



# **Alpena County**

**Copy of Employee Handbook**

**January 2024**

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# Core Policies

## 1.0 Welcome

Union employees should abide by their Union Contract rules and policies when there are discrepancies between the Union Contract and the Employee Handbook.

### 1.1 A Welcome Policy

Welcome! You have just joined a fast-paced organization dedicated to excellent public service and committed to our community. We hope that your employment with Alpena County will be rewarding and challenging. We take pride in our employees as well as in the services we provide.

Alpena County complies with all federal and state employment laws, and this handbook generally reflects those laws. The County also complies with any applicable local laws, although there may not be an express written policy regarding those laws contained in the handbook. Employees are expected to read this handbook carefully, and to know and understand its contents. Except as otherwise provided in this handbook, no one has the authority to make any promise or commitment contrary to what is in this handbook.

The employment policies and/or benefits summaries in this handbook are written for all employees. When questions arise concerning the interpretation of these policies as they relate to employees who are covered by a collective-bargaining agreement, the answers will be determined by reference to the actual union contract, rather than the summaries contained in this handbook.

Please take the time now to read this handbook carefully. Sign the acknowledgment at the end to show that you have read, understood, and agree to the contents of this handbook, which sets out the basic rules and guidelines concerning your employment. This handbook supersedes any previously issued handbooks or policy statements dealing with the subjects discussed herein. The County reserves the right to interpret, modify, or supplement the provisions of this handbook and any employment policy, practice, work rule, or benefit at any time and without prior notice. Neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. Please understand that no employee handbook can address every situation in the workplace.

If you have questions about your employment or any provisions in this handbook, contact the Human Resources Department.

We wish you success in your employment here at Alpena County!

All the best,

Board of Commissioners, County Administrator  
Alpena County

### 1.2 At-Will Employment

Your employment with Alpena County is on an "at-will" basis. This means your employment may be terminated at any time, with or without notice and with or without cause. Likewise, we respect your right to leave the County employment at any time, with or without notice and with or without cause. Employees also may be demoted or disciplined and the terms of their employment may be altered at any time, with or without cause, at the discretion of the County.

No one other than the Human Resource Specialist, County Administrator, or the Commissioners have the authority to alter this arrangement, to enter into an agreement for employment for a specified period of time, or to make any agreement contrary to this at-will status. Any such agreement must be in writing, must be signed by a County Commissioner, Human Resource Specialist, or County Administrator, and must express a clear and unambiguous intent to alter the at-will nature of the employment relationship.

If a written contract between you and the County is inconsistent with this handbook, the written contract is controlling.

Nothing in this handbook will be interpreted, applied, or enforced to interfere with, restrain, or coerce employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

Nothing contained in this handbook or any other documents provided to employees is intended to be, nor should it be, construed as a guarantee that employment (or any benefit) will be continued for a specific time period. For example, any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience. They are not intended to create an employment contract for one or more months. Employees should ask the Human Resources Specialist if they have any questions about their status as an employee at-will.

Employees who resign or retire shall notify their Department Head in writing at least two (2) weeks prior to the effective date of the resignation or retirement. The County may schedule an exit interview with any employee who leaves the County employment. All benefits will not go beyond the termination date unless otherwise directed by plan documents. When an employee resigns or retires and gives notice to the Department Head, it is the Department Head's responsibility to forward the original letter to the Human Resource Department. Department Heads must complete the Departing Employee form found on the Electronic HR portal. This form must be printed off, completed, signed, and submitted to the Human Resource Department by the day following the termination date.

## **2.0 Introductory Language and Policies**

### **2.1 Ethics Code**

Alpena County will conduct business honestly and ethically wherever operations are maintained. We strive to improve the quality of our services, products, and operations and will maintain a reputation for honesty, fairness, respect, responsibility, integrity, trust, and sound business judgment. Our managers and employees are expected to adhere to high standards of business and personal integrity as a representation of our business practices, at all times consistent with their duty of loyalty to the Alpena County.

We expect that Elected Officials, Departments heads, and employees will not knowingly misrepresent the County and will not speak on behalf of the County unless specifically authorized.

All documents, data, and information processed/derived from Alpena County remains the sole property of Alpena County. When an employee leaves employment with Alpena County, all records must remain in the possession of Alpena County and no copies can be retained by the individual

Violation of the Code of Ethics can result in discipline, up to and including termination of employment. The degree of discipline imposed may be influenced by the existence of voluntary disclosure of any ethical violation and whether or not the violator cooperated in any subsequent investigation.

### **2.2 Revisions to Handbook**

This handbook is our attempt to keep you informed of the terms and conditions of your employment, including Alpena County policies and procedures. The handbook is not a contract. The County reserves the right to revise, add, or delete from this handbook as we determine to be in our best interest, except the policy concerning at-will employment. When changes are made to the policies and guidelines contained herein, we will endeavor to communicate them in a timely fashion, typically in a written supplement to the handbook or in a posting on county bulletin boards.

## **3.0 Hiring and Orientation Policies**

### **3.1 EEO Statement and Non-harassment Policy**

#### ***Equal Opportunity Statement***

It is the County's policy to provide equal employment opportunity for all applicants and employees. The County does not unlawfully discriminate on the basis of actual or perceived race (including hair texture and natural hair styles or length), color, religion, religious creed (including religious dress and religious grooming practices), sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity (including transgender identity, status and transitioning), gender expression and sex stereotyping, national origin, ancestry, citizenship, age, physical or mental disability, legally protected medical condition or information (including genetic information), family care or

medical leave status, military caregiver status, military status, veteran status, marital status, domestic partner status, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, or any other basis protected by local, state, or federal laws. Consistent with the law, the County also makes reasonable accommodations for disabled applicants and employees; for pregnant employees who request an accommodation with the advice of their health care providers, for pregnancy, childbirth, or related medical conditions; for employees who are victims of domestic violence, sexual assault, or stalking; and for applicants and employees based on their religious beliefs and practices.

The County will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on the County's operations. If employees wish to request such accommodation, they should contact the Human Resources Department.

The County prohibits sexual harassment and the harassment of any individual on any of the other bases listed above. For information about the types of conduct that constitute impermissible harassment and the County's internal procedures for addressing complaints of harassment, and the legal remedies available through and complaint procedures of the appropriate state and federal agencies and directions on how to contact these agencies, please refer to the County's Policy Against Harassment, Discrimination, and Retaliation in this Handbook.

This policy applies to all areas of employment including recruitment, hiring, training, promotion, compensation, benefits, transfer, disciplinary action, and social and recreational programs. It is the responsibility of every manager and employee to conscientiously follow this policy. Any employee having any questions regarding this policy should discuss them with the Human Resources Department.

### ***Policy Against Harassment, Discrimination and Retaliation***

#### **Purpose of Policy**

The County is committed to providing a workplace free of unlawful harassment and discrimination. This includes sexual harassment (which includes harassment based on pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions) and harassment based on actual or perceived gender, gender identity (including transgender identity, status and transitioning), gender expression and sex stereotyping, as well as harassment based on such factors as race (including hair texture and natural hair styles or hair length), color, religion, religious creed (including religious dress and religious grooming), national origin, ancestry, citizenship, age, physical or mental disability, legally-protected medical condition or information (including genetic information), family care or medical leave status, military caregiver status, military status, veteran status, marital status, domestic partner status, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, or any other basis protected by federal, state, or local laws. The County strongly disapproves of and will not tolerate harassment of or discrimination against applicants, employees, interns, or volunteers by managers, supervisors, co-workers or third parties with whom employees come into contact. Similarly, the County will not tolerate harassment by its employees of non-employees with whom the County employees have a business, service, or professional relationship.

#### **Harassment Defined**

Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with an employee's work performance. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Harassing conduct can take many forms and may include, but is not limited to, the following: slurs, jokes, insults, statements, gestures, teasing, assault, impeding or blocking another's movement or otherwise physically interfering with normal work, pictures, posters, symbols, drawings, or cartoons, violating someone's "personal space" (for example by blocking someone's way) foul or obscene language, leering, stalking, staring, unwanted or offensive letters or poems, offensive email or voicemail messages, or any kind of verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any protected characteristic.

Sexually harassing conduct in particular may include all of these prohibited actions, as well as other unwelcome conduct, such as requests for sexual favors, conversation containing sexual comments, and

other unwelcome sexual advances. Sexually harassing conduct can be by a person of either the same or opposite sex. Sexually harassing conduct need not be motivated by sexual desire to be violative of this policy.

### Reporting and Investigating Harassing, Discriminatory and Retaliatory Conduct

All employees, independent contractors, interns, and volunteers of the County must promptly report any incidents of harassment, discrimination, and retaliation so that the County can take appropriate action.

#### *Reporting Discrimination and Harassment*

If you feel that you have witnessed or have been subjected to any form of discrimination or harassment, immediately notify Human Resources or any member of management.

The County prohibits retaliation against employees who, based on a reasonable belief, provide information about, complain, or assist in the investigation of any complaint of harassment or discrimination.

We will promptly and thoroughly investigate any claim and take appropriate action where we find a claim has merit. To the extent possible, we will retain the confidentiality of those who report suspected or alleged violations of the harassment policy.

Managers and supervisors have a special responsibility under this policy. All levels of management and all supervisors are responsible for compliance with this Policy Against Harassment, Discrimination, and Retaliation AND for ensuring that everyone in their department is aware of, understands and adheres to this policy. Supervisors and managers who receive complaints or who observe or learn of discriminatory, harassing, or retaliatory conduct must immediately inform the Human Resources Manager or other appropriate County official so that an investigation may be initiated.

Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the County determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the County may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped. In all cases, the County will follow up as necessary to ensure that no individual is retaliated against for making a complaint or cooperating with an investigation.

When applicable, protected concerted activity covered by the NLRA or the particular collective bargaining agreement is *not* prohibited by this policy. This policy in no way prohibits employee communications that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the NLRA, which includes the right of employees to speak with others about their terms and conditions of employment. To the extent that any provision of this handbook purports to prohibit conduct that is or is later determined to be otherwise protected under Section 7 of the NLRA, such conflicting provisions will be void.

#### Corrective Action

The County prohibits conduct severe enough to be unlawful. Yet even more, the County's workplace conduct standards also prohibit conduct and comments which are not severe enough to violate state or local or federal law—but which are still inappropriate in the workplace. For example, the County prohibits abusive conduct in the workplace—whether or not it is based on a protected category.

As a result, the County will take prompt, appropriate, and effective corrective action (e.g., remedial measures) any time it is established that discrimination, harassment, or retaliation in violation of this policy has occurred—whether or not such violation also violates the law.

Corrective action may include, for example: training, referral to counseling, or disciplinary action ranging from a verbal or written warning to termination of employment, depending on the circumstances. With regard to acts of harassment or discrimination by customers or vendors, corrective action will be taken after consultation with the appropriate management personnel.

The County will not tolerate retaliation against any employee for making a good faith complaint of harassment, discrimination, or retaliation, or for cooperating in an investigation.

#### Anti-Harassment Training

Every County employee is required to undergo Sexual Harassment training within their first three (3) months of employment and at least once every two (2) years thereafter. In addition, all employees hired as

or promoted to a supervisory or management position must undergo at least two (2) hours of interactive sexual harassment training within the first six (6) months of assuming a new supervisory or management position. Additionally, all supervisors and managers must complete at least two (2) hours of interactive sexual harassment training at least once every two (2) years thereafter. An employee who fails to comply with this section may be subject to disciplinary action, up to and including termination of employment.

### **Zero Tolerance**

The County does not tolerate and prohibits discrimination, harassment or retaliation of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of race, color, creed, religion, age, sex or gender (including pregnancy, childbirth and related medical conditions), sexual orientation, gender identity or gender expression (including transgender status), national origin, ancestry, marital status, protected medical condition as defined by state law (cancer or genetic characteristics), physical or mental disability, military and veteran status, genetic information, or any other characteristic protected by applicable federal, state or local laws and ordinances. The County is committed to a workplace free of discrimination, harassment and retaliation.

Our management team is dedicated to ensuring the fulfillment of this policy as it applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

### **3.2 Applicants and Employees with Disabilities**

The County is committed to providing equal employment opportunities for all qualified individuals with disabilities in accordance with the federal Americans with Disabilities Act and applicable State disability laws. In accordance with these laws, the County strictly forbids all forms of unlawful discrimination, harassment, or retaliation against qualified applicants or employees with disabilities, and for pregnant employees who so request for pregnancy, childbirth, or related medical conditions, and requires reasonable accommodation if necessary for such individuals to perform the essential functions of their jobs safely and efficiently without undue hardship to the County and without serious risk to the health and safety of others.

Applicants and employees who require accommodation of any disability should inform the County of their needs. The County may have no way of knowing whether an individual requires an accommodation unless they bring it to the attention of the County. The County will engage in an interactive conversation to determine if there is a reasonable accommodation that can be provided that will not cause the County undue hardship and will treat all such information as confidential to protect privacy rights under laws such as HIPAA, but some disclosure will be necessary to fulfill the purposes of this policy.

Employees who are made aware that an applicant or employee has a disability should presume that the information is confidential and discuss it only with upper management and Human Resources, unless the employee has disclosed or consented to further disclosure.

Discrimination, harassment, or retaliation against an individual because they are considered disabled or has been given accommodation for a disability is absolutely forbidden and grounds for immediate termination. Employees who believe they have been harassed in violation of this policy may file a complaint under the County's policy on Equal Employment Opportunity.

### **3.3 Veteran's Preference**

The County of Alpena shall accommodate a person who is a Veteran as provided by State law (Public Act 205 of 1897 as amended).

- 1) Any employee who wishes to be acknowledged as a Veteran must file a copy of their DD214 with the HR Department.
- 2) Any employee who wishes to challenge the Employer's determinations regarding their Veteran's employment status will be required to put in writing their preference of using legislative enactment or the grievance procedure.

### **3.4 Whistleblowers Protection**

The Whistleblower Act MCL 15.362 protects all employees.

Alpena County encourages all staff members, acting in good faith, to report suspected or actual wrongful conduct. The organization is committed to protecting employees from retaliation for having made admissions or for having refused an illegal order. Employers may not retaliate against any individual who has made a disclosure or who has refused to obey an illegal order under this policy. Employers may not



directly or indirectly use or attempt to use authority or influence of their positions to interfere with the right of any employee. The purpose of this Whistleblower Policy is:

1. To protect any employee who engages in good faith disclosure of alleged wrongful conduct to a representative of Alpena County
2. To encourage employees to disclose wrongful conduct so that prompt, corrective measures can be taken by Alpena County
3. To inform employees of how allegations of wrongful conduct can be reported
4. To protect employees from retaliation as a result of disclosing wrongful conduct
5. To provide employees, who believe that they have been subjected to reprisal or false allegations, a fair opportunity to seek relief.

Alpena County employees should share their concerns, suggestions and complaints with their supervisors and/or other County representatives who can properly address them. In many cases, the employee's supervisor is the best option for addressing these concerns. However, if the employee is not comfortable speaking with his or her supervisor, or is not satisfied with the response given, the employee should take concerns to the Human Resource Department.

### **3.5 Reasonable Accommodations for Pregnant Workers Policy**

As required by the federal Pregnant Workers Fairness Act (PWFA), the County will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth or related medical conditions, unless the accommodation will cause undue hardship to the County's operations.

An employee or applicant may request an accommodation due to pregnancy, childbirth or a related medical condition by submitting the request in writing to human resources (HR). The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, HR will contact the employee or applicant to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to:

- Sit while working.
- Drink water during the workday.
- Receive closer-in parking.
- Have flexible hours.
- Receive appropriately sized uniforms and safety apparel.
- Receive additional break time to use the bathroom, eat and rest.
- Take time off to recover from childbirth.
- Be excused from strenuous activities and/or activities that involve exposure to compounds deemed unsafe during pregnancy.

An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the County will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

The County prohibits any retaliation, harassment or adverse action due to an individual's request for accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

### **3.6 Conflicts of Interest**

Employees are expected to devote their best efforts and attention to the full-time performance of their jobs. Moreover, employees are expected to use good judgment, to adhere to high ethical standards, and to avoid situations that create an actual or potential conflict between their personal interests and the legitimate business interests of the County. A conflict of interest exists when the employee's loyalties or actions are divided between the County's interests and those of another, such as a competitor, supplier, or customer. Both the fact and the appearance of a conflict of interest should be avoided. Employees unsure as to

whether a certain transaction, activity, or relationship constitutes a conflict of interest should discuss it with their immediate supervisor or the Human Resources Manager for clarification. Any exceptions to this guideline must be approved in writing by the County Administrator.

While it is not feasible to describe all possible conflicts of interest that could develop, some of the more common conflicts that employees should avoid include the following:

- 1) Accepting personal gifts or entertainment from competitors, customers, suppliers, or potential suppliers;
- 2) Working for a competitor, supplier, or customer;
- 3) Engaging in self-employment in competition with the County;
- 4) Using proprietary or confidential County information, such as County trade secrets, for personal gain or to the County's detriment;
- 5) Having a direct or indirect financial interest in or relationship with a competitor, customer, or supplier;
- 6) Using County property or labor for personal use;
- 7) Acquiring any interest in property or assets of any kind for the purpose of selling or leasing it to the County;
- 8) Committing the County to give its financial or other support to any outside activity or organization; or
- 9) Developing a personal relationship with a subordinate employee of the County or with an employee of a competitor, supplier, or customer that might interfere with the exercise of impartial judgment in decisions affecting the County or any employees of the County.

