and/or disclose your PHI, but only if they agree in writing with the Plan to implement appropriate safeguards regarding your PHI. For example, the Plan may disclose your PHI to a Business Associate to administer claims or provide support services, such as utilization, management, pharmacy benefit management or subrogation, but only after the Business Associate enters into a Business Associate Agreement with the Plan.

As Required by Law. The Plan will disclose PHI about you when required to do so by federal, state or local law. For example, the Plan may disclose PHI when required by a court order in a litigation proceeding, such as a malpractice action.

To Avert a Serious Threat to Health or Safety. The Plan may use and disclose PHI about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat. For example, the Plan may disclose PHI about you in a proceeding regarding the licensure of a physician.

To Plan Sponsor (i.e. The City). For the purpose of administering the Plan, PHI may be disclosed to certain employees of the City. However, those employees will use or disclose that PHI only as necessary to perform plan administration functions or as otherwise required by HIPAA, unless you have authorized further uses or disclosures. Your PHI cannot be used for employment related purposes without your specific, written authorization. Information also may be disclosed to another health plan maintained by the City for purposes of facilitating claim payments under that health plan.

Special Situations. In addition to the above, the following categories describe other possible ways that the Plan may use and disclose your PHI.

- Organ and Tissue Donation. If you are an organ donor, the Plan may release PHI to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.
- Military and Veterans. If you are a member of the armed forces, the Plan may release PHI about you as required by military command authorities. The Plan also may release PHI about foreign military personnel to the appropriate foreign military authority.
- Workers' Compensation. The Plan may release PHI about you for workers' compensation or similar programs. These programs provide benefits for work related injuries or illness.
- Public Health Risks. The Plan may disclose PHI about you for public health activities. The activities generally include the following:
 - To prevent or control disease, injury or disability;
 - To report births and deaths;
 - To report child abuse or neglect;
 - To report reactions to medications or problems with products;
 - To notify people of recalls of products they may be using;
 - To notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition;
 - To notify the appropriate government authority if we believe a patient has been the victim of abuse, neglect or domestic

violence. The Plan will only make this disclosure if you agree or when required or authorized by law.

- Health Oversight Activities. The Plan may disclose PHI to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.
- Lawsuits and Disputes. If you are involved in a lawsuit or a dispute, the Plan may disclose PHI about you in response to a court or administrative order. The Plan also may disclose PHI about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.
- Law Enforcement. The Plan may release PHI if asked to do so by a law enforcement official:
 - In response to a court order, subpoena, warrant, summons or similar process;
 - To identify or locate a suspect, fugitive, material witness, or missing person;
 - About the victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;
 - About a death we believe may be the result of criminal conduct; and
 - In emergency circumstances to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime.
- Coroners, Medical Examiners and Funeral Directors. The Plan may release PHI to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death.
- National Security and Intelligence Activities. The Plan may release PHI about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.
- Inmates. If you are an inmate of a correctional institution or under the custody of a law enforcement official, the Plan may release PHI about you to the correctional institution or law enforcement official. This release would be necessary (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) for the safety and security of the correctional institution.

Required Disclosures

The following is a description of disclosures of your PHI the Plan is required to make:

Government Audits. The Plan is required to disclose your PHI to the Secretary of the United States Department of Health and Human Services when the Secretary is investigating or determining the Plan's compliance with the HIPAA Privacy rule.

Disclosures to You. When you request, the Plan is required to disclose to you the portion of your PHI that contains medical records, billing records, and any other records used to make decisions regarding your health care benefits. The Plan also is required, when requested, to provide you with an accounting of most disclosures of your PHI where the disclosure was for reasons other than for payment, treatment or health care operations, and where the PHI was not disclosed pursuant to your individual authorization.

Other Disclosures

Personal Representatives. The Plan will discuss your PHI to individuals authorized by you, or to an individual designated as your personal representative, attorney in fact, etc., as long as you provide the Plan with a written notice/authorization and any supporting documents (e.g. durable power of health care attorney). Note that under HIPAA privacy rule, the Plan does not have to disclose PHI to a personal representative if we have a reasonable belief that:

- 1) you have been, or may be, subjected to domestic violence, abuse or neglect by such person;
- 2) treating such person as your personal representative could endanger you;
or
- 3) in the exercise or professional judgment, it is not in your best interest to treat the person as your personal representative.

Authorizations. Other uses or disclosures of your PHI not described above will only be made with your written authorization. You may revoke written authorization at any time, as long as the revocation is in writing. Once we receive your written revocation, it will only be effective for future uses and disclosures. It will not be effective for any information that may have been used or disclosed in reliance upon the written authorization and prior to receiving your written revocation.

Your Rights

You have the following rights regarding PHI that the Plan maintains about you:

Right to Inspect and Copy. You have the right to inspect and copy PHI that may be used to make decisions about your Plan benefits. To inspect and copy PHI that may be used to make decisions about you, you must submit your request in writing to the Contact Person listed above. If you request a copy of the information, you may be charged a fee for the costs of copying, mailing or other

supplies associated with your request. The Plan may deny your request to inspect and copy PHI in certain very limited circumstances. If you are denied access to PHI, you may request that the denial be reviewed by submitting a written request to the Contact Person listed above.

Right to Amend. If you believe that PHI the Plan has about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by or for the Plan. To request an amendment, your request must be made in writing and submitted to the Contact Person listed above. In addition, you must provide the reason that supports your request. The Plan may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, the Plan may deny your request if you ask us to amend information that:

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

If the Plan denies your request, you have the right to file a statement of disagreement with the Plan and any future disclosure of the disputed information will include your statement. File this statement with Human Resources.

Right to an Accounting of Disclosures. You have the right to request an “accounting” of certain disclosures of your PHI. The accounting will not include

- 1) disclosures made for purposes of treatment, payment or health care operations;
- 2) disclosures made to you;
- 3) disclosures made pursuant to your authorization;
- 4) disclosures made to friends or family in your presence or because of an emergency;
- 5) disclosures for national security purposes; and
- 6) disclosures incidental to otherwise permissible disclosures.

To request this list of accounting of disclosures, you must submit your request, in writing, to Human Resources. Your request must state a time period which may not be longer than six years and may not include dates before April 14, 2004. Your request should indicate in what form you want the list (for example, paper or electronic). The first list you request within a 12 month period will be free. For additional lists, the Plan may charge you for the costs of providing the list. The Plan will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

Right to Request Restrictions. You have the right to request a restriction or limitation on the PHI the Plan uses or discloses about you for treatment, payment

or health care operations. You also have the right to request a limit on the PHI the Plan discloses about you to someone who is involved in your care or the payment for your care, such as a family member or friend. For example, you could ask that we not use or disclose information about a surgery you had. The Plan is not required to agree to your request. To request restrictions, you must make your request in writing to Human Resources. In your request, you must tell us what information you want to limit; whether you want to limit our use, disclosure or both; and to whom you want the limits to apply, for example, disclosures to your spouse.