If an employee or someone with whom an employee has a close relationship (e.g., a family member or close companion) has a financial or employment relationship with a competitor, customer, supplier, or potential supplier, the employee must disclose this fact in writing to the Human Resources Department. Employees should be aware that if they enter into a personal relationship with a subordinate employee or with an employee of a competitor, supplier, or customer, a conflict of interest may exist, which requires full disclosure to the County.

Part-time employees may engage in outside employment, provided that they disclose such employment and get written approval from their immediate supervisor if there is a conflict of interest.

Failure to adhere to this guideline, including failure to disclose any conflicts or to seek an exception, may result in discipline, up to and including termination of employment.

When applicable, protected concerted activity covered by the NLRA or the particular collective bargaining agreement is *not* prohibited by this policy. This policy in no way prohibits employee communications that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the NLRA, which includes the right of employees to speak with others about their terms and conditions of employment. To the extent that any provision of this handbook purports to prohibit conduct that is or is later determined to be otherwise protected under Section 7 of the NLRA, such conflicting provisions will be void.

### ***Outside Employment***

Outside employment that creates a conflict of interest or that affects the quality or value of your work performance or availability at Alpena County is prohibited. The County recognizes that you may seek additional employment during off hours, but in all cases expects that any outside employment will not affect your attendance, job performance, productivity, work hours, or scheduling, or would otherwise adversely affect your ability to effectively perform your duties or in any way create a conflict of interest. Any outside employment that will conflict with your duties and obligations to the County should be reported to your Department Head. Failure to adhere to this policy may result in discipline up to and including termination.

### **3.7 Employment Authorization Verification**

New hires will be required to complete Section 1 of federal Form I-9 prior to their first day of paid employment and must present acceptable documents authorized by the U.S. Citizenship and Immigration Services proving identity and employment authorization no later than the third business day following the start of employment with Alpena County. If you are currently employed and have not complied with this requirement or if your status has changed, inform your Department Head.

If you are authorized to work in this country for a limited period of time, you will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the County.

It is your obligation to provide Alpena County with your current contact information, including current mailing address and telephone number. Inform the County of any changes to your marital or tax withholding status-and complete new forms-if you move. Failure to do so may result in loss of benefits or delayed receipt of W-2 and other mailings. To make changes to this information, contact the Human Resource Department.

### **3.8 Employment of Relatives and Friends**

We will not employ friends or relatives in circumstances where actual or potential conflicts may arise that could compromise supervision, safety, confidentiality, security, and morale at Alpena County. It is your obligation to inform the County of any such potential conflict so the County can determine how best to respond to the particular situation.

#### ***Non-Fraternization***

In order to promote the efficient operation of the County's business and to avoid misunderstandings; complaints of favoritism; other problems of supervision, security and morale; and possible claims of sexual harassment, managers and supervisors are discouraged from dating or pursuing romantic or sexual relationships with employees whom they supervise, directly or indirectly. Employees who violate this guideline may be subject to discipline, up to and including termination of employment.

When applicable, protected concerted activity covered by the NLRA or the particular collective bargaining agreement is *not* prohibited by this policy. This policy in no way prohibits employee communications that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the NLRA, which includes the right of employees to speak with others about their terms and conditions of employment. To the extent that any provision of this handbook purports to prohibit conduct that is or is later determined to be otherwise protected under Section 7 of the NLRA, such conflicting provisions will be void.

### **3.9 Employment Applications**

The County relies upon the accuracy of information provided by an applicant in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentation, falsification, or material omission by an applicant in any of this information or data may result in revocation of any offer or immediate termination of employment, regardless of when it is discovered.

### **3.10 Job Descriptions**

Alpena County attempts to maintain a job description for each position. If you do not have a current copy of your job description, you should request one from your Department Head.

Job descriptions prepared by the County serve as an outline only. Due to business needs, you may be required to perform job duties that are not within your written job description. Furthermore, the County may have to revise, add to, or delete from your job duties per business needs. On occasion, the County may need to revise job descriptions with or without advance notice to employees.

If you have any questions regarding your job description or the scope of your duties, please speak with your Department Head.

### **3.11 Employee Classifications**

#### ***Regular Full-Time Personnel***

Regular full-time employees are those who have completed their introductory period and are regularly scheduled to work 30 or more hours per week. Unless stated otherwise or specifically permitted by law, all the benefits provided to employees at Alpena County are for regular full-time employees only. This includes vacation, holiday pay, health insurance, and other benefits coverage.

#### ***Regular Part-Time Personnel***

All employees who work fewer than 30 hours per week are considered part time. Part-time employees are not eligible for County benefits unless specified otherwise in this handbook, in the benefit plan summaries, or specifically permitted by law.

### ***Exempt/Nonexempt Employees***

Exempt employees, by definition, are exempt from earning overtime compensation and generally receive the same weekly salary regardless of hours worked. Nonexempt employees are employees who are eligible to be paid for overtime work in accordance with the provisions of applicable wage and hour laws. Overtime pay requirements are set forth in the section of this Handbook/Manual entitled "Hours of Work, Overtime, and Pay Day". Employees will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

### ***Irregular Employee***

An irregular employee is an individual not included within the definitions of full-time or regular part-time employee who is working on any other basis, including temporary, casual, seasonal, or school interns. Part-time employees are not eligible for any benefits.

### ***Contractual Employee***

A contractual employee is an individual who is working for the County of Alpena under a separate signed contractual agreement with the County. Any benefits available to the contractual employee will be outlined in the agreement or a defined handbook.

### ***Grant-Funded /Fee for Service Employee***

An employee whose wage and benefits are paid with grant monies or pass-through monies. Benefits are to be paid out of grant/pass through funds and these benefits are not to incur future liability to the County. An employee who is paid with pass through monies and if funding is reduced or eliminated, the hours will be reduced or eliminated, and benefits will also be reduced or eliminated.

### ***Multi-Entity Funded Employee***

An employee whose wage and benefits are paid with multi-entity monies. Benefits are to be out of multi-entity funds and these benefits are not to incur future liability to the County.

### ***Change in Employment Status***

The County may change the employment classification of any employee at any time based on the nature of the employment assignment.

## **3.12 New Hires and Introductory Periods**

New hires must complete all of their new hire/onboarding paperwork prior to their first day of paid employment. The first 6 months of your employment is considered an introductory period. During this period, you will become familiar with Alpena County and your job responsibilities, and we will have the opportunity to monitor the quality and value of your performance and make any necessary adjustments in your job description or responsibilities. Your introductory period with the County can be shortened or lengthened as deemed appropriate by management and Human Resources. Completion of this introductory period does not imply guaranteed or continued employment. Nothing that occurs during or after this period should be construed to change the nature of the "at-will" employment relationship. An employee may be discharged for any reason during the introductory period without recourse to the grievance procedure. The employment relationship with the employee after introductory period is subject to the employee's continued performance of assigned work in a manner satisfactory to the County and the County's financial ability and need to continue the services provided by the employee.

### ***Re-Employment of Retirees***

An individual is considered to be a County retiree when he/she is being paid a retirement allowance from MERS on account of service with the County. A County retiree may not be employed to fill a full-time position, a regular part time position in which the individual will be regularly scheduled to work at least ten days per month or an irregular position that is anticipated to last 6 or more months. The County may make exceptions to this policy in instances where the County Board of Commissioners determines that the services of the retiree are essential to the continued functioning of the County and there are no other qualified individuals available to perform these services.

1.) The County will not accept an application for re-employment from a County retiree until that retiree has been off the County payroll for at least ~~thirty-sixty~~ (60) days.

2.) The application of a retiree will not normally be considered to fill a full-time position, a regular part time position in which the individual will be regularly scheduled to work at least ten days per month or an irregular full-time position that is anticipated to last more than 6 or more months.

3.) In instances where the County is unable to fill a full-time position, a regular part-time position in which the individual will be regularly scheduled to work at least ten days per month or an irregular position that is anticipated to last 6 or more months because there are no other qualified individuals available to perform a particular position, the County may consider an application from a retiree for that position. In order to consider a retiree for such a position, the County will be required to verify that normal recruitment efforts have been unsuccessful and that no other qualified applicants for the position have been located.

4.) A retiree hired to fill a full-time position or a regular part-time position in which the individual will be regularly scheduled to work at least ten days per month will be hired as a temporary employee and may only retain that position until the County is able to secure a qualified applicant for that position who is not a County retiree.

5.) Re-employed retirees are not eligible for any benefits.

### **3.13 Training Program**

In most cases, and for most departments, training employees is done on an individual basis by the department manager. Even if you have had previous experience in the specified functions of your job duties, it is necessary for you to learn our specific procedures, as well as the responsibilities of the specific position. If you ever feel you require additional training, consult your Department Head.

## **4.0 Hours of Work, Overtime and Pay Day**

### **4.1 Hours of Work**

The work schedule of all County employees shall be determined by each Department Head and the Personnel Committee. The normal work schedule for 37 ½ hour full-time employees not working in seven day a week operation is from 8:00 a.m. until 4:30 p.m. Any additional hours worked require prior approval by noting it in the attendance system and in writing from the Department Head. Employees working a 40-hour work week shall work hours before and/or after 8:00 a.m. until 4:30 p.m. to complete their required hours. The County may change the normal work schedule whenever operating conditions warrant such changes.

### **4.2 Meal and Rest Periods**

Alpena County strives to provide a safe and healthy work environment and complies with all federal and state regulations regarding meal and rest periods. Check with your Department Head regarding procedures and schedules for rest and meal breaks. If you know in advance that you may not be able to take your scheduled break or meal period, let your Department Head know; in addition, notify your Department Head as soon as possible if you were unable to or prohibited from taking a meal or rest period.

#### Meal Periods

All full-time employees will be allowed a one (1) hour meal period without pay. This meal period shall be at or near the midpoint of the scheduled day. The timing of an employee's meal period shall be scheduled by his/her Department Head so as not to interfere with prompt and efficient service to the County and the public.

#### Break Periods

Department Heads will endeavor to provide employees with a fifteen (15) minute break period during the first half of their workday and a fifteen (15) minute break period during the second half of their workday. All break periods will be scheduled by Department Heads to not interfere with the prompt and efficient service to the County and the public. During these periods, employees remain on active duty and must take appropriate actions if necessary.

### **4.3 Lactation Accommodation**

The County will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child for at least one year after the child's birth. Employees needing breaks for lactation purposes may use ordinary paid rest breaks or may take other reasonable break time when needed. If possible, the lactation break time should run concurrently with scheduled meal and rest breaks already provided to the employee in a private location other than a restroom and free from intrusion from co-workers and the public. If the lactation break time cannot run concurrently with meal and

rest breaks already provided or additional time is needed for the employee, the lactation break time will be unpaid for nonexempt employees.

Employees who work remotely, or telework, are entitled to the same breaks as outlined above. During these breaks, the remote/teleworking employee must be free from observation by any County-provided or required video system, including camera, security camera or web-conferencing platform.

Should you require lactation accommodations, please advise the Human Resource Manager so that accommodations may be made.

#### **4.4 Overtime Pay**

##### ***Overtime***

All employees shall be expected to work overtime on request. Overtime must be authorized in advance by their Department Heads. If you are classified as a non-exempt employee and therefore eligible for overtime pay or extra pay (including pay due under our handbook or a collective bargaining agreement), all non-exempt employees must maintain a record of the total hours the employee works each day; exempt employees are excluded from this requirement. Overtime time shall be calculated at the rate of one and one half (1-1/2) hours for every hour worked in excess eight (8) hours in any twenty-four (24) hour workday and for all hours worked more than forty (40) hours in any work week. These hours must be accurately recorded in the Time Management System (aka timecard). Non-exempt employees must verify that the reported hours are complete and accurate. The employee's timecard must accurately reflect all regular and overtime hours worked, any absences, early or late arrivals, early or late departures, and meal breaks. At the end of each pay period, the employee should verify his/her completed timecard to his/her Department Head for verification and approval. When the employee receives each paycheck, please verify immediately that you were paid correctly for all regular and overtime hours worked each pay period. Do not work any hours that are not authorized. Do not start work early, finish work late, or perform other extra or overtime work unless authorized to do so and that time is recorded on the timecard. Further, it is a violation of policy for any employee to falsify a timecard, or to alter another employee's timecard, or to instruct another employee to incorrectly or falsely report hours worked or alter another employee's time card to under- or over-report hours work. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to, and including, discharge.

Only those hours that are actually worked are counted to determine an employee's overtime pay. Compensated holidays, for example, are not hours worked and therefore are not counted in making overtime calculations unless the employee actually worked on the holiday.

If you are classified as exempt at the time of your hiring, you are not eligible for overtime pay as otherwise required by federal, state, or local laws. If you have a question regarding whether you are exempt or nonexempt, contact your Department Head for clarification.

##### ***Workweek and Workday***

Unless otherwise provided, for purposes of calculating overtime, each workweek begins on Sunday and each workday is a 24-hour consecutive period which begins at 12:01 a.m.

#### **4.5 Other Types of Pay**

##### ***Holiday Pay***

Eligible employees are paid as set forth under the policy entitled "Holidays." To receive holiday pay, the employee generally must work the regularly scheduled workdays preceding and following the County holiday or receive prior approval from their supervisor to use PTO.

##### ***Compensatory Time***

To establish policies and procedures regarding compensatory time for employees who are not exempt from the overtime pay requirements of the Fair Labor Standards Act. Hourly employees who are required to work more than 40 hours in a work week may elect to receive compensatory time in lieu of receiving pay for the hours worked. This compensatory time shall be credited at the rate of one and one half (1-1/2) hours for every hour worked in excess eight (8) hours in any twenty-four (24) hour workday and for all hours worked more than forty (40) hours in any work week. The scheduling of compensatory time off shall be arranged in advance by the employee with their Department Head. A request for use of compensatory time may be denied or canceled if it would unduly disrupt the County's operations. Compensatory time off may be accumulated to a maximum of forty (40) hours. Employees whose employment with the County is terminated shall receive pay for accrued but unused compensatory time.

Salaried employees are not allowed to accrue or utilize Compensatory Time.

#### **4.6 Safe Harbor Policy for Exempt Employees**

It is expected that salaried employees will work at least the number of hours specified as the minimum per week for their position (40, 35, or 30) and will be present each day during the normal hours set forth for that position. Salaried employees may also be expected to work additional hours as necessary to carry out their job responsibilities. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform. You will receive your full salary for any work week in which work is performed. However, under federal law, your salary is subject to certain deductions. Per federal law, your salary can be reduced for the following reasons in a work week in which work was performed:

1. Full day absences for personal reasons, other than sickness or disability including vacations;
2. Full day absences for sickness or disability, if the deduction is made in accordance with a bon-fide plan, policy, or practice of providing compensation for salary lost due to illness;
3. Leave taken pursuant to the Family and Medical Leave Act (FMLA);
4. Full day disciplinary suspensions for infractions of our written policies and procedures;
5. Unpaid disciplinary suspension of one or more full days, imposed in good faith for violations of written workplace conduct rules;
6. To offset amounts received as payment for jury or witness fees or military pay;
7. For time not worked during the employee's initial or final work week if the employee worked less than a full week.

Your salary may also be reduced for certain reductions such as: health, dental or life insurance premiums; state, federal or local taxes, social security; or voluntary contributions to a 457 or pension plan. However, in any work week in which you performed any work, your salary will not be reduced for any of the following reasons:

1. Partial day absences for person reasons, sickness, or disability;
2. Absences due to the facility being closed on a scheduled work day;
3. Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work; or
4. Any other deductions prohibited by State or Federal law

Additionally, as a public sector employee paid pursuant to a pay system established by statute, ordinance or regulation, or by a policy or practice established according to principles of public accountability, under which you accrue personal leave and sick leave, your pay may be reduced or you may be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one work-day, if accrued leave is not used because:

1. Permission for its use has not been sought or has been sought and denied;
2. Accrued leave has been exhausted; or
3. You as the employee elected to use leave without pay.

If you believe that an improper deduction has been made, you should immediately report this information to your Department Head, or Clerk's Office. Reports of improper deductions will be promptly investigated, and corrective action will be taken where appropriate. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made. Employees who utilize this complaint procedure shall not be retaliated against for making use of this policy. Employees with questions concerning this policy are encouraged to contact the Human Resource Department.

Every report will be fully investigated, and corrective action will be taken where appropriate, up to and including termination for any employee who violates this policy. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

## 4.7 Place and Time for Payment of Wages

### *Regular Pay Days*

Alpena County pays all employees electronically through direct deposit. Employees will be paid biweekly on Fridays. For hourly employees, pay checks will cover a two-week period which starts Sunday and ends on Saturday preceding the pay day. For salaried employees, pay checks will cover a two-week period ending on the Friday of the pay day. Review your paycheck for accuracy. If you find an issue, report it to your Department Head immediately.

### *Review Employee Pay Stubs*

We make every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, we will promptly make any correction that is necessary. The Employee is to review their pay stub/transmittal when they receive it to make sure it is correct. If the employee believes a mistake has occurred or has any questions, discuss with Department Head and contact Human Resources. If an error is discovered the procedure below will be followed:

### *Overpaid/Underpaid*

**A. Underpayment:** Employees claiming that they have not been properly paid shall submit in writing a payroll correction request to their Department Head identifying the error. Department Heads will promptly investigate all claims made by employees that they were not correctly paid. In instances where the employee's claim is substantiated, the Department Head shall submit the approved payroll correction form to the payroll department within 30 days of occurrence.