Right to Request Confidential Communications. You have the right to request that the Plan communicate with you about medical matters in a certain way or at a certain location. For example, you can ask that we only contact you at work or by mail. To request confidential communications, you must make your request in writing to Human Resources. The Plan will not ask you the reason for your request. The Plan will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

Right to a Paper Copy of This Notice. You have the right to a paper copy of this Notice. You may ask the Plan to give you a copy of this Notice at any time. Even if you have agreed to receive this Notice electronically, you are still entitled to a paper copy of this Notice. To obtain a paper copy of this Notice, contact Human Resources.

Changes to This Notice

The Plan reserves the right to change the terms of this Notice. The Plan reserves the right to make the revised or changed Notice effective for PHI the Plan already has about you as well as any information the Plan receives in the future. If the Plan makes any material change to this Notice, you will be provided with a copy of a revised Notice of Privacy Practices either by mail or electronically.

Complaints

If you believe your privacy rights have been violated, you may file a complaint with the Plan or with the Office of Civil Rights. Complaints to the Plan must be submitted in writing to Human Resources. A complaint to the Office of Civil Rights should be sent to Office for Civil Rights, U.S. Department of Health & Human Services, 233 N. Michigan Ave. - Suite 240, Chicago, IL 60601, (312) 886-2359; (312) 353-5693 (TDD), (312) 886-1807 (fax). You also may visit OCR's website at: <http://www.hhs.gov/ocr/privacyhowtofile.htm>, for more information.

You will not be penalized, or in any other way retaliated against, for filing a complaint with the Plan or the Office of Civil Rights.

PAID AND UNPAID LEAVES

The City of Grand Haven provides paid and unpaid leave benefits that help employees successfully balance their work demands and personal priorities. The City values its employees and desires to provide adequate paid and unpaid leave options that allow for protection in the event of illness or injury, to manage personal business, and to allow sufficient time away from the job to remain refreshed and positive about work.

The leave benefits provided herein are balanced against the City's need to operate efficiently and may be modified.

Holidays

The following days are observed during each calendar year as paid holidays for all non-union employees at their regular rate of pay, available immediately upon hire:

1. New Year's Day
2. MLK Day of Service
3. Good Friday (1/2 Day)
4. Memorial Day
5. Independence Day (4th of July)
6. Labor Day
7. Thanksgiving Day
8. Day after Thanksgiving
9. Christmas Eve Day
10. Christmas Day
11. New Year's Eve Day (1/2 Day)

In the event a scheduled paid holiday(s) falls on a Saturday, Friday will be observed as the holiday; or if the holiday falls on a Sunday, Monday will be observed as the holiday.

Part-time employees will be paid for only those holidays that fall on a regularly scheduled work day.

To be eligible for holiday pay an employee must work the full scheduled work day prior to and following the holiday, unless on authorized paid leave.

If an employee works in a department that normally operates on a holiday, and the holiday falls on the employee's scheduled work day, the employee will be paid their normal pay and will also receive additional holiday pay.

If an employee is required to work on a holiday outside of their normal work schedule, the employee will be paid at time and a half and will also receive additional holiday pay.

PAID TIME OFF: FOR EMPLOYEES HIRED PRIOR TO APRIL 1, 2008

Vacation Time

Full-time employees hired prior to April 1, 2008, and not electing to change to PTO, are provided paid vacation time, and begin accruing it on the first day of employment. Part-time employees hired prior to April 1, 2008 also earn paid vacation on a prorated basis.

Vacation is accrued according to the following schedule.

<u>YEARS OF SERVICE</u>	<u>VACATION DAYS</u>
Less than 1 year	5 days
1 year but less than 7	10 Days
7 years but less than 16	15 Days
16 years but less than 24	20 Days
24 years and over	25 Days

Vacation time is computed on the number of hours for which an employee is paid, excluding overtime. Employees on paid authorized leave will continue to accrue vacation time.

Vacation time may be used in increments of one hour or more and will not be granted before it is earned.

Employees are to provide reasonable notice of their request for vacation. Vacation requests are approved based upon organization staffing needs and the order of receipt of the requests. In the event that there is a conflict in vacation requests, requests will be honored in the order they are received.

The City reserves the right to deny vacation requests.

Vacation time may be accrued to a maximum of the employee's annual accrual plus five days. Written approval from the Department Head and City Manager is required to exceed the accrual maximum.

Upon voluntary resignation or retirement with at least two weeks' notice, or in the event of death, accrued but unused vacation time will be paid out at 100 percent to the employee's HCSP.

Personal Days

The City provides full-time employees who were hired prior to April 1, 2008, and not electing to change to PTO time, regularly scheduled to work 40 hours per week with two paid personal days per year. Personal days are made available on January 1 each year. Personal days may be used in increments of one hour or more.

Employees are expected to provide adequate notice of their request to use personal day(s). Requests may be denied if the leave would unduly interfere with operations.

Personal days are a “use or lose” benefit. Unused personal days will not be carried into the next year and will not be paid upon separation.

Sick Leave

The City provides paid sick leave to full-time employees who were hired prior to April 1, 2008, and not electing to change to PTO time, on a prorated basis. Sick leave is provided so that employees can care for themselves or others properly in the event of illness or injury. Sick leave may also be used for medical, dental or optical appointments and to otherwise seek preventive care.

Sick leave accrual begins on the first day of employment and is computed based on the number of hours paid, excluding overtime, at a rate of .04615 per hour worked, which equates to 12 days per year for most full-time employees.

Sick leave is available for use in increments of one hour or more and is available for use only after it is earned.

The City expects that staff act responsibly in accessing sick leave. Sick leave shall not be abused as additional “free time.” Staff is expected to use sick leave when they are ill, not only for their own well-being, but to also ensure the workplace remains safe from contagious illness.

Accumulated paid sick leave may be used for necessary family medical situations in an employee’s immediate family which requires immediate medical attention. For purposes of this subsection, “immediate family” shall be defined as spouse, child (biological, foster, adopted, legal ward, or a child to whom the employee stands in loco parentis), stepchild, parent (biological, foster,

stepparent, adoptive parent, legal guardian of an eligible employee or an eligible employee's spouse, or an individual who stood in loco parentis when the eligible employee was a minor child), father-in-law, mother-in-law, grandparent, grandchild, sibling (biological, foster, or adopted), or as defined in MCL PA 369 of 2018.

The City reserves the right to require an employee to use sick time for illness when their presence in the workplace is detrimental or unproductive.

Employees who need to use sick leave should notify their supervisor at the beginning of their work day. Employees are expected to notify their supervisor each day of absence due to illness, unless other arrangements have been made. Should an employee become ill at work, they should immediately notify their supervisor and leave work as quickly as possible.

The City may request a physician's certificate justifying an absence for illness. A return to work authorization from a physician may be required following an extended absence due to illness, typically 2 or more days. As well, absences of three or more days may be designated as qualified leave under FMLA; the City will provide notification of such designation according to FMLA guidelines.

See also, the FMLA policy which contains different provisions for use of accrued time for leaves taken under FMLA.

Employees' unused sick days carry over from year-to-year, and can accumulate to a maximum of 700 hours. Sick time accrued beyond the 700 hour limit will be deposited in June of every year to the employee's pre-tax account of choice. If no choice is made, HCSP will be the default. This paid out amount will not be allowed to exceed 96 hours in total payment. Any hours in excess of the allowed amount for payout will be forfeited.

Upon retirement (according to the pension plan definition of retirement) or in the event of death, 50 percent of the accumulated sick leave to a maximum of 350 hours will be deposited into the employee's pre-tax account of choice, with the HCSP being default if no choice is made, and the remainder will be forfeited. Unused sick time is NOT otherwise paid upon separation.

PAID TIME OFF: FOR EMPLOYEES HIRED APRIL 1, 2008 OR AFTER

Combined paid time off (PTO) is provided to full-time employees and part-time employees on a pro-rated basis to cover a range of leaves including vacation, sick, bonus leave and personal time.

PTO is intended to provide more flexibility than traditional separate leave banks and may be used for a variety of planned and unplanned leaves, such as vacation, personal illness, to care for someone else who is ill, to tend to personal business and appointments, or any other purpose you choose, subject to the rules and procedures for scheduling time off. The City intends that employees use PTO to provide themselves sufficient life/work balance and to take appropriate breaks from the work setting. PTO will be administered in compliance with MCL PA 369 of 2018.

Use and Restrictions

Though the intent of PTO is to maximize flexibility of paid time off for employees, it is not intended to create an atmosphere in which employees feel entitled to “come and go as they please.” The City has limited staff and provides diverse services, often at very busy times of the year. All PTO requests are subject to approval by the Department Head, and may be denied to accommodate operational demands.

Employees are expected to honor the spirit and intent of this benefit, provide sufficient notice of absence, and consider the impact of their absence on operations.

Employees are also expected to use good judgment and refrain from reporting to work when too ill to be reasonably productive or when illness is likely to be contagious or detract from others’ productivity. Employees should not attempt to work under these circumstances in order to “save” their PTO for recreational pursuits; the City reserves the right to require an employee to use PTO for illness when their presence in the workplace is detrimental or unproductive.

Paid time off is available for use in one hour increments.

Additionally, PTO may be used for necessary family medical situations in an employee’s immediate family which requires immediate medical attention. For purposes of this subsection, “immediate family” shall be defined as spouse, child (biological, foster, adopted, legal ward, or a child to whom the employee stands in loco parentis), stepchild, parent (biological, foster, stepparent, adoptive parent, legal guardian of an eligible employee or an eligible employee’s spouse, or an individual who stood in loco parentis when the eligible employee was a minor

child), father-in-law, mother-in-law, grandparent, grandchild, sibling (biological, foster, or adopted), or as defined in MCL PA 369 of 2018.

Accrual

PTO is computed on the number of hours for which an employee is paid, excluding overtime. Employees on paid authorized leave will continue to accrue PTO time. PTO is accrued by full-time and eligible part-time employees beginning on the employee's start date. PTO is only available for use when the accrual is deposited into the employee's accrual bank on July 1. In compliance with MCL PA 369 of 2018, new hires may use accrued but not yet deposited PTO for personal or family medical situations as defined within the MCL.

PTO Accrual Schedule

July 1 following date of hire	Prorated
July 1 following first full year of service	160 PTO hours (20 days)
July 1 following 8 th through 15 th year of service	200 PTO hours (25 days)
July 1 following 16 th year of service and beyond	240 PTO hours (30 days)

Carry Over and Pay Out

Employees should remain aware of their PTO balances and retain sufficient time to cover unforeseen circumstances and unexpected illnesses. Employees are strongly encouraged to bank and carry forward the maximum balance allowed each year. This helps to ensure proper income protection in the event of serious injury or illness where there is an elimination period associated with short-term disability programs and worker's compensation claims.

PTO balances up to 64 hours will be carried forward into the next fiscal year (July 1). Accrued, unused PTO beyond 64 hours will be deposited annually into the employee's pre-tax account of choice in June. If no choice is made, HCSP will be the default. In lieu of the HCSP, part-time employees will be paid directly by paycheck.

Earned, accrued PTO balance will be deposited into the employee's pre-tax account of choice, with the HCSP being default if no choice is made, at 100 percent of the value, upon retirement or death. Part time employees will be paid out directly by pay check.

Leave Requests

The City will attempt to honor reasonable PTO requests, but reserves the right to deny a request if it would interfere with the efficient operation of a department, if PTO abuse is suspected, or other valid reasons.

Some PTO requests, such as vacations, can be planned in advance so employees are expected to provide advance notice of their request for vacation. In the event that there is a conflict in staff leave requests, requests will be honored in the order they are received.

In the case of unplanned PTO for illness, unanticipated personal business or other emergent reasons, employees should give as much advance notice as possible to their supervisor. Employees are expected to call in each day of unplanned absence to their immediate supervisor, unless specific arrangements are made with their supervisor for a return to work date.

The City may request a physician's certificate justifying an absence for illness. A return to work authorization from a physician may be required following an extended absence due to illness, typically 2 or more days. Absences of three or more days, or on a per hour basis for an intermittent FMLA leave, may be designated as qualified leave under FMLA; the City will provide notification of such designation according to FMLA guidelines.

Employees are required to notify their Supervisor and Human Resources if they are off work for any of the following reasons:

- The care of a seriously ill family member(s);
- The employee's own serious health condition;
- The birth of a child or to care for a newborn child;
- Placement of a child with the employee through adoption or foster care;
- To care for a service member or related qualifying events under FMLA.

Family and Medical Leave

The City of Grand Haven complies with all statutory requirements of the Family and Medical Leave Act (FMLA). FMLA provides eligible employees up to twelve (12) weeks of unpaid, job-protected leave within a 12 month period:

- for the birth or care of a child;
- to care for a child after placement through adoption or foster care;
- to care for a close family member (spouse, parent, son or daughter) with a serious health condition;
- for the employee's own serious health condition which makes the employee unable to perform his or her job;

- for “qualifying exigencies” arising from military service of a covered service member.

Definition of a Serious Health Condition:

A serious health condition is an illness, impairment, or physical or mental condition that involves either:

- An overnight stay in a medical care facility, or
- Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by:
 - a. a period of incapacity of more than 3 consecutive full calendar days combined with at least 2 visits to a health care provider within certain time frames, or one visit to health care provider within a certain time frame and a regimen of continuing treatment;
 - b. incapacity due to pregnancy;
 - c. incapacity due to a chronic condition that requires at least two visits to a health care provider per year for treatment, or;
 - d. permanent or long-term incapacity, or conditions requiring multiple treatments

FMLA also allows up to 26 weeks of leave within a 12 month period for an employee to care for a covered military service member with a serious illness or injury.

In some cases the FMLA allows an employee to take intermittent leave or to work a reduced schedule for a limited time period.

Spouses employed by the City are jointly entitled to a combined total of 12 weeks for the birth and care of a newborn, placement of a child by adoption, or foster care or to care for a family member with a serious health condition.