**B. Overpayment:** When it is determined that an employee has been overpaid due to a mathematical miscalculation, typographical error, clerical error, or misprint in the processing of their regularly scheduled wages or fringe benefits, the County may recover these overpayments within six (6) months of the occurrence by deduction from subsequent paychecks in accordance with the forgoing:

- Employees will be provided with a written explanation of the deduction at least one pay period in advance.
- Any one deduction shall not be larger than 15% of the employee's gross wages earned in that pay period.
- The deduction is made after the County has made all deductions expressly permitted or required by law or a collective bargaining agreement, and after any employee- authorized deduction.
- The deduction does not reduce the employees' regularly scheduled gross wages to a rate that is less than the minimum wage.
- In the event that the overpayment occurred more than six (6) months earlier, the amount may not be recovered without a written authorization signed by the employee or an order of a court.

### *Payment on Resignation, Termination, or Completion of Assignment or Term*

If an employee resigns or is terminated, all wages earned and due will be paid on the regularly scheduled payday for the period in which the termination occurs.

### *Garnishments*

The County complies with applicable state and federal laws regarding the garnishment and assignment of wages. Repeated garnishments for multiple debts can be grounds for discharge or other discipline as provided by applicable laws.

### *Payroll Deductions*

Alpena County is required by law to make certain deductions from your pay each pay period, including deductions for federal income tax, Social Security and Medicare (FICA) taxes, State Income Taxes, State Unemployment taxes, and any other deductions required under law or by court order for wage garnishments. The amount of your tax deductions will depend on your earnings and the information you list on your federal Form W-4 and applicable state withholding form. Permissible deductions for exempt employees may also include, but are not limited to, deductions for full-day absences for reasons other than sickness or disability and certain disciplinary suspensions. You may also authorize certain voluntary deductions from your paycheck where permissible under state law. Your deductions will be reflected in your wage statement. If you have any questions about deductions from your pay, contact your Department Head.

The County will not make deductions to your pay that are prohibited by federal, state, or local law. Review



your paycheck for errors each pay period and immediately report any discrepancies to your Department Head.

You will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law. If an error is found, you will receive an immediate adjustment, which will be paid no later than your next regular payday.

The County will not retaliate against employees who report erroneous deductions in accordance with this policy.

#### **4.8 Attendance**

If you know ahead of time that you will be absent or late, provide reasonable advance notice to your Supervisor/Department Head. You may be required to provide documentation of any medical or other excuse for being absent or late where permitted by applicable law.

Alpena County reserves the right to apply unused vacation, sick time, or other paid time off to unauthorized absences where permitted by applicable law. Absences resulting from approved leave, vacation, or legal requirements are exceptions to the policy.

##### ***Absenteeism***

Employees shall report promptly for work and remain at work until the end of the work schedule. In the event that employees are unable to report for work, they must notify their Supervisor/Department Head as soon as possible, but no later than one (1) hour before the beginning of the workday. Where the operations are continuous, an employee shall not leave his post until replaced by the next shift employee or until he or she is relieved by his or her supervisor.

##### ***Fair Labor Standards Act***

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. We comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and prohibit management from making any improper deductions from the salaries of exempt employees. Exempt employees are those employed in a bona fide executive, administrative, or professional capacity, and employed in certain computer-related occupations and who are exempt from FLSA's overtime pay requirements. Federal and state laws require Alpena County to keep accurate records of hours worked by nonexempt (hourly) employees. To ensure that the employee is paid properly for all time worked and that no improper deductions are made and/or benefits are provided, the employee must correctly record all work time and review his/her paychecks promptly to identify and to report all errors. Employees are required to record their hours of work through utilization of the automated time attendance system. Punch in no more than five minutes ahead of your start time and clock out no later than five minutes after your quitting time. All employees are required to enter their hours worked accurately, including all lunch periods. You are required to notify your Department Head of any pay discrepancies, unrecorded or misrecorded work hours. It is the employee's responsibility to see to it that their timecards are approved on time, regardless of whether they are sick or on vacation. Be sure to indicate your days off. Any changes to your timecard must be approved by your Department Head. Automated **Approved** timecards are due by 10:00 a.m. on the Monday of pay week. Falsification of time records or recording time for other employees may result in discipline up to and including termination of employment.

#### **4.9 Business Expenses**

The purpose of this policy is to define approved nontravel business expenses and the authority for incurring and approving such expenses at Alpena County.

Approved business expenses are the reasonable and necessary expenses incurred by employees to achieve legitimate business purposes that are not covered by normal County procurement processes.

##### ***Business Meetings (Employer-Sponsored Events and Meetings)***

The County pays for expenses necessary to achieve a valid business purpose when meetings are held with customers, vendors, or other County employees. The employee present is to pay for and report all expenses.

The County will make every effort to have a master account set up for County-wide and large group events. However, if you are at a small meeting or staying by yourself at a hotel, pay individually and submit for reimbursement accordingly.

### **Technical and Training Seminars**

The County pays for expenses associated with attendance at classes and seminars that enhance job-related skills. Prior approval must be obtained by your Department Head.

### **Gifts**

Employees shall not accept loans, gifts of money or goods, services, or any other proffered arrangements for personal benefit under any circumstance directly or indirectly involving possible influence or appearance of influence upon the manner in which they perform work, makes decisions, or otherwise discharge their duties as County employees.

### **Other Expenses**

The County will pay for postage and telephone expenses that are for business purposes.

### **Reporting**

Report approved expenses on the standard expense report form and include a description of the expense, its business purpose, date, place, and the participants.

## **4.10 Employee Anniversary**

An employee's anniversary date is the most recent date upon which the employee Commenced work for the County, and the same date thereafter in succeeding years. An employee who is rehired shall be considered a new employee. All eligibility requirements must be met for all benefits based on the rehire date.

## **4.11 Employee Compensation/Step Plan**

The County maintains a step plan for each job classification. An hourly and salary employee's regular rate of pay is established by the employee's placement on the step plan. Employees normally begin at the "start" rate and progress from step to step in the step plan to completion of the specified period in that classification. The Department Head may withhold a step increase from employees whose performance has not been satisfactory.

### **Procedures**

The step plan pay for each classification will be related to the duties and responsibilities of the position, the educational requirements for that position, and the prevailing rates of pay for comparable work, increases in the cost of living, the financial condition of the County and other relevant considerations. The Personnel Committee will review these factors on an annual basis and make recommendations to the Board of Commissioners regarding revisions to the step plan.

*Rules of the step plan for non-union hourly employees and appointed Department Heads:*

- Steps 1, 2, 3, 4, and 5 are annual steps

## **4.12 Job Abandonment**

If you fail to show up for work or call in with an acceptable reason for the absence for a period of three consecutive days, you will be considered to have abandoned your job and voluntarily resigned from Alpena County.

## **4.13 Recording Time**

Alpena County is required by applicable federal, state, and local laws to keep accurate records of hours worked by certain employees. To ensure that the County has complete and accurate time records and that employees are paid for all hours worked, nonexempt employees are required to record all working time using the County Employee's Self Service time clock. Exempt employees may also be required to track days or time worked. Speak with your Department Head for specific instructions.

You must accurately record all of your time to ensure you are paid for all hours worked and must follow established County procedures for recording your hours worked. Time must be recorded as follows:

- Immediately before starting your shift.
- Immediately after finishing work, before your meal period.
- Immediately before resuming work, after your meal period.
- Immediately after finishing work.
- Immediately before and after any other time away from work.

Timecards must be approved at the end of each pay period. Approval must be done by Monday at 10:00 AM.

If you are required to clock in, you should clock in no more than five minutes before the time you actually start working and clock out no later than five minutes after you actually stop working.

Notify your Department Head of any pay discrepancies, unrecorded or mis recorded work hours, or any involuntarily missed meal or break periods.

Falsifying time entries is strictly prohibited. Falsifying time entries includes working "off the clock." If you falsify your own time records, or the time records of co-workers, or if you work off the clock, you will be subject to discipline up to and including termination. Immediately report to your Department Head any employee, supervisor, or manager who falsifies your time entries or encourages or requires you to falsify your time entries or work off the clock.

#### **4.14 Travel Expenses**

The purpose of this policy is to define approved business travel expenses and the authority for incurring and approving such expenses at Alpena County.

Some nonexempt positions within Alpena County require travel. Travel expenses are the reasonable and necessary expenses incurred by employees when traveling on approved Alpena County business trips. Travel is limited to business activities for which other means of communication is inadequate and for which prior approval from your Department Head has been received.

The County pays nonexempt employees for travel time in accordance with federal and state law. For purposes of this policy, the regular workday varies by department and should be discussed with your Department Head. Under the provisions of the Fair Labor Standards Act (FLSA) travel time is considered work time for the purposes of nonexempt hourly wage and overtime computation as outlined below. When a nonexempt employee travels to another city for a one-day meeting/training, all travel time is counted as time worked except the normal driving time from home to work. Travel that keeps a nonexempt employee away from home overnight is treated differently than travel to a one-day meeting. Travel time (involving a required overnight stay) is clearly work time when it cuts across the employee's workday. The employee is simply substituting travel for other duties. Regular meal period time is not counted. As enforcement policy the Department of Labor (DOL) will not consider as work time that time spend in travel away from home outside of regular working hours as a passenger, on an airplane, train, boat, bus, or automobile. Also, travel time that is outside of normal working hours is not considered work time. Travel time that is required of a non-exempt employee which occurs during the normal working schedule (e.g. 8: 00 to 4:30 pm) is work time even though the travel may take place on a day, such as Saturday, Sunday or a holiday.

All travel expense report forms must be submitted for payment within 30 days of the travel date.

#### **Advances**

The County does not generally provide cash travel advances. Normally, you will be expected to use personal credit cards and/or your own cash and submit approved expenses on the standard Expense Report Form.

#### **Travel Expenses**

The County pays the actual amounts incurred for appropriate expenses when you are on travel assignments. Examples of typical expenses include the following:

- Airline tickets.
- Meals (up to \$50 per day)
- Lodging (Most economical choice)
- Car rental, bus, taxi, parking.
- Telephone and fax.

#### **Air Travel**

Use economy or tourist class fares when traveling on County business. In addition, private, noncommercial aircraft or chartered aircraft is not to be used, and no more than two County Employees should travel together on the same flight.

Airfares are to be charged to personal credit cards and subsequently submitted for reimbursement on a monthly expense report.

### ***Hotels***

Neither in-room movies nor refreshment bars are approved County expenses.

### ***Insurance***

The County does not pay for personal travel insurance for employees.

### ***Rental Cars***

You are to use rental firms having existing relationships with the County and, where feasible, have negotiated discount rates. Available reasonable transportation is to be used.

### ***Personal Vehicles***

When using your own vehicle for business purposes, you must maintain insurance coverage as required by law and may not have more than 1 points on your driving record. Travel between your home and primary office is not considered to be business travel. You may not use your personal vehicle for business travel without authorization. Every attempt should be made to utilize the use of courier and delivery services in order to avoid hazard of liability and the time away from work. The County Administrator must authorize any deviation from this policy.

### ***Reporting***

Report approved expenses and include a description of the expense, its business purpose, date, place, and the participants.

### ***Travel Reservations***

Airline travel, rental cars, and hotels must be booked through the corporate designated travel agency in order to be reimbursed.

### ***Home to Work Travel***

If you travel from home before the regular workday and return to your home at the end of the workday, you are engaged in ordinary home to work travel, which is not work time.

### ***Home to Work on a Special One Day Assignment in Another City***

If you regularly work at a fixed location in one city and you are given a special one-day assignment in another city, but return home the same day, the time spent in traveling to and returning from the other city is work time, except that the County may deduct/not count that time you would normally spend commuting to the regular work site.

### ***Travel That Is All in a Day's Work***

Your time spent in travel as part of your principal activity, such as travel from job site to job site during the workday, is work time and must be counted as hours worked.

### ***Travel Away from Home Community***

Travel that keeps you away from home overnight is travel away from home. Travel away from home is clearly work time when it cuts across your workday. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days. The County will not consider as work time that time spent in travel away from home outside of your regular working hours as a passenger on an airplane, train, boat, bus, or automobile.

### ***Work Performed While Traveling***

Any work you perform while traveling must be counted as hours worked.

### ***Calculating and Reporting Travel Time***

You are responsible for accurately tracking, calculating, and reporting your travel time. Travel time should be calculated by rounding up to the nearest quarter hour.

### ***Meal Reimbursement***

Alpena County will reimburse you for your meals while traveling for work. Receipts must be submitted. Reimbursement request for meals may not exceed \$50.00 per day.

### ***Mileage Reimbursement***

When traveling for County business, mileage will be paid between the employee's home or the Courthouse (whichever is the lesser), and location of the destination. Parking fees or toll fees will be reimbursed upon presentation of a receipt. Contact the Commissioner's Office for the current mileage reimbursement.

### ***Conference or Meeting Registration***

The County will cover the entire expense, except for items that are for entertainment or personal in nature. When the registration includes meals, additional meal allowance will not be approved.

### ***Boards and Commissions***

Mileage to attend meetings at County facilities will be considered a commuting fee and is taxable under IRS code regulations, publication 463.

### ***Travel Between Work Sites***

The County will pay mileage for employees required to use their personal vehicle to travel between work sites. This is considered a reimbursement and is non-taxable. If traveling by air or requesting prepayment contact your Department Head or Commissioners Office.

## **4.15 Use of Employer Credit Cards**

All employees in the possession of a credit card issued by Alpena County will adhere to the strictest guidelines of responsibility for the protection and proper use of that card.

Submit all sales receipts generated by use of the County credit card immediately to your Department Head for signature and line item. A County issued credit card may not be used for personal reasons. Use of the County credit card is restricted to approved business-related expenses.

Immediately report lost or stolen County cards to your Department Head. Failure to follow this policy may result in disciplinary action up to and including discharge.

## **5.0 Discipline, Layoff, and Termination**

### **5.1 Open Door/Conflict Resolution Process**

Alpena County strives to provide a comfortable, productive, legal, and ethical work environment. To this end, we want you to bring any problems, concerns, or grievances you have about the workplace to the attention of your Department Head and, if necessary, to Human Resources or upper-level management. To help manage conflict resolution we have instituted the following problem solving procedure:

If you believe there is inappropriate conduct or activity on the part of the County, management, its employees, vendors, customers, or any other persons or entities related to the County, bring your concerns to the attention of your Department Head at a time and place that will allow the person to properly listen to your concern. Most problems can be resolved informally through dialogue between you and your immediate Department Head. If you have already brought this matter to the attention of your Department Head before and do not believe you have received a sufficient response, or if you believe that person is the source of the problem, present your concerns to Human Resources or upper-level management. Describe the problem, those persons involved in the problem, efforts you have made to resolve the problem, and any suggested solution you may have.

### **5.2 Transfers**

Alpena County may transfer your employment from one position to another, as required by service needs, or upon request by you and with management approval. Transfers in excess of 90 days may be considered final and your paycheck may be increased or decreased consistent with the pay scale for your new position.

When a full-time or regular part-time job or vacancy occurs in a County position, notice of the job or vacancy shall be advertised. Employees interested in the job may submit a written application by the deadline. The County shall give due consideration to all applicants for the vacancy, including applications from non-County employees. The applicant considered by the County to be the best qualified shall be awarded the vacancy. When an employee transfer to another division the following rules apply (except if the transfer is within the same union):

- a) Retain County seniority
- b) Forfeit division seniority when leaving a division
- c) New department seniority is established
- d) Longevity is based on County seniority (most recent date of hire with the County)
- e) MERS is defined by each division

- f) Holiday paid will be received provided employee is paid day before and day after holiday (holiday pay will be charged to the department that the employee is paid from on the day before the holiday)
- g) PTO accrual - start at the beginning level of accrual table
- h) Paid out PTO according to contract or Personnel Handbook
- i) Probation/Introductory period for use of PTO does not apply.

### **5.3 Reclassifications**

If the job duties have significantly changed for an employee's position, the Department Head may bring a request to the Personnel Committee for consideration during August/September Personnel meetings. Any reclassification granted becomes effective January 1 for the new budget year. Requests for reclassification should be made by August of the current year. If a position's responsibilities have significantly decreased, the County reserves the right to reclassify the position at a lower level.

### **5.4 Termination**

#### ***Voluntary Termination***

The County will consider an employee to have voluntarily terminated their employment if an employee does any of the following:

- 1) Elects to resign from the County;
- 2) Fails to return from an approved leave of absence on the date specified by the County; or
- 3) Fails to report for work without notice to the County for (3) consecutive days.

Alpena County hopes that your employment with the County will be a mutually rewarding experience; however, the County acknowledges that varying circumstances can cause you to resign employment. The County intends to handle any resignation in a professional manner with minimal disruption to the workplace.

#### ***Notice***

The County requests that you provide a minimum of two weeks' notice of your resignation. If you are a Department Head, you are requested to provide a minimum of four weeks' notice. Provide a written resignation letter to your Department Head. If you provide less notice than requested, the County may deem you to be ineligible for rehire, depending on the circumstances of the notice given.

The County reserves the right to provide you with pay in lieu of notice in situations where job or business needs warrant.

#### ***Final Pay***

The County will pay separated employees in accordance with applicable laws and other sections of this handbook.

Notify the County if your address changes during the calendar year in which resignation occurs to ensure tax information is sent to the correct address.