Employees must notify their supervisor and Human Resources of any need to take FMLA leave. Employees must give this notice at least 30 days in advance of a foreseeable need for FMLA leave. If it is impossible to give 30 days advance notice, employees must notify their supervisor and Human Resources as soon as practicable.

Eligibility

To be eligible for leave under FMLA, an employee must have worked at least 1,250 hours over the previous 12 months, and must have worked for the City for a total of at least 12 months (does not need to be consecutive months.)

Only hours actually worked will count toward calculating 1,250 hours over previous 12 months for FMLA eligibility. PTO, vacation, holidays, personal days, sick leave, etc. are not counted.

For purposes of calculating FMLA eligibility, an employee on USERRA protected military leave will be given credit for time worked as if he/she had not taken the military leave and had worked continuously during that time.

Rolling Year

The City uses a rolling year for calculating leave under FMLA, meaning eligible employees may use up to a total of 12 weeks FMLA time in the 12 month period following the commencement of any FMLA qualified leave. FMLA leave may be taken in a single 12 week period, or, when certified as medically necessary, on an intermittent basis such as blocks of time or work week reduction.

Prior approval from Human Resources is required where intermittent leave is sought for the birth and care of a newborn or placement of a child through adoption or foster care.

Coordination with Other Leaves and/or Paid Time Off Plans

The City requires employees to draw down accrued paid leave (sick, personal, vacation, PTO, comp time) while on FMLA leave. The City will designate any leave that qualifies as both FMLA and another type of leave as running concurrently (i.e. disability leave, workers' compensation.) Accrued paid leave must be used to make up the difference in pay if on FMLA and receiving partial pay through some other means.

When a holiday falls within a designated FMLA leave, and the employee is actively drawing down accrual banks, the employee will be paid for the holiday. In the event the holiday falls within an unpaid portion of an FMLA leave because leave banks are exhausted, the holiday will not be paid.

Health and Other Benefits

The City will continue to provide health, dental and optical benefits as if the leave had not been taken. The employee must continue to pay their portion of the premium(s) if normally required, and the City will recoup the cost of premiums paid on the employee's behalf if the employee fails to return after FMLA leave.

The City will also continue other benefits, including unconditional pay increases, that otherwise would occur while the employee is on FMLA.

Employees will continue to accrue paid time off while on FMLA leave if they otherwise would earn it.

Military personnel and families

FMLA extends leave protection and other rights for military personnel and their families in need of leave for “qualifying exigencies” related to call-up or military service, or to care for a family member recuperating from a serious illness or injury (a more expansive definition than the typical “serious medical condition applies.”)

Who Qualifies?

The act defines “covered service members” as members of the armed forces, including the National Guard or Reserves, or who are undergoing medical treatment, recuperation, therapy, or who are otherwise on outpatient status or on temporary disability retired list for a serious injury or illness.

The definition of “family member” for military personnel is more expansive and includes not only “parent, spouse, or child,” but also encompasses “next of kin,” as designated by the service member. When not specifically designated, “next of kin” may include multiple individuals.

Further, an employee can take FMLA leave to care for a son or daughter who is a service member even if the son or daughter is an adult and does *not* meet the self-care and disability tests typically prescribed for non-military FMLA leave related to care for an adult child.

FMLA Leave to Care for a Service Member

FMLA allows up to 26 weeks of service member caregiver leave within a 12 month period for an employee to care for a covered service member with a serious illness or injury. An employee may qualify for more than 26 weeks to care for additional service members or to provide care for a subsequent injury or illness. The 12 month period *must* be a rolling year beginning on the first day of leave.

A serious injury or illness is incurred in the line of duty on active duty that may render the service member medically unfit to perform the duties of his/her office, grade, rank, or rating. This includes a covered service member who:

- is on the temporary disability retired list, a covered service member;
- is undergoing medical treatment, recuperation, or therapy for a serious illness or injury; or

- is assigned to a military medical treatment facility as an outpatient (or is otherwise receiving outpatient care at a unit established for the armed forces.)

FMLA leave does NOT apply to care for former members of the armed forces who are on the permanent disability retired list.

FMLA Leave for Qualifying Exigencies

FMLA allows up to 12 weeks of leave within the normal FMLA 12 month period to address qualifying exigencies that arise as the result of a covered service member's military service including:

- Short-notice deployment (7 days or less);
- Rest and recuperation (limited to 5 days per military R&R visit);
- Military events and activities (support groups, briefings, etc.);
- Childcare and school activities (to make child care arrangements, attend school meetings, provide emergency childcare, etc.);
- Financial and legal arrangements;
- Counseling;
- Post-deployment activities (ceremonies, briefings, etc.);
- Additional activities (other purposes as agreed to by the employer and employee.)

Notifications and Certifications

The City will provide sufficient information for an employee to determine that a leave is protected by FMLA, which may be as simple as verbal notice. If the City has reason to believe a leave qualifies as FMLA, it may designate it as such and provide notification to the employee to that effect.

Employees should provide at least 30 days advance notice when the need for leave under FMLA is foreseeable, and as much notice as possible in other cases. Medical certification to support the request may be required. The City may, at its own expense, require second or third opinions. Medical certification of fitness for duty is required prior to return to work.

Job Restoration and Protection

FMLA requires that, upon return from FMLA leave, an employee is returned to his/her same position or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

The FMLA prohibits discrimination or retaliation against employees who assert FMLA rights or who charge an employer with an FMLA violation.

Under specific and limited circumstances, certain “key employees” (those among the highest paid 10 percent of employees) may be denied job restoration. In this event, the “key” employee will be given a reasonable opportunity to return to work from FMLA leave.

Bereavement Leave

In the event of a death in an employee’s family, the City provides up to 3 days of paid bereavement leave. Generally speaking the full 3 days is provided in the case of a very close relationship; or when extensive travel is required; or when the employee has a formal role in making funeral arrangements; or in settling the affairs of the estate. Shorter funeral or bereavement leave is available to attend extended family members’ funeral services.

The City’s ability to provide this benefit is dependent upon staff’s responsible use of it; and, like all leaves, is subject to approval based on operational demands.

A very close relationship that would typically qualify for a 3 day bereavement leave includes spouse, parent, child, sibling, grandparent, grandchild, a member of the household, or a similar relationship established by law or marriage (i.e. legal guardianship, “steps” or “in-laws.”)

An employee may use accrued PTO, or personal or vacation time to extend bereavement leaves or to attend services for individuals not covered within this policy.

In exceptional circumstances, and based on Director recommendation, the City Manager may grant extended paid or unpaid bereavement leave.

Extended Leave of Absence

An employee may make a written request to their Department Director, which is subject to City Manager approval, for an extended unpaid leave of absence that is not otherwise covered through the Personnel Policies. Such leaves are subject to the same provisions requiring depletion of accrued leave banks as is outlined within the FMLA section.

Jury Duty

Full-time employees who are called in their civilian capacity to serve as a juror, or who are subpoenaed as a witness in court, unless officially excused, shall be provided regular compensation for hours served on jury duty, up to a maximum of eight hours per day and 40 hours per week. Any additional earnings received for jury duty shall be turned over to the City upon receipt by the employee.

Employees completing a partial day of jury duty are expected to report back to work unless there are 30 minutes or less remaining in their regularly scheduled work day.

Employees called to jury duty must immediately notify their supervisor and present proper evidence of the service performed.

Military Leave for National Guard or other Reserve Units

Full-time and part-time employees who participate in the National Guard or other reserve units of the United States Armed Forces will be provided time off for military exercises, voluntary, or involuntary service in accordance with applicable state and federal laws (Uniformed Services Employment and Reemployment Rights Act: USERRA.) Temporary employees are not entitled to military leave.

Employees called to duty should provide as much advance notice as possible and are required to provide the City with written proof of military service within a reasonable time period of it becoming available.

Employees defined as exempt by the FLSA will be paid their regular pay for any workweeks in which any work is performed for the City while on military leave. Prior arrangements should be made regarding the performance of City work while on military leave.

Health insurance will be provided in accordance with applicable federal laws, including USERRA and COBRA.

Employees on military leave may opt to draw down accrued leave banks; benefits will continue so long as the employee is being paid through the draw down of these banks, including paid time off accruals.

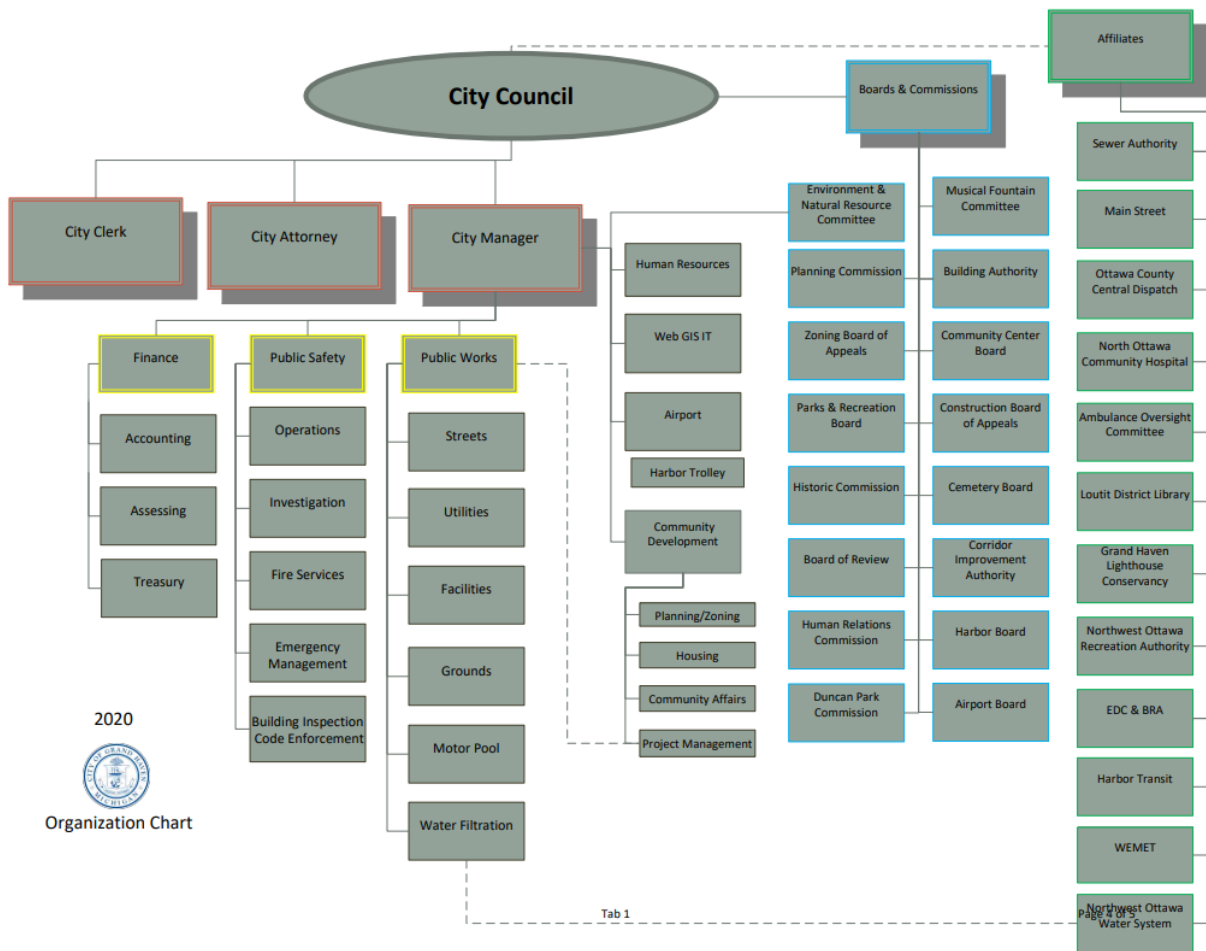
When a holiday falls within a military leave, and the employee is actively drawing down accrual banks, the employee will be paid for the holiday. In the event the holiday falls within an unpaid portion of a military leave, the holiday will not be paid.

Military leave is not considered a break in service with regard to retirement and pension plans, upon review of satisfactory documentation establishing reemployment eligibility.

Employees returning from military leaves of absence will be returned to work in accordance with applicable federal law.

APPENDIX A

ORGANIZATION CHART



Fraud Prevention and Reporting Policy

Revised 08/04/2014

TABLE OF CONTENTS

1. Introduction and Purpose
2. Reasons for Having a Policy
3. General
4. Definitions
5. Scope
6. Discouraging Fraud and Abuse
7. Investigation
8. Mission Statement for the Investigation Team
9. Problems Recognizing and Planning
10. Evidence Gathering
11. Communication of Results
12. Responsibility of Supervisors and Management for Deterrence of Fraud
and Abuse
13. Early Warning System
14. Accounting for Loss, Restitution, and Recovery
15. Cost of Recovering Funds

Fraud Prevention and Reporting Policy

I. INTRODUCTION AND PURPOSE

The purpose of this policy is three fold:

1. To initiate proactive practices to discourage fraud and abuse by employees,
2. To assure a fair, structured and consistent approach to investigations of suspected fraud and abuse and,
3. To establish a policy to govern the process to be followed by City Administration when responding to allegations of fraud and abuse in City programs, functions or activities. By having an established policy, the City is able to institutionalize the approach and reduce the role of personalities in decisions regarding each case.

A Fraud and Abuse Policy is a relatively easy and inexpensive way to discourage integrity violations and encourage early reporting while assuring a fair and consistent response.

II. REASONS FOR HAVING A POLICY

1. To assure confidentiality and protection of the integrity and reputation of innocent employees.
2. To raise awareness of management and others and encourage accountability.
3. To establish responsibility for detection and investigation.
4. To promote an atmosphere of honesty throughout the City.
5. To reduce the opportunity for discrimination.
6. To reduce confusion to assure that investigations are conducted by those with proper training, and to assure a complete, professional investigation.
7. To reduce the emotional impact.
8. To reduce the opportunity for compromising the investigation by alerting the suspected party (parties) or by mishandling.
9. To reduce the opportunity for successful litigations by suspected party (parties).