#### ***Involuntary Termination***

An employee may be terminated involuntarily for reasons that may include poor performance, misconduct, or other violations of the County's rules of conduct as set forth below. Notwithstanding this list of rules, the County reserves the right to discharge or demote any employee with or without cause and with or without prior notice.

#### ***Workforce Reductions (Layoffs)***

If necessary, based upon business needs, Alpena County management may decide to implement a reduction in force (RIF). We acknowledge that RIFs can be a trying experience for all involved, and the County will make its best effort to make sound business decisions while acknowledging the needs of its workforce.

#### ***National Labor Relations Act Activity***

When applicable, protected concerted activity covered by the NLRA or the particular collective bargaining agreement is *not* prohibited by this policy. This policy in no way prohibits employee communications that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the NLRA, which includes the right of employees to speak with others about their terms and conditions of employment. To the extent that any provision of this handbook purports to

prohibit conduct that is or is later determined to be otherwise protected under Section 7 of the NLRA, such conflicting provisions will be void.

### ***Exit Interview***

You may be asked to participate in an exit interview when you leave Alpena County. The purpose of the exit interview is to provide management with greater insight into your decision to leave employment; identify any trends requiring attention or opportunities for improvement; and to assist the County in developing effective recruitment and retention strategies. Your cooperation in the exit interview process is appreciated.

Return all County property at the time of separation, including uniforms, cellphones, keys, tools, laptops, credit cards, and name badges. Failure to return some items may result in deductions from your final paycheck where state law allows. In some circumstances, the County may pursue criminal charges for failure to return County property.

### ***Employment at Will***

Nothing in this Guideline is intended to alter the at-will status of employment with the County.. Either you or the County may terminate the employment relationship at any time with or without cause and with or without prior notice. The County reserves the right to terminate any employment relationship, to demote, or to otherwise discipline an employee without resort to the above disciplinary procedures.

## **5.5 Disciplinary Process for Nonunion Employees**

Violation of Alpena County policies or procedures may result in disciplinary action including demotion, transfer, leave without pay, or termination of employment. The County encourages a system of progressive discipline depending on the type of prohibited conduct. However, the County is not required to engage in progressive discipline and may discipline or terminate employees who violate the rules of conduct, or where the quality or value of their work fails to meet expectations at any time. Again, any attempt at progressive discipline does not imply that your employment is anything other than on an "at-will" basis.

In appropriate circumstances, management will first provide you with a verbal warning, then with one or more written warnings, and if the conduct is not sufficiently altered, eventual demotion, transfer, forced leave, or termination of employment. Your Department Head will make every effort possible to allow you to respond to any disciplinary action taken. Understand that while the County is concerned with consistent enforcement of our policies, we are not obligated to follow any disciplinary or grievance procedure and that depending on the circumstances, you may be disciplined or terminated without any prior warning or procedure.

**Disciplinary process for Union employees can be found in the Union contracts.**

### ***Grievance Procedures***

The County endeavors to apply its policies, benefits, and rules in a uniform and equitable manner. In the event that an employee considers that they are not receiving fair treatment or not receiving all the benefits due to them as an employee, the grievance procedure is available to attempt to resolve the complaint. All grievances shall be handled in the following manner:

**Step 1.** Oral Procedure to Supervisor. An employee with a complaint shall discuss the matter with their immediate supervisor, or designated representative, within two (2) working days from the time of the occurrence of the events giving rise to the complaint or within two (2) working days from the time the employee involved first knew or should have known of the facts giving rise to the complaint in situations where it was impossible for the employee involved to have known at the time of the actual occurrence of the events giving rise to the complaint. The immediate supervisor, or designated representative, will endeavor to give an oral answer to the complaint within two (2) working days of the discussion with the employee concerned. Every effort shall be made to settle the complaint in this manner.

**Step 2.** Written Procedure to Department Head. If the complaint is not satisfactorily settled in the Step 1, Oral Procedure, the complaint shall be reduced to a written grievance within five (5) working days from the time of the oral answer. The written grievance shall adequately set forth the facts giving rise to the complaint and shall be signed by the employee. The preparation of a written grievance shall not occur during working time. The grievance shall be submitted to the employee's Department Head, or designated representative. Within five (5) working days after the grievance has been appealed, a meeting shall be held between representatives of the County and the employee. If the meeting cannot be held within

the five (5) working day period, it shall be scheduled for a date mutually convenient for the parties. The Department Head, or designated representative, shall place a written disposition on the grievance within five (5) working days following the date of this meeting, and return it to the employee

**Step 3.** Written procedure to County Administrator/Personnel Committee. If the complaint is not satisfactorily settled in Step 2, Written Procedure, the complaint may be submitted to the Personnel Committee. Within five (5) working days after the grievance has been appealed to the Personnel Committee, a meeting shall be held between representatives of the County and the employee. If the meeting cannot be held within the five (5) working day period, it shall be scheduled for a date mutually convenient for the parties. The Chairperson of the Personnel Committee, or designated representative, shall place a written disposition on the grievance within ten (10) working days following the date of this meeting, and return it to the employee. The answer to the grievance by Chairperson of the Personnel Committee shall be the County's final disposition of dispute.

### ***Suspension for an Investigation***

The County of Alpena may suspend an employee with or without pay for up to 7 days to investigate. On or before the end of the 7-day suspension, the County shall (1) reinstate the employee (2) discipline the employee or (3) extend the investigative suspension with pay. If the County extends the investigation suspension, a disciplinary conference is not required. The County shall give the employee written notice of the reasons for the extension.

### ***Suspension for Criminal Charges***

If an employee is charged with a criminal offense, the County may suspend the charged employee with or without pay. The County is not required to hold a pre-suspension disciplinary conference before imposing the suspension but shall give the employee written notice of the suspension. However, at the request of the employee, the County Administrator, or his/her designee shall meet with the employee to review the suspension.

### ***Resolution of Charges***

The suspension shall remain in effect until (1) the County imposes discipline up to and including discharge or (2) the employee gives written notice to the County of the final resolution of the criminal charges, whichever occurs first. If the employee gives written notice before the County has imposed discipline, the County may continue the suspension for up to an additional seven (7) calendar days to investigate.

### ***Disciplinary Action***

The imposition of disciplinary action is normally the responsibility of the Department Head or supervisor. Situations of a minor nature are handled informally by the employee's immediate supervisor and normally result in a verbal warning conducted in private. The warning may be documented and placed in the personnel file. Offenses of a serious nature are to be documented in writing and retained in the employee's personnel file. Habitual minor offenses shall be considered serious and shall be entered into the personnel file. Terminations must have the prior approval of the County Administrator. All employees are expected to conduct their private and professional lives in a manner which reflects positively upon the County. Employees shall be courteous in their dealings with the public and other employees. Employees shall avoid any action that gives the appearance of impropriety. Adherence to this policy is essential for the County to maintain the public support necessary to carry out its functions. Should an employee's performance, work habits, overall attitude, conduct, or demeanor become unsatisfactory in the judgement of the county, based on violations of any county policies, rules or regulations, that employee will be subject to disciplinary action up to and including termination

The County expects that the personal and professional conduct of its employees will conform to acceptable standards. In instances where an employee fails to comply with these standards, an attempt may be made to correct an employee's conduct through the use of progressive discipline, but commission of the following offenses or any other improper employee actions may result in disciplinary action up to and including discharge, depending upon the seriousness of the offense in the judgement of the County. This list of unacceptable employee conduct does not include all examples of improper conduct but is provided for the guidance of employees. Employees with questions concerning the propriety of any contemplated action should consult with their supervisor, their Department Head or the HR Department/County Administrator before engaging in the activity.

### ***Alpena County Workplace Rules***

All employees shall adhere to all policies and procedures, including but not limited to, the following:



1. Employees are required to read and fill out necessary paperwork or Employee Navigator tasks as requested
2. Employees must be at their work stations on time and ready to work
3. All known needed repairs and/or safety hazards on equipment and property must be reported to your supervisor as soon as possible
4. Any accident involving personal injury must be reported to your department head
5. Employees shall immediately report the loss of their badge or identification card to their supervisor. Employees shall not allow other persons to use their badge or identification card at any time
6. All damage to County equipment, vehicles, tools or property must be reported to your supervisor
7. Employees shall notify their department head and Human Resources whenever there is a change in their personal data
8. All federal, state and local safety rules and regulations must be followed

### ***Unacceptable Employee Conduct***

1. Stealing, abusing, misusing, marring, marking, defacing or deliberately destroying County property or the property of its employees
2. Violation of safety regulations
3. Refusal to answer questions, carry out written or verbal instructions, orders or work assignments of the Department Head/designee or submit reports pertaining to the performance of official duties
4. Any communication or action intended to threaten, intimidate or coerce another employee or a member of the general public
5. Engaging in sexual harassment
6. Failing to notify your supervisor that you are using prescribed medication or a non-prescription drug that could interfere with your ability to perform your assigned duties in a safe and efficient manner
7. Conducting or betting on any game of chance involving money or any representation of value while on duty or while on County property
8. Unauthorized possession of firearms, weapons and/or explosives while on duty or while on County property
9. Using abusive language, threatening, intimidating, bullying, coercing and/or fighting with employees, supervision or the general public
10. Engaging in obscene or indecent conduct
11. Sleeping, loafing, idling or loitering during working hours
12. Horseplay, creating a distraction, interfering with an employee or causing unsafe or unsanitary working conditions
13. Falsifying records, reports, documents, or knowingly lying including but not limited to misrepresenting any information to a county official
14. Conducting personal business while on duty
15. Failing to properly advise the County when not reporting to work
16. Failing to provide a reason acceptable to the County for absence from work or tardiness for work
17. Excessive tardiness or absences
18. Using your position of employment with the County to directly or indirectly gain benefits, favors, money, advantages, privileges or anything of value other than regular compensation
19. Destroying, altering or removing any materials or information posted by the County
20. Supporting a restriction of output, slowdown or any unauthorized interruption of assigned duties
21. Employees shall not punch or sign another employee's time card or worksheet or otherwise submit false time reports
22. Soliciting or receiving any gift, service, gratuity, loan, fee, or anything else of value which is offered or may be offered as a consequence of County employment
23. Failing to comply with any provision in this Personnel Policies and Procedures Manual, with any provision of a Departmental Policies and Procedures Manual, or with any provision of the County Safety Policy
24. Taking any other actions which interfere with the proper performance of the employee's assigned work or which would reflect discredit upon the County
25. Insubordination
26. Dereliction of duty

**Employees who violate any of the above Alpena County Work Rules shall be subject to disciplinary action up to and including discharge.**

### ***Disciplinary Process***

Violation of Alpena County policies or procedures may result in disciplinary action including demotion, transfer, leave without pay, or termination of employment. The County encourages a system of progressive discipline depending on the type of prohibited conduct. However, the County is not required to engage in progressive discipline and may discipline or terminate employees who violate the rules of conduct, or where the quality or value of their work fails to meet expectations at any time. Again, any attempt at progressive discipline does not imply that your employment is anything other than on an "at-will" basis. In appropriate circumstances, management will first provide you with a verbal warning, then with one or more written warnings, and if the conduct is not sufficiently altered, eventual demotion, transfer, forced leave, or termination of employment. Your Department Head will make every effort possible to allow you to respond to any disciplinary action taken. Understand that while the County is concerned with consistent enforcement of our policies, we are not obligated to follow any disciplinary or grievance procedure and that depending on the circumstances, you may be disciplined or terminated without any prior warning or procedure.

### ***Social Security Privacy Act***

In the ordinary course of business, Alpena County obtains the Social Security Numbers (SSNs) of employees and contractual individuals for identification and tax-related purposes. To the extent practicable the County shall maintain the confidentiality of employees' and contractual individuals SSNs. Unlawful disclosure of employees and contractual individuals SSNs is prohibited. No employee of the County shall unlawfully acquire, disclose, transfer or use the SSN of another employee or contractual individual. SSNs shall not be placed on identification cards, badges, timecards, employee rosters, bulletin boards or any other material or documents designed for public display. Documents, material or computer screens that display SSNs shall be kept out of public view at all times. Alpena County documents containing an individual's SSN shall only be mailed to a person when state or federal law, rule, regulations or court rules authorizes, permits or requires that SSNs appear in the document or where the document is mailed at the request of the individual, a written authorization will be placed in the individuals wage and fringe benefit file.

SSNs shall not be sent through e-mail unless the connection is secure or the number is encrypted. No individual shall be required to send his/her SSN through e-mail unless the connection is secure or the number is encrypted. Complaints concerning possible violations of this policy should be direct to the County Clerk. Any employee who is found to have violated this policy shall be subject to disciplinary action up to and including discharge. Violations are also subject to criminal and civil penalties. A knowing violation is a misdemeanor punishable by up to 93 days imprisonment or a fine of not more than \$1000 or both.

## **5.6 Post-Employment References**

Alpena County policy is to confirm dates of employment and job title only. With written authorization, the County will confirm compensation. Forward any requests for employment verification to the Human Resources Department. The County will confirm compensation and other information when written authorization from the employee is provided, by court order or a legal subpoena.

## **6.0 General Policies**

### **6.1 Bulletin Boards**

Alpena County maintains an official bulletin board for providing employees with official County notices, including wage and hour laws, changes in policies, and other employment-related notices. At times the County may also post information of general interest to employees on the bulletin board. You are responsible for being informed about this material by periodically reviewing the bulletin board. Only authorized personnel may add and remove notices from the bulletin board. Physical Bulletin boards located at the Courthouse, Jail, E 911, and Annex Building and Base Security for providing employees wage and hour laws. At times, the County may also post information of general interest to employees on the bulletin board. You are responsible for being informed about this material by periodically reviewing the bulletin board and Employee Navigator.

### **6.2 Computer Security and Copying of Software**

Software programs purchased and provided by Alpena County are to be used only for creating, researching, and processing materials for County use. By using County hardware, software, and networking systems you assume personal responsibility for their use and agree to comply with this policy and other applicable County policies, as well as city, state, and federal laws and regulations.

All software acquired for or on behalf of the County or developed by County employees or contract personnel on behalf of the County, is and will be deemed County property. It is the policy of the County to respect all computer software rights and to adhere to the terms of all software licenses to which the County is a party. The Director of Information Systems is responsible for enforcing these guidelines.

You may not illegally duplicate any licensed software or related documentation. Unauthorized duplication of software may subject you and/or the County to both civil and criminal penalties under the United States Copyright Act. To purchase software, obtain your manager's approval. All software acquired by the County must be purchased through Information Systems or appropriate department.

You may not duplicate, copy, or give software to any outsiders including clients, contractors, customers, and others. You may use software on local area networks or on multiple machines only in accordance with applicable license agreements entered by the County.

### **6.3 Electronic Surveillance**

The County reserves the right to install security cameras in work areas for specific business reasons, such as security, theft protection or protection of proprietary information. The County may find it necessary to monitor work areas with security cameras when there is a specific job or business-related reason to do so. The County will do so only after first ensuring that such action is in compliance with state and federal laws. Employees should not expect privacy in work-related areas. Employee privacy in nonwork areas will be respected to the extent possible. The County's reasonable suspicion of an onsite drug use, physical abuse, theft or similar circumstances would be possible exceptions. Employees should contact their supervisor or the Human Resources Department if they have questions about this policy.

### **6.4 Authorization for Use of Personal Vehicle**

All employees required to operate a motor vehicle as part of their employment duties must maintain a valid driver's license, acceptable driving record, and appropriate insurance coverage. Alpena County may run a motor vehicle department check to determine your driving record. It is your responsibility to provide a copy of your current driver's license and insurance coverage for your personnel file. Any changes in your driving record, including, but not limited to, driving infractions or changes to your insurance policy, must be reported to the County.

If you use your personal vehicle in the course and scope of employment, you may not operate such vehicle while:

1. Under the influence of drugs, alcohol, or any other substance that might impair your judgment or ability to drive; or
2. Texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

### **6.5 Use of Employer Vehicles**

County vehicles are to be used for Alpena County business only. Unless the use of the vehicle has been approved for personal use, personal or outside business use is strictly prohibited.

If you drive a County vehicle, all infractions or violations while driving the vehicle and all restrictions, suspensions, or revocations against your driver's license must be immediately reported to your Department Head.

When a County vehicle cannot be operated, is unsafe for use, or has been damaged, notify your Department Head immediately.

As the driver of a County vehicle, you are responsible for the vehicle while in your charge and must not permit unauthorized persons to drive it. You are also responsible for the daily housekeeping of the vehicle; it is to remain clean and uncluttered.

You may not operate a motor vehicle while under the influence of alcohol or a chemical substance or other substance that can impair judgment. You may not operate a motor vehicle while texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

Multiple driving moving violations that appear on the annual state department of motor vehicle check will result in suspension of rights to drive a County vehicle or drive a personal vehicle on County business. Suspension of rights will continue until one year has passed with no infractions. If there are persistent and ongoing problems with driving infractions, and driving a vehicle is a part of successful execution of job responsibilities, you may be terminated.

## **6.6 Driving Record**

All employees required to operate a motor vehicle as part of their employment duties at Alpena County must maintain a valid driver's license and acceptable driving record. The County may run a motor vehicle department check to determine your driving record. It is your responsibility to provide a copy of your current driver's license for your personnel file. Any changes in your driving record, including but not limited to driving infractions, must be reported to the County.