III. GENERAL

The City of Grand Haven will identify and promptly investigate any possibility of dishonest or fraudulent activities in the handling of City money, documents and assets involving personnel, vendors, agencies or unknown parties. All employees share responsibility for reporting any possible dishonest or fraudulent activity.

Any employee found to have committed a dishonest or fraudulent act in relation to the City's financial affairs is subject to disciplinary action by the City, up to and including termination of employment and investigation by law enforcement agencies or other legal action, when warranted. Described herein are the steps to be taken when fraud, misappropriation, and similar dishonest activities are suspected. The policy also includes the procedures to follow for any missing funds, restitutions, and recoveries.

IV. DEFINITIONS

Fraud - obtaining of something of value through willful misrepresentation.

Abuse - soliciting, or willfully accepting, or agreeing to accept any benefit illegally, or theft of City property, or official misconduct or misuse of information by a City employee.

Neither fraud nor abuse refers to honest errors or omissions by employees performing legitimate functions in the performance of their jobs.

V. SCOPE

Examples of fraudulent or dishonest acts include (but are not limited to):

1. Forgery or fraudulent alteration of documents (checks, promissory notes, time sheets, personnel records, independent contractor agreements, purchase orders, invoices, budgets, etc.).
2. Willful misrepresentation of information on documents.
3. Misappropriation of funds, securities, supplies, or any other asset (including furniture, fixtures or equipment).
4. Improprieties in the handling or reporting of money transactions.
5. Willfully authorizing or receiving payments for goods not received or services not performed.
6. Knowingly authorizing or receiving payments for hours not worked.
7. Any violation of Federal, State, or local laws.
8. Stealing, embezzling or willfully misapplying funds, securities, supplies or any other assets of the City.
9. Bribes and kickbacks from vendors.
10. Willful misrepresentation of business expenses.
11. Manipulation, falsification or fraudulent alteration of accounting records or supporting documents from which financial statements are prepared.
12. Intentional damage or unauthorized use of City property.
13. Conspiracy between two or more persons to defraud.
14. Concealment of any fraudulent scheme by a false statement.
15. Using a computer to gain unauthorized access to City records.
16. Knowledge of fraud without making such information known to appropriate authorities.
17. Any similar or related activity and anything else which is illegal.

VI. DISCOURAGING FRAUD AND ABUSE

The Finance Department is responsible for developing a program in conjunction with City Administration to educate City employees about fraud and abuse and this policy as well as training appropriate staff as to how to detect and report suspected fraudulent activities.

City Administration will be responsible for establishing, maintaining and disseminating appropriate administrative policies and guidelines regarding employee conduct and other City practices and procedures.

VII. INVESTIGATION

Unfortunately, despite proactive efforts to discourage fraud and abuse, situations may arise in which fraud or abuse is suspected. As soon as an impropriety is detected or suspected, the Finance Director must be contacted immediately. An Investigation Team comprised of the Finance Director, City Manager (or designee), City Attorney (or designee), and Public Safety

Director (or designee) will be notified by the Finance Director within 48 hours of any suspected fraud or abuse. The Investigation Team is responsible for the direction of the investigation of any suspected irregularity and will coordinate all investigations, determine what investigative actions are necessary and appropriate and proceed with investigation. In the event the focus of the investigation includes a member of the Investigation Team, the individual will not be a part of the Investigation Team. The Investigation Team may also determine additional individuals to be involved, including any of the Finance or Treasury Department staff. Public Safety will be responsible for criminal investigations when warranted.

Mission Statement for the Investigation Team

To foster an environment that promotes doing business with integrity consistent with the City Code of Ethics and to protect City assets and the reputation of honest, innocent City employees, the Investigation Team and other appropriate officials will utilize their unique skills to evaluate and, if needed, resolve all allegations of improper business conduct and practices defined in the City's Fraud Prevention and Reporting Policy.

Problem Recognition and Planning

The Finance Director and the Investigative Team are available and receptive to receiving relevant information on a confidential basis and should be contacted directly whenever a dishonest or fraudulent activity is suspected. The investigation begins when the Finance Director or other members of the Investigation Team are made aware of a possible situation of fraud or abuse and the Investigation Team is brought together to provide direction for the investigation to begin. The awareness of a possible situation of fraud or abuse may come from a tip, anonymous or otherwise, from another department, from an internal audit, from an outside agency audit, etc.

Investigations will be initiated only upon sufficient evidence, with the chief objectives of determining the existence of fraud or abuse, identifying individuals accountable for violations, protecting the reputation and integrity of City employees and supporting remedial actions by the City in cases of actual violations. The important point is that there must be legitimate reason to believe that fraud or abuse exists.

Evidence Gathering

Upon determination of the investigation approach by the Investigation Team, the Finance Department and other persons designated by the Investigation Team will gather all the information and evidence necessary to investigate alleged fraud and abuse and individual accountability and present the information to the Investigation Team.

If the evidence indicates that a violation occurred but that recovery is not available and accountability cannot be established with some certainty by those involved in the investigation, then a plan will be developed by the Investigation Team.

The plan should include:

1. Request for co-investigator, listing specific expertise needed.
2. Other resources which may be required.

The Finance Director will be responsible for coordinating the plan of investigation and keeping the Investigation Team advised.

The Investigation Team has full and unrestricted access to all necessary records and personnel. All City computers, furniture and contents are open to inspection when there is a reasonable suspicion of a dishonest or fraudulent activity which makes such inspection appropriate and there is no reasonable expectation of privacy. Every effort should be made to effect recovery of City losses. Such efforts will be determined by the Investigation Team.

Communication of Results

The Investigation Team will be responsible for determining when, and in what manner, City Administration or Mayor and City Commission should be notified of a pending or ongoing investigation.

The evidence will be reviewed by the Investigation Team to determine whether a report of findings and audit recommendations are warranted based on the evidence or lack thereof. Investigating, documenting and reporting suspected and proven dishonest or fraudulent activities provide the following:

1. A sound foundation for the protection of the innocent.
2. Appropriate judicial action when warranted by the facts.
3. Basis for risk management claims and civil litigation seeking recovery.

VIII. Responsibility of Supervisors and Management for Deterrence of Fraud and Abuse

Deterrence of fraud and abuse is the responsibility of supervisory and management personnel at all levels. The Finance Director will provide group and individualized training regarding fraud and abuse detection and reporting. All supervisory and management personnel:

1. are responsible for obtaining training and becoming knowledgeable about this policy,
2. should be familiar with the types of improprieties that might occur in his or her area of responsibility,
3. be alert for any evidence that improper activities, misappropriation, dishonest activity, fraud or abuse, is or was in existence. If such improper activities are detected or suspected, supervisory and management personnel should immediately contact the Finance Director if they feel the situation warrants such contact (for example, if obvious theft has taken place, security is at risk, or immediate recovery is possible).