State law requires all motorists to carry auto liability insurance. It is against the law to drive without insurance. If you use your own vehicle as a part of your employment duties, you must provide management with a current proof of insurance statement or card. New proof of insurance is required every time your policy expires and renews.

## **6.7 Employer-Provided Cell Phones/Mobile Devices**

Alpena County may issue certain employees a County cell phone/mobile device for work-related communications and/or operations. If you drive a vehicle during your employment, you may not use any cell phone/mobile device or other communication device while driving unless the device is equipped or configured with a "hands-free" listening/speaking option, and you in fact utilize the hands-free device.

We understand that you may use the cell phone/mobile device for personal use; however, such personal use should not exceed the plan allowance. When the cell phone/mobile device is used for personal reasons and the activity results in additional cost to the County, you are responsible for the cost of that usage, including all applicable taxes unless prohibited by law.

The County owns and remains entitled to all cell phone/mobile devices issued to employees, including all passwords controlling access to them. You may not change those passwords except with permission. At the time of employment termination, all such equipment and passwords must be returned to the County in operable condition.

Violation of this policy may result in discipline, up to and including termination of employment.

## **6.8 GPS Monitoring of Employer Vehicles**

Alpena County desires to strike the appropriate balance between today's technologies, your desire for privacy, and our interests in protecting County vehicles, equipment, and drivers. Due to safety, efficiency, and other business purposes, the County uses GPS technology to monitor the whereabouts of our vehicles at all times.

Questions concerning vehicle monitoring should be directed to the Human Resources Department. Questions concerning the proper use of any vehicles should be directed to your Department Head.

Any employees who abuses the privilege of driving County vehicles will be subject to corrective action, up to and including termination of employment. If necessary, the County will also advise law enforcement officials of any illegal conduct.

## **6.9 Mail Use**

You are required to limit usage of the Alpena County mail service to business purposes only. You may not use the County address to receive personal mail. Do not use the County postage meter for your personal mail. Report any suspicious packages or envelopes to Human Resources immediately.

## **6.10 Non-solicitation/Non-distribution Policy**

To avoid disruption of business operations or disturbance of employees, visitors, and others, Alpena County has implemented a Non-solicitation/Non-distribution Policy. For purposes of this policy, "solicitation" includes, but is not limited to, selling items or services, requesting contributions, and soliciting or seeking to obtain membership in or support for any organization. Solicitation performed through verbal, written, or

electronic means is covered by the Non-solicitation/Non-distribution Policy.

You are prohibited from soliciting other employees during your assigned working time. For this purpose, working time means time during which either you or the employees who are the object of the solicitation are expected to be actively engaged with assigned work. You may conduct solicitations during your lunch period, coffee breaks, or other authorized nonworking time, so long as you do so when the other employees are also on nonworking time.

To avoid inappropriate litter, clutter, and safety risks, you may not distribute literature or other items that are not work related in working areas at any time. Working areas do not include break/rest areas, lunchrooms, or parking lots. Electronic distribution of materials is prohibited during work time. Literature that violates the County's equal employment opportunity (EEO) and no harassment policies (including threats of violence), or is knowingly and recklessly false, is never permitted. Non-employees are not permitted to distribute materials on County premises at any time.

This policy is not intended to restrict the statutory rights of employees, including the right to discuss terms and conditions of employment.

Violations of this policy should be reported to Department Head.

### **6.11 County Property; Confidential and personal Information**

The security of County property is of vital importance to the County. County property includes not only tangible property, like desks and computers, but also intangible property such as confidential information. It is critical for the County to preserve and protect its confidential information, as well as the confidential information of customers, suppliers, and third parties. All employees are responsible for ensuring that proper security is maintained at all times.

When applicable, protected concerted activity covered by the NLRA or the particular collective bargaining agreement is *not* prohibited by this policy. This policy in no way prohibits employee communications that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the NLRA, which includes the right of employees to speak with others about their terms and conditions of employment. To the extent that any provision of this handbook purports to prohibit conduct that is or is later determined to be otherwise protected under Section 7 of the NLRA, such conflicting provisions will be void.

#### ***Confidential and Personal Information***

"Confidential Information" means all information, not generally known, belonging to, or otherwise relating to the business of the County or its clients, customers, suppliers, vendors, affiliates or partners, regardless of the media or manner in which it is stored or conveyed, that the County has taken reasonable steps to protect from unauthorized use or disclosure. Confidential Information includes but is not limited to trade secrets as well as other proprietary knowledge, information, and know-how; non-public intellectual property rights, including business plans and strategies; manufacturing techniques; formulae; processes; designs; drawings; discoveries; improvements; ideas; conceptions; test data; compilations of data; and developments, whether or not patentable and whether or not copyrightable.

"Personal Identification Information" includes individually identifiable information about employees, customers, consultants, or other individuals, such as Social Security numbers, background information, credit card or banking information, health information, or other non-public information entrusted to the County regarding an individual's personal identity. There are laws in the United States and other countries that protect certain types of Personal Identification Information, and employees should not disclose such protected Personal Identification Information that has been acquired and retained by the County about other individuals to any third party or from one country to another without prior managerial approval.

Given the nature of the County's business, protecting Confidential Information and Personal Identification Information is of vital concern to the County. This information is one of the County's most important assets. It enhances the County's opportunities for future growth, and indirectly adds to the job security of all employees.

Failure to take reasonable measures to protect the County's Confidential Information may jeopardize its status as a trade secret. While employed by the County, employees must not use or disclose any

Confidential Information or Personal Identification Information that they produce or obtain during employment with the County, except to the extent such use, or disclosure is required in connection with performing their jobs. Employees may not use or disclose Confidential Information or Personal Identification Information for any reason after the employment relationship with the County ends. Misuse or unauthorized disclosure of Confidential Information or Personal Identification Information may result in immediate termination, as well as potential personal and criminal liability. Nothing in this Guideline restricts an employee from discussing their wages or other terms and conditions of employment with coworkers or others, to the extent protected by law.

### **Obligations on Termination**

On termination of employment, whether voluntary or involuntary, all tangible and intangible County property must be returned to the County immediately. This includes documents, materials, data files, and records of any kind, including any that contain Confidential Information or Personal Information, and any copies thereof. Also, the terminating employee must immediately notify the County if the employee has Confidential Information or Personal Information stored in the employee's personal computer, or in a mobile, cloud, or other storage medium, and work with the County to identify all such Information and its location and help ensure it is retrieved and/or permanently deleted by the County (or the County's designated agent).

### **Security**

To avoid loss of County property, ~~various departments at the Security Alpena County Department~~ maintains and promulgates security procedures, which include maintaining control of entrances, exits, restricted areas, document control, and record keeping. Specific ~~procedures-policies~~ regarding the protection of County property ~~can be found in the commissioner's office, traffic throughout the facilities, and designation of restricted areas are issued by the Security Department and posted on County bulletin boards.~~ In addition, employees are expected to comply with County policies regarding the authorized and secure use of the County's computer technology. Employees are expected to abide by all of the County's security procedures.

Avoiding loss or theft of Confidential Information or Personal Identification Information is an important part of each employee's job. Accordingly, employees must observe good security practices. Employees are expected to keep Confidential Information secure from outside visitors and all other persons who do not have legitimate reason to see or use such information. Employees are not to remove County property without authorization. Failure to adhere to County policies regarding Confidential Information and Personal Identification Information will be considered grounds for dismissal.

Given the sensitivity of Confidential Information and Personal Identification Information, employees may only dispose of such information by secure methods approved by the County. If an employee has any doubt or question about how to handle Confidential Information or Personal Identification Information, the employee should consult with the County's ~~Security Department. Commissioner's Office for a copy of the policy.~~

## **6.12 Off-Duty Use of Employer Property or Premises**

You may not use Alpena County property for personal use during working time. You are responsible for returning County property in good condition and repairing or replacing any property damaged as the result of personal use or as the result of negligence. This includes use of copy machines, computers, County products, or office supplies for personal use without prior authorization.

It is County policy to control off duty and nonworking hour use of County facilities either for business or personal reasons. You are prohibited from using County facilities during off duty or nonworking hours without the written consent of your Department Head. If you use County facilities during your off-duty hours or County off-hours, you may be required to sign a log-in and log-out sheet maintained by the County or building manager.

## **6.13 Personnel Records**

The information in an employee's personnel file is permanent and confidential and must be kept up to date. Employees should inform the Human Resources Manager immediately whenever there are changes in personal data such as address, telephone number, marital status, number of dependents, and person(s) to notify in case of emergency. Employees also should inform the Human Resources Manager of any specialized training or skills they acquire. Employees are also responsible for maintaining a current group

life insurance beneficiary designation. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage.

Employees have the right to inspect their personnel files at reasonable times and on reasonable notice, generally no more than twice a year. An employee may inspect only his or her own personnel file and only in the presence of the Human Resources Manager. Copies may be obtained by the employee as well, and the County may charge for the actual cost of making those copies.

Personnel files are the property of the County and may not be removed from the County's premises without written authorization from the Human Resources Manager.

### **Record Retention**

The County acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the County and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee). Each employee has an obligation to contact the [CEO-Board Chair and/or County Administrator](#) to inform them of potential or actual litigation, external audit, investigation or similar proceeding involving the County that may have an impact on record retention protocols.

## **6.14 Personal Appearance**

Your personal appearance reflects upon the reputation, integrity, and public image of Alpena County. All employees are required to report to work neatly groomed and dressed. You are expected to maintain personal hygiene habits that are generally accepted in the community, including clean clothing, good grooming and personal hygiene, and appropriate attire for the workplace and the work being performed. This may include wearing uniforms or protective safety clothing and equipment, depending upon the job. Use common sense and good judgment in determining what to wear to work.

Fragrant products, including but not limited to perfumes, colognes, and scented body lotions or hair products, should be used in moderation out of concern for others with sensitivities or allergies.

Nothing in this dress code is intended or should be construed to violate, restrict or discriminate against any employee's actual or perceived race (including hair texture and natural hair styles or hair length), religion, religious creed, sex, sexual orientation, gender, gender identity or status, gender expression, national origin, ancestry, age, nursing mothers, or any other basis protected by local, state, or federal laws. If any employee believes that their protected rights based upon a protected class are being restricted or violated in some manner by the dress code, please contact your manager or human resources so that these concerns can be addressed. Any employee who needs a medical or religious accommodation to the County's dress and grooming standards should contact the Human Resources Department.

Failure to comply with the personal appearance standards may result in being sent home to groom or change clothes. Frequent violations may result in disciplinary action, up to and including termination of employment.

## **6.15 Personal Cell Phone/Mobile Device Use**

While Alpena County permits employees to bring personal cell phones and other mobile devices (i.e. smart phones, PDAs, tablets, laptops) into the workplace, you must not allow the use of such devices to interfere with your job duties or impact workplace safety and health.

Use of personal cell phones and mobile devices at work can be distracting and disruptive and cause a loss of productivity. Thus, you should primarily use such personal devices during nonworking time, such as breaks and meal periods. During this time, use devices in a manner that is courteous to those around you. Outside of nonworking time, use of such devices should be minimal and limited to emergency use only. If you have a device that has a camera and/or audio/video recording capability, you are restricted from using those functions on County property unless authorized in advance by management or when they are used in a manner consistent with your right to engage in concerted activity under section 7 of the National Labor Relations Act (NLRA).

You are expected to comply with County policies regarding the protection of confidential and proprietary information when using personal devices.

While operating a vehicle on work time, the County requires that the driver's personal cell phone/mobile device be turned off. If you need to make or receive a phone call while driving, pull off the road to a safe location unless you have the correct hands-free equipment for the device that is in compliance with applicable state laws.

You may not connect your personal device to the County network or to County equipment (computers, printers, etc.).

You may have the opportunity to use your personal devices for work purposes. Before using a personal device for work-related purposes, you must obtain written authorization from human resources. The use of personal devices is limited to certain employees and may be limited based on compatibility of technology. To ensure the security of County information, set forth security policies related to specific devices, for example, any software requirements (antivirus, firewall, VPN, etc.). Include details on how information will be removed from a device upon termination of employment. If you are authorized to use a personal device, you will receive a monthly stipend based on the estimated use of the device. If you obtain or currently have a plan that exceeds the monthly stipend, the County will not be liable for the cost difference.

Nothing in this policy is intended to prevent employees from engaging in protected concerted activity under the NLRA.

You will be subject to disciplinary action up to and including termination of employment for violation of this policy.

### **6.16 Personal Data Changes**

It is your obligation to provide Alpena County with your current contact information, including current mailing address and telephone number. Inform the County of any changes to your marital or tax withholding status. Failure to do so may result in loss of benefits or delayed receipt of W-2 and other mailings. To make changes to this information, contact the Human Resources Department.

### **6.17 Security**

All employees are responsible for helping to make the County a secure work environment. Upon leaving work, lock all desks, lockers, and doors protecting valuable or sensitive material in your work area and report any lost or stolen keys, passes, or similar devices to your Department Head immediately. Refrain from discussing specifics regarding the County's security systems, alarms, passwords, etc. with those outside of the County.

Immediately advise your Department Head of any known or potential security risks and/or suspicious conduct of employees, customers, or guests of the County. Safety and security is the responsibility of all employees and we rely on you to help us keep our premises secure.

#### ***Use of Office Keys and Passcodes to Enter Buildings***

When a Department Head requests an employee to be issued a key/passcode (s), the Commissioners' Office will be notified which keys/passcodes the employee is to receive. All keys and passcodes are to be signed out through the Commissioners' Office. Employees receiving keys and passcodes are required to show their driver's license and sign the keys/out. Building keys/passcodes are distributed only to individuals who have a valid reason to access the building. All passcodes and/or passwords to County property are to be for use of the employee only and are to be kept confidential. If an employee is on a 30 day or more leave, the employee is required to turn keys into the department head and will re-issued upon returning to work. Employees, whose employment terminates, shall return their keys to offices and buildings to the Commissioners' Office or their Department Head. (Department Head will be responsible to return the keys to the Commissioners' Office).

Any employee who misplaces or loses a key will be charged the cost of a replacement key but not less than \$5.00 per key. If a lost key(s) creates a security concern for the building or office and requires new locks to be installed, it is the responsibility of that employee to bear that expense.

### **6.18 Social Media**

At Alpena County, we recognize the Internet provides unique opportunities to participate in interactive discussions and share information using a wide variety of social media. However, use of social media also



presents certain risks and carries with it certain responsibilities. To minimize risks to the County, you are expected to follow our guidelines for appropriate use of social media.

This policy applies to all employees who work for the County.

### ***Guidelines***

For purposes of this policy, **social media** includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether associated or affiliated with the County, as well as any other form of electronic communication.

The County principles, guidelines, and policies apply to online activities just as they apply to other areas of work. Ultimately, you are solely responsible for what you communicate in social media. You may be personally responsible for any litigation that may arise should you make unlawful defamatory, slanderous, or libelous statements against any customer, manager, owner, or employees of the County.

### ***Know and Follow the Rules***

Ensure your postings are consistent with these guidelines. Postings that include unlawful discriminatory remarks, harassment, and threats of violence or other unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### ***Be Respectful***

The County cannot force or mandate respectful and courteous activity by employees on social media during nonworking time. If you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as unlawful, slanderous, threatening, or that might constitute unlawful harassment. Examples of such conduct might include defamatory or slanderous posts meant to harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, age, national origin, religion, veteran status, or any other status or class protected by law or County policy. Your personal posts and social media activity should not reflect upon or refer to the County.

### ***Maintain Accuracy and Confidentiality***

When posting information:

- Maintain the confidential information related to the County.
- Do not create a link from your personal blog, website, or other social networking site to a County website that identifies you as speaking on behalf of the County.
- Never represent yourself as a spokesperson for the County. If the County is a subject of the content you are creating, do not represent yourself as speaking on behalf of the County. Make it clear in your social media activity that you are speaking on your own behalf.

### ***Using Social Media at Work***

Do not use social media while on your work time, unless it is work related as authorized by your manager or consistent with policies that cover equipment owned by the County.

### ***Media Contacts***

If you are not authorized to speak on behalf of the County, do not speak to the media on behalf of the County. Direct all media inquiries for official County responses to the Commissioner's Office. Elected Officials can speak for their own office but not for the County.

### ***Retaliation and Your Rights***

Retaliation or any other negative action is prohibited against anyone who, based on a reasonable belief, reports a possible deviation from this policy or cooperates in an investigation. Those who retaliate against others for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Nothing in this policy is designed to interfere with, restrain, or prevent employees from communications regarding wages, hours, or other terms and conditions of employment, or to restrain employees in exercising any other right protected by law. All employees have the right to engage in or refrain from such activities.

## 6.19 Telecommuting/Work from Home Policy

Outlined below are the specific policies with respect to telecommuting as well as the responsibilities of both the County and the individual telecommuter. Once your proposal to telecommute has been approved, review these guidelines, sign the acknowledgment and attach to the flexible work option proposal.

### Overview

Telecommuting at the County is not an employee benefit, nor is it intended to be available to all employees; rather it is a privilege and may be revoked at any time in the sole discretion of the County. The selection of individuals for a telecommuting arrangement is not based on any employee's race, color, national origin, age, sex, marital status, sexual orientation, disability, or any other legally protected status. The only basis for a decision is whether it will be beneficial for the County.

- The home office (including the home itself) is considered an extension of the county's main office. All County policies and procedures including those governing employee conduct, performance, and safety are in full force and effect during your home work hours.
- This telecommuting arrangement can be withdrawn or terminated with or without notice by either party. If it is terminated, you will be required to return to your job at your office location. In addition, if your work performance suffers while you are participating in a telecommuting arrangement and/or your manager decides it is in the best interest of the County for you to return to the office, you will be required to do so. If you choose not to return on the expected date, you will be subject to disciplinary action or considered to have voluntarily resigned and your employment status will be treated as such under the County policies. The County can revoke the telecommuting arrangement whether or not your performance has suffered.
- This telecommuting arrangement will have no effect on your salary, benefits, job responsibility, career opportunities and/or promotability.

When applicable, protected concerted activity covered by the NLRA or the particular collective bargaining agreement is *not* prohibited by this policy. This policy in no way prohibits employee communications that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the NLRA, which includes the right of employees to speak with others about their terms and conditions of employment. To the extent that any provision of this handbook purports to prohibit conduct that is or is later determined to be otherwise protected under Section 7 of the NLRA, such conflicting provisions will be void.

### Hours of Work

- Your total number of work hours are not expected to change during the period in which you telecommute, and you will be responsible for tracking your hours according to standard County policy. Telecommuters may be required to work overtime as needed. (Note: Non-exempt employees require approval of their manager prior to working overtime.)
- You understand while working at home you are required to log into the County system via Terminal Services. Access to Terminal Services must be confirmed from your home office prior to your telecommuting being effective. The County has the right to monitor your log-in and log-out times of Terminal Server, and your productivity during the workday. You understand this information can be used to amend or terminate this agreement.
- Your daily work schedule is subject to negotiation with, and approval by, your manager. Your manager will require that you work certain "core hours" during which you would be accessible by telephone or e-mail. You understand that management has the right to modify this agreement on a temporary basis as a result of business necessity.
- Business requirements, i.e.: training programs, special projects or meetings, may require that you spend more time in the office than usual during a particular week or other period. You will have to make arrangements accordingly and be flexible with your hours in order to meet the business need. You are not entitled to necessarily "make up" a telecommuting day during the week if business requirements require you to be in the office on a normal telecommuting day.
- You should set up a system with your manager for checking in with the office on a daily basis in the event that an emergency arises, i.e.: a pressing need for information, a change of project deadline, or a change in business conditions.

### ***Equipment Repair/Security***

- The County may provide the necessary computer, modem, software and other equipment that it determines is necessary to do your job. All items will remain the property of the County and must be returned to the County in good working condition upon request, including but not limited to such cases as your extended illness, resignation, transfer, termination, or if the telecommuting arrangement ceases.
- The County may choose to allow you to use personal equipment. The decision as to the type, nature, function, and/or quality of the equipment shall rest entirely with the County. The County will reimburse you for the reasonable wear and tear or use of applicable equipment. For example, if you use your own copy machine, the County will reimburse you for the cost of paper and toner. You should contact your homeowner's insurance carrier to find out to what extent your policy covers your property.
- County equipment is for business purposes only. The equipment must not be used by family or friends. County owned software may not be duplicated except as formally authorized and provided you agree to comply with all terms and conditions of software licensing agreements.
- The security of County property in your home is as important as in the office. You are expected to take reasonable precautions to protect the equipment from theft or damage.
- In the event of County equipment failure or malfunction, you must notify your manager to ensure immediate repair or replacement of such equipment. In the event of delay in repair or replacement of County or personal equipment, or any other circumstances in which it would be impractical for you to work at home, you will be assigned to work in the office.
- Should you lose your internet connection to the terminal server and reconnection cannot be made within 30 minutes, you are required to contact your supervisor immediately and return to the office.
- You understand that your personal vehicle will not be used for County business unless specifically authorized by the supervisor.

### ***Expenses***

- Office supplies as needed will be provided by the County. Any out-of-pocket expenses for other supplies will be reimbursed only with the prior approval of your manager and in accordance with county normal expense reimbursement procedures.
- The County will not reimburse you for travel expenses to and from the office, nor for any home-related expenses including but not limited to heat, air conditioning, electricity, insurance or personal monthly phone bills.

### ***Confidentiality of Proprietary Information***

- You are to keep confidential all information regarding the business of the County, its customers products, services, systems, business plans, or other proprietary information. It is your responsibility to safeguard such information and ensure that it is not accessible to others.

### ***Safety of Home Work Area***

- The County strongly recommends you set up a separate area for work in your home, "the home office."
- The County has the right to visit your home office to be sure it meets County standards for safety, security, and working conditions. Such visits would be scheduled in advance.
- It is your responsibility to ensure that equipment is placed where it is adequately physically supported. Electronic equipment should be plugged into properly grounded electrical outlets. Your designated work area must be free of potential tripping hazards and unnecessary clutter.
- In your home work area, you shall abide by all safety and health guidelines applicable to the office. Smoke detectors must be properly located and maintained in working order. Such purchase and maintenance costs will be your responsibility.
- You are required to provide your own furniture. Your work environment should be adjustable or subject to modification to meet minimum ergonomic guidelines. If you cannot work on your existing furniture, your options are to return to the office or purchase the proper furniture that meets these requirements. If the purchasing of such furniture is required, the County will reimburse you for such expenditures, but you must get advance approval from your manager prior to making any such purchase. You may opt to purchase the equipment at your own expense and keep the property once the telecommute arrangement ends either as a result of termination of your employment or for

any other reason. If the County pays for the equipment, you must remit the equipment to the County once the telecommute arrangement ends.

### ***Liability for Injuries***

- You must immediately report to your manager in writing any injuries sustained as a result of performing work for the County in your home and home office work area. If you are injured in your home in the course and scope of your employment, you may be eligible for workers' compensation benefits. The County assumes no responsibility for any injuries to third persons and/or members of your household that occur in the designated home work area. Injuries that occur to third persons and/or members of your household in your home, but outside the designated work area, will not be the responsibility of the County.

### ***Job Performance***

- All Human Resources policies, those described in the County Employee Handbook, including those relating to job performance, remain in effect. That means that your performance will be monitored by your manager, and you will be expected to comply with any and all productivity and quality standards that are applicable to you in the office. Disciplinary action, up to and including termination of employment, may result for failure to meet established performance standards.

### ***Miscellaneous Provisions***

- It is expected that you will not use telecommuting as a substitute for dependent care. It is your responsibility to ensure that you are fully able to complete your work assignments in an acceptable and timely manner. Dependent care is also not an acceptable reason to "switch" your telecommuting days during the week.
- It is your responsibility to determine any income tax implications of maintaining a home office. The County will not provide tax guidance nor assume any additional tax liabilities.
- It is your responsibility to comply with all applicable local laws including zoning ordinances/regulations regarding using your home as a workplace.
- A change in your weekly schedule must be submitted and approved by your manager.

## **6.20 Telephone Use**

Alpena County phones are principally for work-related communications. Unless there is an emergency, limit long distance telephone calls to business purposes only. Limit personal use of County telephones to brief communications during rest periods where possible. Casual conversation with friends and relatives during working hours is strongly discouraged. Telephone use is subject to the Use of County Technology Policy.

## **6.21 Third Party Disclosures**

From time to time, Alpena County may become involved in news stories or potential or actual legal proceedings of various kinds. When that happens, lawyers, former employees, newspapers, law enforcement agencies, and other outside persons may contact our employees to obtain information about the incident or the actual or potential lawsuit.

If you receive such a contact, you should not speak on behalf of the County and should refer any call requesting the position of the County to the County Administrator. If you have any questions about this policy or are not certain what to do when such a contact is made, contact the County Administrator.

## **6.22 Use of County Technology**

The purpose of this policy is to provide guidelines for encrypted Remote Access IPsec, L2TP, Virtual Private Network (VPN) connections to the County of Alpena corporate network. Approved County of Alpena employees and authorized third parties (customers, vendors, etc.) may utilize the benefits of VPNs, which are a "user managed" service. This means that the user is responsible for coordinating installation with the IT Department who will install and configure a CJIS compliant VPN client on the authorized device.

### ***General Provisions***

- It is the responsibility of employees with VPN privileges to ensure that unauthorized users are not allowed access to County of Alpena internal networks.

- Remote access sessions are prohibited in public areas (coffee shops, restaurants, airports, etc.) and users should be aware of their surroundings to prevent unapproved viewing access to information while they are connected.
- Remote VPN connections will be set up and managed by County of Alpena IT Department.
- All computers remotely connected to County of Alpena internal networks via VPN must have:
  - Automatic logoff or will have automatic screen savers requiring a password after 10 minutes of inactivity
  - Up to date antivirus and malware protection
  - Firewall
  - Most current Microsoft IT approved service packs installed
  - Automatic Microsoft security updates installed
- Users must be approved by their supervisor and will be provided restricted access to the minimum necessary information required to carry out job responsibilities.

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. Any other user will be subject to denied VPN access and possible termination of contract.

### **6.23 Workplace Privacy and Right to Inspect**

Alpena County property, including but not limited to lockers, phones, computers, tablets, desks, workplace areas, vehicles, or machinery, remains under the control of the County and is subject to inspection at any time, without notice to any employees, and without their presence.

You should have no expectation of privacy in any of these areas. We assume no responsibility for the loss of, or damage to, your property maintained on County premises including that kept in lockers and desks.

## **7.0 Time Away from Work and Leaves of Absence**

### **7.1 Holidays**

Alpena County offers the following paid holidays each year:

New Year's Day (January 1)  
 Martin Luther King's Birthday (Third Monday in January)  
 President's Day (3rd Monday of February)  
 Good Friday (**except 88<sup>th</sup> District Court Employees**)  
 Memorial Day (Last Monday in May)  
 Juneteenth (June 19<sup>th</sup>) (**\*Only 88<sup>th</sup> District Court Employees**)  
 Independence Day (July 4)  
 Labor Day (First Monday in September)  
 Veteran's Day (November 11)  
 Thanksgiving Day (Fourth Thursday in November)  
 Day after Thanksgiving (Fourth Friday in November)  
 Day before Christmas (December 24)  
 Christmas Day (December 25)  
 New Year's Eve (December 31)

#### ***Holiday Observation***

It is understood that employees may be required to work on holidays in accordance with normal scheduling procedures. When a holiday falls on a Saturday, it will be observed the preceding Friday. Holidays falling on a Sunday will be observed the following Monday. If Christmas falls on Monday, the following Tuesday will be celebrated as the holiday. Employees who work in seven day a week operation shall celebrate all holidays on the actual date of the holiday. If a holiday falls on your regular day off, ask your Department Head how it affects you. You will be compensated for holidays in accordance with federal and state law.

The County reserves the right to determine how many and which holidays will be paid per year. Moreover, all employees are ineligible for holiday benefits while they are on leave of absence.

### ***Holiday Eligibility***

In order to be eligible for holiday pay an employee must satisfy all of the following conditions and qualifications:

1. A new employee shall not be eligible for holiday pay until after thirty (30) days from the date of their employment.
2. The employee shall have worked their scheduled hours of work on their last scheduled work day preceding the holiday and on their first scheduled work day following the holiday; provided, however, that absence or tardiness due to illness, on vacation or excused with pay, shall not disqualify an employee for holiday pay.

Employees scheduled to report for work on a holiday, but who fail to report for and perform such work, shall not be entitled to any holiday pay.

***Part time employees are not eligible for holiday pay.***

### ***Holiday Pay***

Eligible hourly employees not scheduled to work on a holiday shall receive pay at their regular rate for the number of hours in their normal daily schedule of work on the holiday for each recognized holiday. Employees must work their full shift the day before and the day after the holiday, unless they have scheduled PTO. All holiday pay shall be at the employee's straight time regular rate of pay, exclusive of all premiums. Eligible salaried employees are not normally required to work on holidays but shall continue to receive their salaries.

### ***Work on Holidays***

Hourly employees scheduled to work on a holiday shall be paid at two and one-half (2-1/2) times their regular straight time hourly rate for the hours actually worked. Such rate shall be in lieu of and not in addition to holiday pay for holidays not worked, except that when an employee works less than eight (8) or seven (7) (whichever is applicable) hours on a holiday and is otherwise eligible for holiday pay, they shall receive the balance of their eight (8) or seven (7) (whichever is applicable) hours of holiday pay for hours not worked. For the purpose of this section, a holiday is defined as a twenty-four (24) hour period beginning at 12:01 a.m. of the holiday. An employee called and reporting for work on a holiday shall receive a minimum of two (2) hours pay at double time and one-half (2-1/2) except a custodian on Airport Fire duty.

### ***Holiday During Vacation***

Employees who are on approved vacations on a day that a holiday is observed shall be paid for the holiday, provided that they work their entire scheduled shift prior to leaving on vacation and immediately following their vacation.

## **7.2 Paid Time Off (PTO)**

Alpena County provides Full Time employees with paid time off (PTO). PTO may be used for vacation, sick time, or other personal matters. PTO will be approved at the discretion of their Department Head. Requests for PTO will vary by department.

### ***Eligibility***

#### **Introductory Period**

Employees who have not completed their introductory period may only utilize PTO time for an unforeseen personal illness or injury. If an introductory employee quits or is terminated, all PTO is forfeited.

### ***PTO Pay***

PTO pay shall be at the employee's straight time rate in effect at the time the employee takes vacation leave.

### ***Unscheduled PTO***

Employees may utilize PTO time for an unforeseen personal illness or injury by calling their Department Head/Elected Official to County reporting their absence before the start of their scheduled day of work. The County-Department Head/Elected Official may require, in addition to the employee's own statement, a physician's certificate showing that the time off was due to actual disability, provided that such a request is reasonable under existing circumstances. The County-Department Head/Elected Official will not normally require physician's certificate for short sick leaves of one or two days, unless the Department Head/Elected

**Official County** has reason to believe that the employee is abusing sick leave. Falsification of the physician's certificate or falsely setting forth the reasons for the absence shall constitute just cause for discipline, up to and including discharge

### ***Mandatory PTO Use***

Employees must use PTO for any absences and may not use any authorized unpaid time until all the employee's PTO is exhausted.

### ***Salary Employees PTO use***

If an employee will be out for a half day or more they must use PTO. Exempt employees are provided with PTO accruals set forth below under the "40 Hour Employee".

### ***PTO Accrual***

All full-time regular employees shall be granted paid time off with pay and benefits based upon their length of continuous service with the County in accordance with the following:

#### **30-35 Hour Employee**

Less than three (3) years: 5 Hours Per Pay Period

At least three (3) but less than ten (10) years 6 Hours Per Pay Period

At least ten (10) but less than fifteen (15) years 7 Hours Per Pay Period

At least fifteen (15) years 8 Hours Per Pay Period

#### **37.5 Hour Employee**

Less than three (3) years: 5 1/2 Hours Per Pay Period

At least three (3) but less than ten (10) years: 6 1/2 Hours Per Pay Period

At least ten (10) but less than fifteen (15) years: 7 1/2 Hours Per Pay Period

At least fifteen (15) years: 8 1/2 Hours Per Pay Period

#### **40 Hour Employee, including Exempt Employees**

Less than three (3) years: 6 Hours Per Pay Period

At least three (3) but less than ten (10) years: 7 Hours Per Pay Period

At least ten (10) but less than fifteen (15) years: 8 Hours Per Pay Period

At least fifteen (15) years: 9 Hours Per Pay Period

### ***Part-time employees are not eligible for PTO.***

Paid time off is credited to eligible employees each two-week pay period, based upon their years of continuous service as of that date. An employee's length of continuous service shall be calculated from the most recent date upon which the employee commenced work for the County.

In order to be eligible for full paid time off each pay period, a forty (40) hour per week employee must have worked a total of at least eighty (80) hours during the preceding two (2) weeks, a thirty-five (35) hour per week employee must have worked a total of at least seventy (70) hours during the preceding two (2) weeks and a thirty-seven and one-half (37 ½) hour per week employee must have worked a total of at least seventy (75) hours during the preceding two (2) weeks. For purposes of this section, hours worked shall include paid funeral leave, paid jury duty leave, paid time off, paid holidays, eight (8), seven and one half (7 ½) or seven (7) hours on days when the employee is receiving workers compensation benefits from the County for a period of up to twelve (12) months, and all hours actually worked. The County will provide employees with information regarding the number of hours in their PTO Time bank on each paycheck. PTO cannot be used during the pay period in which it is earned. Paid Time off (PTO) will not continue to accrue while on short term disability. Paid Time off (PTO) will not continue to accrue under Unpaid Personal Leave of Absence of 5 days or more. When an employee resigns, retires, or is terminated, the County does not prorate PTO while using their final PTO.

### ***Leave Usage and Requests for Leave***

Alpena County encourages you to use your PTO time. You are eligible to begin using PTO upon completion of your introductory period.

Employees may use PTO as soon as it is accrued. Employees may take PTO for any reason, including the following: vacation, personal illness, medical and dental appointments, emergencies, family care and medical leave, disability leave, any reason for which paid sick and/or safe leave is allowed under applicable local ordinances, and personal commitments. Nonetheless, employees should make every effort to schedule time off for personal appointments (medical appointments, teacher conferences, auto repairs, etc.) before and after working hours.

You must request PTO from your Department Head as far in advance as possible. The County will generally grant requests for PTO when possible, taking business needs into consideration. When multiple employees request the same time off, their seniority may determine priority in scheduling PTO times.

### ***PTO During a Leave of Absence***

Alpena County may require you to use any unused PTO during disability or family medical leave, or any other leave of absence, where permissible under local, state, and federal law.