Supervisory and management personnel should not attempt to conduct individual investigations, interviews or interrogations to determine whether or not suspected activity is improper. The intent of this language is to avoid possible violation of employee rights and to avoid possibly tipping off anyone involved in wrongdoing. Non-intrusive review of records or documents to determine if there is any possible validity to a suspected improper act, however, is not intended to be prohibited. It is preferred that the appropriate person(s) conduct an investigation of any suspected fraudulent activity or abuse, working under the direction of the Investigation Team.

Supervisory and management personnel will support the City's policy and cooperate fully with the Finance Director and Investigation Team in the detection, reporting and investigation of fraud

and abuse, as well as of criminal acts, including possible criminal prosecution of suspects of criminal activity.

IX. Early Warning System

The Investigation Team shall immediately notify the Mayor and the City Council through the City Manager and/or Audit Review Committee if the investigation is in an area of high public interest or if the amount involved is greater than \$5,000.

X. Accounting for Loss, Restitution, and Recovery

The department incurring the loss from a dishonest or fraudulent act will suffer the loss until the monies can be recovered through insurance or restitution. The Finance Director will be notified by the Investigation Team of any loss and will record said loss and any restitution in accordance with generally accepted accounting practices.

XI. Cost of Recovering Funds

There is no special fund to recover the costs or recovery, such as hiring special investigators or outside legal counsel. These expenses will be budgeted and paid from the appropriate department operating budget.

DRUG-FREE WORKPLACE POLICY

The City of Grand Haven is committed to providing a safe work environment and to promoting and protecting the health, safety, and well-being of our employees. This commitment is jeopardized when any City of Grand Haven employee engages in the use, possession, sale, conveyance, distribution, or manufacture of illegal drugs, intoxicants or controlled substances or abuses prescription drugs or alcohol. Substance abuse is a significant public health problem which has a detrimental effect on the business community in terms of productivity, absenteeism, accidents, medical costs, theft, and workers' compensation costs. Therefore, the City of Grand Haven has established the following policy:

1. The City of Grand Haven will institute language in all job postings signifying it is a Drug Free Workplace.
2. It is a violation of City policy for any employee to use, possess, sell, convey, distribute, or manufacture illegal drugs, intoxicants, or controlled substances, or attempt to do the same.
3. It is a violation of City policy for any employee to or be under the influence of alcohol, illegal drugs, controlled substances, marijuana, or any other intoxicant at any time while on or using City property, conducting City business, or otherwise representing the City.
4. It is a violation of the City Policy for any employee to use alcohol during normal business hours or while on duty, except when required as part of their normal duties or responsibilities (Public Safety Officer) and approved by the Department Director.
5. It is a violation of City policy for any employee to use prescription drugs illegally. However, nothing in this policy precludes the appropriate use of legally prescribed medications.
6. Violations of this policy are subject to disciplinary action up to and including termination of employment.
7. This policy will be given to all new hires.

EMPLOYEE ASSISTANCE PROGRAM

The City of Grand Haven recognizes that drug and alcohol abuse can be successfully treated and is committed to helping employees who suffer from these problems, while holding them responsible for their own recovery. The City of Grand Haven offers an employee assistance program (EAP) benefit for employees and their families. The EAP provides confidential assessment, referral, and short-term counseling for employees and their families who need or request these services. If the EAP determines a referral to a treatment provider is necessary, the cost may be covered by the employee's medical insurance, but the employee is responsible for the costs of these services.

DRUG AND ALCOHOL TESTING

The purpose of drug and alcohol testing is to prevent the hiring of individuals who illegally use drugs, deter employees from abusing drugs or alcohol, and provide early identification and referral to treatment, when necessary, for employees with drug- and alcohol-abuse problems. The City of Grand Haven is committed to promoting and maintaining a drug-free working environment for all its employees and to promoting and protecting the safety, health and well-being of its employees.

1. The City of Grand Haven will use the model collection and drug-testing standards, issued by the Department of Health and Human Services for federal government employees.
2. Alcohol testing will be conducted using breath-testing instruments and approved procedures.
3. The following employee protections will be incorporated to ensure the accuracy and integrity of the testing program:
 - + Only a Substance Abuse and Mental Health Administration certified drug-testing laboratory will be used.
 - A strict chain-of-custody procedure will be used to ensure the integrity of each urine specimen.
 - The process will ensure individual privacy during the collection process and the confidentiality of test results.
 - All confirmed “positive” test results will receive a professional medical review, which includes the opportunity for employees to explain the result.
 - Employees who test “positive” for the first time for drugs and alcohol will be offered the opportunity for treatment.
 - The refusal by an employee to take a drug or alcohol test is considered equivalent to a verified “positive” drug test and therefore subjects the employee to the same adverse employment actions up to and including termination of employment.
4. Reason for testing:
 - *Pre-Employment/Probationary Employees.* Testing is to be conducted anytime, and potentially multiple times, prior to beginning employment and through the probationary period. Such testing will be scheduled by Human Resources.
 - *Post Accident.* Testing employees who are involved in on-the-job accidents or near accidents, who engage in unsafe job-related activities that pose a significant danger to themselves, other employees, or the public, is mandatory: In addition, any employee will be required to be tested, when in the judgment of the supervisor, the employee may have contributed to the accident.
 - *Follow-up.* Testing of employees who have violated the City’s substance-abuse policy, but were given the opportunity to keep their jobs conditioned on successful rehabilitation and no further “positive” results.

Reasonable Suspicion. Testing that is conducted when there is information about an employee's appearance, conduct, or behavior that would cause a reasonable person to believe that the employee has used or may be impaired by drugs or alcohol.

5. Test Levels

- *Controlled Substances.* An employee will be considered to have failed (with a positive test result) an administered urine drug screen if, after confirmed analysis, test levels show a reportable presence more than the allowable cutoff levels defined in 49 CAR, Part 40, §40.29 (f). The reportable presence will be for any of five controlled substances included in Schedule I or II. These schedules are defined by §802(6) of Title 21 of the United States Code [Section 802(6) of Title 21, Food & Drugs]. The possession of any of these drugs is unlawful under Chapter 13 of that Title [§801 et seq. Of Title 21]. The term **illegal drug** does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law. Valid prescriptions used following the physician's instructions must be recorded and treated as negative test results.
- *Alcohol Use.* An employee will be considered to have failed (with a test result of .04 percent or greater) an administered evidential breath alcohol test administered by a certified breath alcohol technician. To be considered a confirming evidential test, a breath alcohol technician must have administered a preliminary (screening) breath test within the 20 minute period immediately preceding the evidential test. The preliminary test must have resulted in a reading of not less than .02 percent to warrant the evidential breath test.
- *Other Alcohol Use.* An employee submitting to a preliminary breath alcohol screening test with a result of .02 or higher but less than .04 percent as confirmed by an evidential breath test will be removed from duty or performance of their position for a period of not less than 24 hours or until the next regularly scheduled work day, without pay.
- *Controlled Substance Levels.* We will accomplish all substance testing according to the guidelines established by the U.S. Department of Health³ And Human Services and the Department of Transportation, 49 CAR Parts 40, 382 and, where appropriate, Part 391. We are requiring testing for the substances listed of which we consider unacceptable in our business environment.