You will not accrue PTO during unpaid leaves of absence, or other periods of inactive service, unless PTO accrual is required by applicable federal, state, or local law.

In order to be eligible for full paid time off each pay period, a forty (40) hour per week employee must have worked a total of at least eighty (80) hours during the preceding two (2) weeks, a thirty-five (35) hour per week employee must have worked a total of at least seventy (70) hours during the preceding two (2) weeks and a thirty-seven and one-half (37 ½) hour per week employee must have worked a total of at least seventy (75) hours during the preceding two (2) weeks. For purposes of this section, hours worked shall include paid funeral leave, paid jury duty leave, paid time off, paid holidays, eight (8), seven and one half (7 ½) or seven (7) hours on days when the employee is receiving workers compensation benefits from the County for a period of up to twelve (12) months, and all hours actually worked. The County will provide employees with information regarding the number of hours in their PTO Time bank on each paycheck. PTO cannot be used during the pay period in which it is earned. Paid Time off (PTO) will not continue to accrue while on short term disability. Paid Time off (PTO) will not continue to accrue under Unpaid Personal Leave of Absence of 5 days or more. When an employee resigns, retires or is terminated, the County does not prorate PTO while using their final PTO.

### ***Unpaid Leaves of Absence***

The County may, at its discretion, grant an employee a personal leave of absence without pay or benefits for a period not to exceed thirty (30) calendar days.

- Requests for an unpaid personal leave of absence shall be in writing, signed and dated by the employee, and given to the employee's Department Head. Such requests shall state the reason for the leave.
- No request for an unpaid personal leave of absence shall be considered approved unless such request is in writing signed by the employee and approved by Personnel.
- Paid Time off (PTO) will not continue to accrue under Unpaid Personal Leave of Absence of 5 days or more.
- The employee will be expected to reimburse benefits on a prorated basis for absences of 5 days or more.
- When leave of absence is granted, the employee agrees to return to work immediately at the expiration of the leave period or extension thereof. Failure to return to work may be considered a resignation from employment.
- An extension of an unpaid personal leave of absence may be granted by the County in its discretion, provided the extension is requested in writing prior to the termination of the original leave period.
- The employee unpaid leave request may qualify for the Catastrophic Paid Time Off Donation Request form found on the Employee Navigator

### ***Catastrophic PTO Donation***

Part-time or full-time County employees are eligible to participate in the PTO Donation Program. This program is designed to permit an employee to donate PTO hours to another employee who is on an unpaid leave. An employee shall have the ability to donate paid time off up to eight (8) hours of PTO as converted to a fixed dollar amount. No more than four (4) weeks of total contribution hours shall benefit anyone (1) employee under this program for any single catastrophic leave. This program neither supersedes nor replaces other disability programs.



This program shall be utilized only if all of the following conditions are met:

- Donations may be to/from any County Department
- Donations of PTO time will be kept confidential
- Employees receiving donated PTO hrs. will not earn PTO hrs. on donated hrs.

### ***Employee on Leave***

- 1) Prior to receiving a paid time off leave donation, the employee must have exhausted all compensatory leave and paid time off.
- 2) Employee requests a leave due to an accident or serious illness of the employee or their dependent (as defined under the Family and Medical Leave Act).
- 3) Employee may utilize up to two (2) weeks donated time, to be used immediately following:
  - (a) An event of catastrophic casualty loss (i.e., severe damage to their primary residence)
  - (b) An event of catastrophic bereavement

### ***Employee Donating Time***

- 1) All paid time off donations must be voluntary.
- 2) Employees donating time must have more than 40 hours of PTO available
- 3) Employees donating time must fill out the Donation of PTO form located in the Human Resource Department and submit to the Clerk's office who will deduct time as it is needed

### ***PTO while on Short Term Disability or Workers Compensation***

PTO time may be utilized during periods when an employee is receiving voluntary worker's compensation payments from the Employer or short-term disability insurance payment to the extent necessary to maintain the employee's net take home pay based upon a forty (40) hour work week or the employee's normal work week, whichever is lesser. The first seven (7) days that an employee is off work due to work-related injuries will be paid by the County without charge to PTO time.

### ***Payment of Unused PTO Time on Termination***

Unused PTO Time at the end of the year. At the end of each calendar year, all accrued but unused PTO time in excess of two hundred (200) hours shall be forfeited.

Employees who leave their employment of the County may receive pay for accrued but unused PTO time in any of the following circumstances:

- 1) An employee who retires in accordance with the retirement plan currently in effect will be paid 100% of the value of the hours in the employee's PTO bank up to 176 hours.
- 2) An employee who resigns from employment and provides a minimum of fourteen (14) days advance notice to the County effect will be paid 50% of the value of the hours in the employee's PTO bank up to 176 hours.
- 3) An employee who is laid off will be paid 100% of the value of the hours in the employee's PTO bank upon their request, provided however that such PTO time payment shall be designated to the period of the layoff.
- 4) An employee who is terminated due to job elimination, shall receive 100% of the value of the hours in the employee's PTO bank
- 5) An employee who is discharged for just cause forfeits payment of their PTO bank unless modified in writing
- 6) In the event of the death of an employee, the employee's estate will be paid 100% of the value of the hours in the employee's PTO bank.

### ***PTO and Retirement***

For purposes of this policy, retirement occurs when an individual is eligible for an immediate retirement allowance from MERS and does not include individuals who leave County employment and will be entitled to receive a retirement allowance at some later date because they are vested in the retirement system.

### ***Under credit of PTO***

Employees claiming that they have not been properly credited shall submit a written notice to their Department Head identifying the error. Department Heads will promptly investigate all claims made by employees. In instances where the employees claim is substantiated, the Department Head shall submit the approved correction to the payroll department within 30 days of notification by employee.

### **Over credit of PTO**

When it is determined that an employee has been over credited with PTO due to a mathematical miscalculation, typographical error, clerical error, or misprint in the crediting of PTO. Employee will be provided with a written explanation of the error. PTO adjustments (over or under) will only go back 3 months.

### **Longevity Pay**

All regular full-time non-union employees shall be paid longevity pay based upon their length of continuous service with the Employer in accordance with the following schedule:

\$100 per year starting at 3 years with a cap of \$2,500.

Less than (3) years \$0

At least (3) years \$300

At least (4) years \$400

At least (5) years \$500

Up to (25) years \$2500

- a) Longevity pay is a lump sum payment to eligible employees, which is paid the after December 1 of each year, (but as soon as possible after Dec. 1st) For purposes of this Section, an employee's years of continuous service shall be computed from the most recent hire date.
- b) In order to be eligible for longevity pay, an employee must be full-time and, on the County's, active payroll as of December 1 of the applicable year. Employees who are not on the active payroll such as those who quit or are discharged shall not be eligible for longevity pay, but individuals who retire under the County's retirement plan, are on a worker's compensation leave or an extended sick leave will receive a pro-rated longevity payment for that year.

### **7.3 Family and Medical Leave (FMLA)**

The County will provide Family and Medical Leave to its eligible employees. The County posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act in the break room.

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

If you have any questions, concerns, or disputes with this policy, you must ~~contact [insert name and contact information]~~ [the Human Resource Department](#) in writing.

### **General Provisions**

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

### **Eligibility**

To qualify for FMLA leave, you must meet all of the following:

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

2. The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
3. The employee must work in a worksite where 50 or more employees are employed by the County within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

#### *Type of Leave Covered*

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

- 1) The birth of a child and in order to care for that child.
- 2) The placement of a child for adoption or foster care and to care for the newly placed child.
- 3) To care for a spouse, child or parent with a serious health condition (described below).
- 4) The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

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

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

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

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

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

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

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

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

In order to care for a covered service member, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered service member.

- a) A “son or daughter of a covered servicemember” means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
- b) A “parent of a covered servicemember” means a covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”
- c) Under the FMLA, a “spouse” means a husband or wife, including those in same-sex marriages, which were made legal in all 50 United States as of June 26, 2015.
- d) The “next of kin of a covered servicemember” is the nearest blood relative, other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as the employee's nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered servicemember's next of kin. Alternatively, where a covered servicemember has a sibling(s) and designates a cousin as the employee's next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to § 825.122(k).

“Covered active duty” means:

- (a) “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
- (b) (2) Covered active duty or call to covered active duty status in the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

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

- 6) Military caregiver leave (also known as covered servicemember leave) to care for an injured or ill servicemember or veteran.

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

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

The term “covered servicemember” means:

- (a) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- (b) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term “serious injury or illness” means:

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

### **Amount of Leave**

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The County will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the County will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

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

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

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

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

Under current County policy, the employee pays a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Treasurer's-Clerk's Office by the 1<sup>st</sup> day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave.

The employer will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay the employee's portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

### ***Employee Status After Leave***

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The County may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

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

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all ~~paid vacation, personal or sick leave~~ PTO prior to being eligible for unpaid leave. ~~Sick leave~~ PTO may ~~be~~ run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

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

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

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

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill servicemember over a 12-month period).

The County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

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

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

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

The County will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

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

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

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

The County will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

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

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

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

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

#### ***Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave***

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

#### ***Recertification***

The County may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days unless circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of the employee's leave. Otherwise, the County may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The County may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

#### ***Procedure for Requesting FMLA Leave***

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the HR manager. Within five business days after the employee has provided this notice, the HR manager will complete and provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the

employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the County's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

#### ***Designation of FMLA Leave***

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

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

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

### **7.4 Other Disability Leaves**

In addition to medical or pregnancy-related disability leaves described in this handbook, employees may take a temporary disability leave of absence if necessary to reasonably accommodate a workplace injury or a disability under the ADA, or applicable State Disability leave laws. Any disability leave under this section will run concurrently with any medical leave to which the employee is entitled to.

Disability leaves under this section will be unpaid.

Employees taking disability leave must comply with the Family Care, Medical and Military Family Leave provisions regarding substitution of paid leaves, notice, and medical certification. For the purpose of applying these provisions, a disability leave will be considered to be a medical leave.

If a disability leave under this section extends beyond 12 weeks in a 12-month period, the employee will not be entitled to any continued employer contributions towards any employee benefit plan unless otherwise required by law. An employee, however, may elect to continue participating in such benefit plans, at the employee's own expense, to the extent permitted by such plans.

The duration of a leave under this section shall be consistent with applicable law, but in no event shall the leave extend past the date on which an employee becomes capable of performing the essential functions of their position, with or without reasonable accommodation. For a full explanation of leave duration and reinstatement rights, employees should contact the Human Resources Department.

### **7.5 Other Leaves of Absence**

#### ***Military Leave (USERRA)***

Alpena County complies with applicable federal and state law regarding military leave and re-employment rights. Unpaid military leave of absence will be granted to members of the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA; with amendments) and all applicable state law. You must submit documentation of the need for leave to the Human Resource Department. When returning from military leave of absence, you will be reinstated to your previous position or a similar position, in accordance with state and federal law. You must notify your Department Head of your intent to return to employment based on the requirements of the law. For more information regarding status, compensation, benefits, and reinstatement upon return from military leave, contact the Human Resources department.

#### ***Civil Air Patrol Leave***

Employees may take a leave of absence if they are a member of the Civil Air Patrol if the following conditions are met:

- The employee is absent to respond as a member of the civil air patrol to an emergency declared by the governor or the president of the United States;
- The employee provides his or her employer with as much notice as possible of the date he or she will be absent to serve with the civil air patrol during the emergency; and
- The employee provides his or her employer with verification from the civil air patrol of the emergency need for his or her volunteer service.

A civil air patrol member who is trained and qualified to provide emergency services must notify the employer that he or she *may* one day be called to an emergency by the later of:

- 30 days after the Act takes effect (August 4, 2016);
- The date of employment; or
- The date of joining the civil air patrol.



In regard to a specific absence, an employee must provide the employer with:

- As much notice as possible of the dates he or she will be absent to serve with the civil air patrol during the emergency; and
- Verification from the civil air patrol of the emergency need for the employee's volunteer service

### **Voting Leave**

If your work schedule prevents you from voting on Election Day, Alpena County will allow you a reasonable time off to vote. The time when you can go to vote will be at the discretion of your Department Head, consistent with applicable legal requirements.

### **Jury Duty Leave**

Alpena County encourages employees to fulfill their civic duties related to jury duty. An employee who is called for jury duty shall notify the Department Head immediately upon receipt of such notice. If an employee serves on Jury duty during normally scheduled workdays, they may turn over the payment for jury per diem to the Alpena County Clerk and receive full pay for that period of time. Mileage reimbursement is retained by the employee. The County reserves the right to require employees to provide proof of jury duty service to the extent authorized by law. An employee excused from jury duty is to promptly return to work. The County will not retaliate against employees who request or take leave in accordance with this policy.

### **Bereavement Leave**

An employee shall be allowed and paid for, not to exceed three (3) working days and not to be deducted from PTO leave, for the purpose of attending the funeral of a person in their immediate family. The employee may take this time off following the date of death or at a later time for funeral and/or celebration of life services. An employee who loses work from their regularly scheduled hours shall receive their regular rate of pay for such time lost for bereavement leave. Immediate family is defined as meaning: mother, father, brother, sister, current spouse (life-partner), child, mother-in-law, father-in-law, grandparents, grandparents of current spouse (life-partner), grandchildren, brother-in-law and sister-in-law. Upon proper showing of need, funeral leave may be extended up to an additional two (2) working days to travel more than three hundred (300) miles for services.

### **Crime Victim Leave**

Alpena County will provide eligible employees time off from work to respond to a subpoena or request by the prosecuting attorney for the purposes of giving testimony.

#### **Eligibility**

To be eligible for time off under this policy, you must be a victim of crime or a victim representative.

A **victim** is an individual who has suffered direct or threatened physical, financial, or emotional harm as a result of the commission of a crime.

A **victim representative** is an individual who is:

- A guardian or custodian of a child of a deceased victim if the child is less than 18 years of age.
- A parent, guardian, or custodian of a victim of assault if the victim is less than 18 years old.
- A person who has been designated to act in place of a victim of assault while the victim is physically or emotionally disabled.

#### **Compensation**

Time off granted under this policy will be unpaid; however, exempt employees may be compensated as required by applicable law.

#### **Notice**

Upon receiving a subpoena, provide your Department Head with reasonable advance notice of the need for leave. If advance notice is not practicable, provide appropriate documentation within a reasonable time after the absence.

#### **Retaliation**

The County will not retaliate against employees who request or take leave in accordance with this policy.

### ***Personal Leave of Absence Policy***

In its sole discretion, the County may grant a personal leave of absence for a compelling personal reason that does not fall within another leave category. Employees who have completed at least one year of continuous service may submit a written request to Human Resources for a personal leave of absence or vacation, without pay, for any length of time up to a maximum of three (3) months. Written requests must state the reason for the leave, as well as the beginning and ending dates. Requests for personal leaves will be granted at the sole discretion of the County, based on the facts and circumstances surrounding each individual request.

The County is not able to guarantee reinstatement following return from a personal leave of absence. The County will make reasonable efforts to place the employee in a suitable vacancy if one exists. Such employees may be terminated or denied reinstatement if business necessity requires that the employee be replaced during the leave or if the employee is terminated or the position is eliminated due to a layoff, reorganization or other intervening cause.

While on personal leave, employees with health insurance will be required to continue paying their customary share of premiums for medical coverage for the duration of the leave. Payments must be made by the first day of each month. With fifteen days' notice, the County can cancel the coverage of employees who fail to make timely premium payments or else elect to pay the premiums and recover them from the employee upon return to work, or upon termination, as permitted by law.

## **8.0 Benefits**

The County provides benefits as described in general terms below. The terms on which benefits are made available to employees are set forth in the governing plan documents. In the event of a conflict between the following descriptions and the terms of the plan documents, the plan documents will control. This handbook is not a plan document and does not create any enforceable rights with respect to benefits or otherwise. The County reserves the right to eliminate or modify any of its benefits at any time without prior notice. Employees who have any questions regarding benefits should contact the Human Resources Manager.

***Part time employees are not eligible for benefits.***

### **8.1 Retirement Plan**

Eligible full-time employees may participate in the County MERS retirement plan. All nonunion full-time employees are eligible for the MERS Defined Contribution and 457 plans. Union employees should reference their Union handbook for their retirement plans. ~~The County maintains a defined contribution retirement plan for full-time base security employees.~~ Part-time employees are not eligible for the defined contribution benefit unless they become full-time. No service credit will be accrued while an employee is on part-time status. The defined contribution retirement plan provides the following benefits:

#### ***MERS Defined Contribution***

For nonunion employees, the County contributes to each participant's account an amount equal to four (4.00%) percent of the participant's compensation.

#### ***MERS 457 Retirement***

To enhance our employees' ability to save for retirement Alpena County offers a 457(b) Retirement Savings Plan to help employees accumulate financial resources for retirement. For nonunion employees, A participant may elect to contribute three (3.00%) of their compensation into their MERS 457 account and the County will match up to three (3.00%) percent of their compensation. A participant may make contributions more than three (3.00%) percent as permitted by the IRS Code, but the County will not match these additional contributions. Participants are one hundred (100%) percent vested immediately.

***\*Union Members can view their retirement plans and contributions in their Union Contract***

#### ***MERS Active Duty Service Credit***

Effective July 1, 2012 USERRA law changed to require MERS contributions to be submitted following these guidelines (as defined in MERS Plan documents and County payroll procedures).

1.) Employee must return to work within 90 days of their return from active duty. The employee is allowed (but not required to make up employee contributions).