Initial test analyte	Initial test cutoff	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites (THCA) ²	50 ng/mL ³	THCA	15 ng/mL.
Cocaine metabolite (Benzoylecgonine)	150 ng/mL ³	Benzoylecgonine	100 ng/mL.
Codeine/ Morphine	2000 ng/mL	Codeine Morphine	2000 ng/mL. 2000 ng/mL.
Hydrocodone/ Hydromorphone	300 ng/mL	Hydrocodone Hydromorphone	100 ng/mL. 100 ng/mL.
Oxycodone/ Oxymorphone	100 ng/mL	Oxycodone Oxymorphone	100 ng/mL. 100 ng/mL.
6-Acetylmorphine	10 ng/mL	6-Acetylmorphine	10 ng/mL.
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL.

Amphetamine/ Methamphetamine	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL. 250 ng/mL.
MDMA4/MDA5	500 ng/mL	MDMA MDA	250 ng/mL. 250 ng/mL.

- *Test Use.* Any urine specimens collected may only be used to test for controlled substances designated or approved for testing. The accompanying Chain of Custody will reflect the nature of the test required.
 - Split Samples. The specimen collected must consist of not less than 45 milliliters of urine, 30 of which we pour into a container for initial testing. We will then pour the remainder into a second container for storage. The testing laboratory will retain this sample for at least 60 days from receipt of both specimens by the lab.
 - * The split sample confirms contested test results ~f the primary sample shows a positive test result.
 - Further, our program does not prohibit procedures incidental to an analysis of the specimen for controlled substances. The laboratories are authorized to conduct specific tests to determine if, in fact, the sample has been adulterated, diluted, or tampered with. Such tests are approved and consist of tests to determine the specific gravity or to measure the creatine present in the sample.

Alcoholic Beverages and Use. The use of alcoholic beverages by employees affects safe and efficient operations. No employee will use or possess alcoholic beverages during working hours. No employee will report to work while under the influence of alcoholic beverages, displaying the effects of having used alcohol, or within four (4) hours of having used alcohol. *This section may be modified by specific Departmental policies.

An odor of alcohol on any employee's breath is reason enough for the City to believe that the employee has used and may be under the influence of alcohol. Any employee who engages in such conduct may be subject to immediate removal from their position if an employee exhibits any symptoms of alcohol use, they will be required to submit to a preliminary breath test (PBT), followed by an evidential breath test (EBT) to measure the extent and level of alcohol within an employee's system. The results of these tests shall be received by Human Resources.

If an employee on the two tests has an alcohol level of .04 percent or greater, it will be considered a positive test.

Refusals to submit to a required (PBT) followed by an (EBT) or any other MDOT-approved test to measure the extent and level of alcohol within a worker's body will be considered to have a positive alcohol test level greater than .04 percent.

Assessment refusals by an employee testing above .04 percent Breath Alcohol level (BAL) and who refuses assessment or fails to complete the treatment plan prescribed by the assessment professional will be suspended from further performing any function until he or she submits to an assessment.

Any employee referred to a substance abuse professional and/or employee assistance program who fails to follow any of the following requirements will be suspended from the performance of any function. These requirements are as follows:

- Keep the appointment.
- Complete the prescribed treatment or rehabilitation plan.
- Authorize the disclosure of progress reports to the City.

Appendix D

City of Grand Haven Computer, Network, Internet, E-mail Policy

Purpose: To govern use of the City-owned computer system(s) and access to and usage of publicly accessible computer networks such as the Internet. The procedures and principles presented in this Policy apply to all City employees, elected officials, volunteers, and other affiliated persons (such as service providers) who use City-provided, publicly accessible computer networks such as the Internet, regardless of the user's location, when accessing the network.

General Computer Use

1. Only those persons currently employed (or given written administrative permission) are permitted to use any computer resources owned, rented or leased by the City of Grand Haven. This includes City employees, elected officials, interns and volunteers.
2. Use of City computer resources and/or Internet connections for any illegal activity (including but not limited to gambling, obtaining or distributing pornographic materials) and playing leisure-type recreational games is strictly forbidden. The City may monitor incoming and outgoing Internet traffic at any time.
3. Software or hardware may be installed on any City computer system only through the approval of the Department Head, , Finance Director, IT Coordinator or City Manager. The City Manager may authorize staff and/or service providers to perform specific software or hardware installations. All other software or hardware installations are strictly prohibited.
4. Where copyright laws apply, the City forbids unlawful copying of any software or manuals. Where Freedom of Information Act provisions apply with relation to computerized data or information, the City will comply as directed by the City Manager.

Network Security

1. No employee shall use any data or other information on the City's network file server or any City personal computer for personal gain, or for the advantage of any outside third party, or in any other way

except in accordance with the policies of the City.

2. No employee shall permit any unauthorized person to gain access to the City's computer network system.
3. No employee shall furnish any information to any unauthorized person about the hardware or the software used by the City, nor the method of accessing the City's computer network system.
4. No employee shall send highly sensitive or confidential messages over the electronic communications network unless properly encrypted, and sent by and to parties authorized to have access to the information
5. Employees viewing, accepting, handling, or have access to HIPAA protected information must have approval and have a signed HIPAA form on file.

Internet Use

1. Access to the Internet is for the exchange of information and research consistent with the vision, mission, goals and activities of the City and/or an employee's job function(s).
2. Employees shall not use the Internet for commercial business use.
3. Employees shall not use the Internet for inappropriate or unlawful purposes, including, but not limited to, placing or receiving unauthorized information, computer viruses, or harmful programs on or through the computer system in either public or private files or messages, using obscene or otherwise inappropriate language in communications and obtaining, viewing or downloading information that is unlawful, obscene, indecent, vulgar, pornographic or otherwise objectionable.
4. Internet access records and records of downloaded files are not private and may be occasionally monitored as the City Manager deems necessary.
5. Users understand that use of any City-provided, publicly accessible computer network such as the Internet is a privilege. Inappropriate or unlawful use of the Internet may result in loss of access for the user and, depending on the seriousness of the infraction, can result in disciplinary action as deemed appropriate.

E-mail Use

1. The rules for Internet use also apply to the use of electronic mail provided to City employees. Electronic mail may constitute a public record under certain circumstances and may be accessible or obtainable by individuals, agencies and others outside the City and subject to state and federal rules for retention/destruction.
2. All e-mail originating from or received by the City computer system(s) is City property, and is not considered private information.
3. Electronic mail may be monitored by the City.
4. Prohibited uses of the electronic mail system include, but are not limited to, the following:
 - Use of the system to send chain letters.
 - Use of the system to send copies of documents in violation of copyright laws.
 - Use of the system to compromise the integrity of the City and its business in any way.
 - Use of the system for "moonlighting," job searches, or the advertisement of personal business.
 - Use of the system to send messages containing offensive, abusive, threatening, pornographic and/or other language and imagery inappropriate for the organization.

The City expects all employees to comply fully with this policy. Any employee found to be violating the Computer, Internet, E-mail Policy will be subject to reprimand or termination on the same basis which would apply to misuse or misappropriation of other City property or for violation of other City policies.