- 2.) Employer is responsible for paying their contributions due and collecting employee contributions on the calculated average wage reported. Service credit will not be granted until all contributions have been paid.
- 3.) Make up contributions are payable over 3 times the length of the military service period, but not to exceed 5 years. The makeup period does not extend beyond termination of employment.
- 4.) The participant may elect not to pay their required contributions; however, if they are not paid the month(s) will be a service exception. If employee contributions are not paid on estimated wages, service credit is lost, and employer contributions are not required.

In the event that an employee is on military leave for a partial month, and the employee is working enough days in the month to earn service credit making up contributions would not be required. It would be optional if they wanted to get the full employer match. Once they paid the amount that they underpaid in contributions for the reduced hours in the month, the employer match would occur only after the shortage in member contributions was paid.

- Proper documentation will be submitted to the HR Department upon return from Military Leave.
- Once the proper documentation is submitted to the Clerk's Office, the Clerk's Office will review employee's leave to determine if there was a loss of service.
- If there was a loss of service credit to the employee, the Clerk's Office will notify the employee and process the makeup contributions according to the above process

This benefit, as well as other benefits, may be canceled or changed at the discretion of the County, unless otherwise required by law.

## **8.2 COBRA**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides the opportunity for eligible Alpena County employees and their beneficiaries to continue health insurance coverage under the County health plan when a "qualifying event" could result in the loss of eligibility. Qualifying events include resignation, termination of employment, death of an employee, reduction in hours, a leave of absence, divorce or legal separation, entitlement to Medicare, or where a dependent child no longer meets eligibility requirements.

Contact Human Resources to learn more about your COBRA rights.

## **8.3 Continuing Education and Tuition Assistance**

We believe in the continuing education of our employees. If County sends you to a class or training program during normal working hours related to your employment and you are nonexempt, you will be paid training pay for that time. If you are interested in attending an outside class and having the County pay for your attendance, you are required to provide advance written notice describing the class, including the subject matter, length, and cost. Depending on the type of training, the County may reimburse some or all of the fees, including materials expenses, meals, and transportation. If your Department Head approves of your attendance at a class that is not sponsored by the County, you will be reimbursed once you have attended and paid for the class.

## **8.4 Michigan State Disability Insurance**

All eligible Michigan employees are covered by State Disability Assistance (SDA) pursuant to Michigan law. Michigan State Disability Assistance program provides a needs-based cash benefit to individuals who are disabled or blind. Contact the Michigan Department of Human Services for more information or an application.

## **8.5 Employer-Sponsored Disability Benefits**

Alpena County offers the following employer-sponsored disability insurance benefits to employees when they miss work due to non-work-related disabilities.

### ***Eligibility***

All Full-Time employees are eligible for employer-sponsored Short-Term Disability insurance benefits the first of the month following 30 days of continuous employment and who is unable to work due to illness, pregnancy, or injury (other than a self-inflicted injury) is eligible. An employee receiving workers' compensation or disability pay under any state or federal plan is ineligible for this benefit. To be eligible for

continued disability benefits, the employee must not engage in outside employment and is expected to avoid activities that may delay recovery and a return to work. Short Term Disability runs concurrently with FMLA eligibility.

### **Short-Term Disability Insurance**

The short-term disability benefit provided by Alpena County is a plan for income replacement for employees unable to work due to illness, pregnancy, or injury. Short Term Benefits payments begin Day 1 Injury; surgery; hospitalization Day 8 for sickness. Short-Term Disability insurance generally pays a weekly benefit if you cannot work because of a covered illness or injury. The benefit replaces a portion of your weekly income, providing funds directly to you to help pay your bills and living expenses. Check your plan documents for details about benefit payments and duration.

### **Additional Information**

The terms and conditions for the disability insurance program are outlined in the Summary of Plan Benefits. Contact Human Resources for a copy of the plan provisions, required forms, and additional information about these benefits.

### **Medical Certification**

The employee must complete Short Term Provider required forms including medical certification of the disability that includes the starting and expected ending date of the disability. This certification must be submitted to the Human Resource Department, who will forward to the insurance provider.

### **Benefit Payment**

The short-term disability benefit payment is 66.6 percent of the employee's base weekly wages or salary calculated on average earnings in the previous six months, to a maximum set forth by union contract or Board of Commissioners. The benefit may be paid for a maximum of 26 weeks per calendar year. Payments are paid by the Insurance Carrier and mailed to the employee. The benefit is taxable income. Your Gross STD weekly benefit may be reduced by other sources of income you receive per the plan policy -contact the Clerk's office.

### **Return to Work**

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

*Your Short-term benefits amount may be reduced based on deductible sources of income (ie. Retirement income; social security benefits; car insurance benefits)*

## **8.6 Health Insurance**

The County makes available a group insurance program covering certain hospitalization, surgical and medical expenses for eligible full-time employees and their dependents. Eligible employees who elect to participate in the group health insurance are offered coverage as a single subscriber, two person or family coverage. Your group health benefits are paid in part by the County. The remainder of the costs are paid by you through deductions from your paycheck. Employees shall make premium contributions bimonthly to the health care insurance costs if required as defined each year by the County Board of Commissioners in compliance with Public Act 152. An eligible dependent does not include a person enrolled as an employee under the Plan or any person who is covered as a dependent of another employee covered under the Plan. If you and your spouse are both employed by the Employer, each of you may elect your own coverage (based on your own eligibility for benefits) or one of you may be enrolled as a dependent on the other's coverage, but only one of you may cover your dependent children. Full-time employees are eligible to participate in the group insurance program no earlier than the first (1st) Day of the premium month following the commencement of employment with the County or at a date thereafter that may be established by the insurance carrier. Eligible employees electing to participate in the group insurance plan shall enroll at time of hire, reopening period or an event under COBRA using the Employee Navigator and any contributions required shall be by payroll deduction. Coverage ends the date employment with the county is terminated. In the event of an employee's death, health care coverage will continue for 30 days for eligible dependents. The specific terms and conditions governing the group insurance program are set forth in detail in the master policy or policies governing the program as issued by the carrier or carriers. The County reserves the right to select the insurance carrier or carriers, or to become a self-insurer, either wholly or partially, and to select the administrator of such self-insurance programs.

Benefits may be canceled or changed during open enrollment or with a life qualifying event, unless otherwise prohibited by law. If you or a dependent become ineligible for benefits due to a change in work hours or through a life event, or you leave employment with us, you may have the right to continue your health benefits under federal or state law. In such event, the County will provide you with information about your rights to continue your benefits coverage.

#### ***Premium Payments for Employees on Leave***

The County will pay the employer's portion of premiums for continuation of County-sponsored group health plan benefits during the first 30 days of any authorized leave. Thereafter, the employee may only continue coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and must pay the full cost of doing so.

If an employee is on an approved FMLA leave, the County will permit the employee to continue coverage under County-sponsored group health plans by paying only the amount charged to similarly situated active employees. If an employee does not return to work at the expiration of an FMLA leave, regardless of whether they continued coverage during the FMLA leave, they normally will be eligible to elect COBRA continuation coverage with respect to County-sponsored group health plans, with the COBRA qualifying event normally being the expiration of the leave.

#### ***Employees Not Needing Healthcare Coverage***

Full-time employees who have available health care insurance through another plan and elect to drop out of the County's health care plan shall be eligible to receive an amount per month set by the Board of Commissioners in lieu of health care insurance. To be eligible for in lieu of payments, the employee shall opt out in accordance with IRS rules. The employee's regular paycheck for the second pay will include this amount which is taxable income, or it can be put into the employee's account under the County's deferred income plan. This election shall be made on an annual basis and shall be effective for that full year. To be eligible for receive "In Lieu of" health care – you cannot be covered under another county employee's health care or covered under Medicare-which is considered your primary coverage.

#### ***Retired County Employee Healthcare Insurance Plan Policy***

The retired county employee/spouse is responsible for full payment of the premium. The County maintains the following rules for the retirees to follow to remain on the health care insurance plan. That a retiree shall pay his/her health care premium by the 10th of each month at the Clerk's Office.

- If payment is late any month, then a \$25 late fee will be added. If the retiree refuses to pay the \$25 late fee, he/she will be dropped from the policy. Written notice will be sent.
- Failure to pay his/her monthly health care premium for two months in a row, the Clerk will automatically cancel the retiree from the health care plan with written notice.
- The retiree or his/her estate will be invoiced for the past due health care premiums
- Payments of premiums are due in advance of coverage period. Example: if the due date is 2/10/2023, then the coverage period is 3/1/2023 to 3/31/2023
- The County will offer a group healthcare suffix for retirees of which the retiree will be responsible for the full premium amount.

### **8.7 Dental Insurance**

All regular full-time employees who have completed 30 days of employment at Alpena County are eligible for the County dental plan. Dental plan benefits are described in detail on the Employee Navigator.

### **8.8 Vision Care Insurance**

All regular full-time employees who have completed 30 days of employment at Alpena County are eligible for the County vision care plan. Vision care plan benefits are described in detail on the Employee Navigator

### **8.9 Life Insurance**

Alpena County provides life insurance to all regular full-time employees who have completed 30 days of employment with the County. You will be required to notify the benefits administrator of your intended beneficiary.

**All full-time hourly and part time hourly employees and County Commissioners shall be eligible for term life insurance policy coverage as follows:**

Accidental Death and Dismemberment \$20,000

Group Term Life Insurance \$20,000

**All full-time salaried employees shall be eligible for term life insurance policy coverage as follows:**

Accidental Death and Dismemberment \$40,000  
Group Term Life Insurance \$40,000

The specific terms and conditions governing the term life insurance coverage are set forth in detail in the master policy or policies issued by the carrier or carriers. The County pays the required monthly premium for eligible employees.

**8.10 Accidental Death and Dismemberment**

All employees classified by the County as regular full-time employees currently become eligible for accidental death and dismemberment insurance on the first day of the month following 30 days of full-time employment. The premium cost will be provided to you separately. You also can contact the Human Resources Department to obtain the current premium schedule.

**8.11 Workers' Compensation Insurance**

Workers' compensation is a no-fault system designed to provide benefits to all employees for work-related injuries. Workers' compensation insurance coverage is paid for by employers and governed by state law. The workers' compensation system provides for coverage of medical treatment and expenses, occupational disability leave, and rehabilitation services, as well as payment for lost wages due to work related injuries. If you are injured on the job while working at Alpena County, no matter how slightly, you are to report the incident immediately to your Department Head. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim for benefits.

Any leave of absence due to a workplace injury runs concurrently with all other County leaves of absence. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

To receive workers' compensation benefits, notify your Department Head immediately of your claim. If your injury is the result of an on-the-job accident, you must fill out an accident report. You will be required to submit a medical release before you can return to work.

The County does not provide workers compensation benefits, or accept any liability, for any illness or injury that arises from an employee's voluntary participation in any off-duty recreational, social, or athletic activity or event that is not an expected or required as part of the employee's work-related duties. Employees who choose to participate in any such off duty activities may be required to sign a written agreement to confirm that they are voluntarily assuming the risk of injury or illness and releasing the County from any such liability.

**9.0 Safety and Loss Prevention**

**9.1 Business Closure and Emergencies**

Alpena County recognizes that inclement weather and other emergencies may affect your ability to get to work. In such situations, your safety is paramount.

***County Buildings Closure***

Examples of emergencies when the County may close include, but are not limited to, power outage, blizzard conditions, etc.

***Notification***

In an emergency, the County will make every effort to notify you of the closing by phone/email/website/etc. These notification efforts assume that you have access to electricity and internet and/or phone service.

When the County is unable to notify you of the closure, use common sense to assess the safety and practicality of the situation. In a regional power outage, for example, the County is likely to have no power. If there is reported flash flooding in your area, report to work only if you can make it safely.

### **Partial-Day Closure**

If an emergency event such as inclement weather or a power outage occurs, the County may decide to close mid-day. When the County closes mid-day, you will be instructed to leave immediately so that the conditions do not further deteriorate and affect your ability to travel safely.

If you are exempt and are working at home with prior permission, or at the office on the day of the partial day closure, you will be paid your normal salary for the week. If you are nonexempt, you will be paid for ~~the hours you worked~~ your regular scheduled hours, unless state law dictates otherwise.

### **Notified of Closure Prior to Reporting to Work**

If you are nonexempt and are notified of a closure prior to reporting to work, you will not be paid during the closure, unless state law dictates otherwise. If you are exempt, you will be paid your normal salary for the week.

### **Benefits Coverage**

Your health insurance coverage will be maintained by the County during the closure on the same basis as if you were still working.

### **Extending Leave**

When the County closure ends, you are expected to report to work. Contact your Department Head if you cannot return to work at the end of the closure. The County recognizes that you may need additional time off to repair extensive home damage or for other emergency situations. These will be assessed on a case-by-case basis.

### **If You Cannot Get to Work**

Unique circumstances may affect your ability to come to work even when the County is able to remain open. The County recognizes that in a severe national or regional disaster, all methods of communication may be unavailable; however, you should continue to try and contact your Department Head, by any method possible.

Time missed under circumstances where the County remains open and you are unable to report to work is to be used as vacation time, personal time, or is unpaid.

## **9.2 Drug and Alcohol Policy**

### **Purpose of Guideline**

It is the intent of the County to maintain a workplace that is free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. Employees who are under the influence of a drug or alcohol on the job compromise the County interests and endanger their own health and safety and the health and safety of others. Substance abuse in the workplace can also cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for co-workers, behavior that disrupts other employees, and inferior quality in products or service.

To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its business, property, equipment, and operations, the County has established this Guideline concerning the use of alcohol and drugs. As a condition of continued employment with the Count, each employee must abide by this Guideline.

### **Definitions**

For purposes of this Guideline:

- "Illegal drugs or other controlled substances" means *any* drug or substance that (a) is not legally obtainable; or (b) is legally obtainable but has not been legally obtained; or (c) has been legally obtained but is being sold or distributed unlawfully.
- "Legal drug" means any drug, including any prescription drug or over-the-counter drug, that has been legally obtained and that is not unlawfully sold or distributed.
- "Abuse of any legal drug" means the use of any legal drug (a) for any purpose other than the purpose for which it was prescribed or manufactured; or (b) in a quantity, frequency, or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.
- "Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; information provided to management by an employee, by law enforcement officials, by a security service, or by other persons believed to be reliable; or a suspicion that is based on other surrounding circumstances.

- "Possession" means that an employee has the substance on their person or otherwise under their control.

### **Drug Testing**

Alpena County reserves the right, within the limits of federal and state laws, to examine and test for the presence of drugs and/or alcohol and employees may be asked to submit to a medical examination and/or submit to urine, saliva, breath, blood and/or hair testing for drugs and/or alcohol. The types of testing performed by the County include, but are not limited to, the following.

#### **Pre-Employment/Pre-Placement**

The County will make all offers of employment subject to the result(s) of a drug test. Applicants will be required to voluntarily submit to urinalysis testing and sign a consent agreement that will release the County from liability. Pre-employment physicals and drug screenings must be done prior to the employees first day of employment.

#### **Random Testing**

Employees of the County who are employed in safety sensitive positions and employees or citizens could be placed in jeopardy by an employee's use of drugs or alcohol. For the safety and health of the County employees and the individuals with whom they serve, employees are subject to random, unannounced drug and/or alcohol tests. The rate of random selection for drugs and alcohol will be a percentage of the annual average employee base. Every employee has an equal chance of being chosen every time a random selection is made.

#### **Reasonable Cause**

Employees will be asked to submit to a drug and/or alcohol test if reasonable cause exists to suggest that the employee's health or ability to perform expected job duties is impaired. Reasonable cause will exist when an employee's appearance, behavior, speech, or body odors indicate drug and/or alcohol use.

#### **Post Accident**

Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

#### **Return to Duty**

An employee who has tested positive and has been removed from their job duties must submit to and furnish a negative drug and/or alcohol test result prior to returning to their job duties.

#### **Follow Up**

An employee who has been removed voluntarily or otherwise from their job duties due to drug and/or alcohol abuse will be subject to random, unannounced drug and/or alcohol tests. The testing can continue up to sixty (60) months from the return-to-work date

If an employee is tested for drugs or alcohol and the results indicate a violation of County policy, or if an employee refuses a request to submit to testing under this policy, the employee will be subject to appropriate disciplinary action, up to and including discharge from employment.

#### **Procedures for Testing**

- 1) Testing will be performed by a doctor of the County's choice and/or the Emergency Room doctor. Tests test results are the property of the County, but employees have the right, upon request, to see the results of their own test(s).
- 2) Right to Privacy. All drug and alcohol test results are reported to the HR Department who will report them to the County Administrator/Personnel Chair for appropriate follow-up. Test results are considered confidential, and results will only be disclosed within the County on a need-to-know basis and will be retained in a secure location with controlled access. The release of an individual's drug and alcohol test results will only be provided in accordance with an individual's written authorization or as otherwise required by applicable federal or state law. However, the results may be disclosed to the decision maker in a lawsuit, grievance, or other proceeding initiated by, or on behalf of, the employee.

### **Disciplinary Action**

#### **Discharge for Violation of Guideline**

A first violation of this Guideline will result in immediate discharge whenever the prohibited conduct:



- 1) Caused injury to the employee or any other person, or, in the sole opinion of management, endangered the safety of the employee or any other person;
- 2) Resulted in significant damage to County property or equipment, or, in the sole opinion of management, posed a risk of significant damage;
- 3) Involved the sale or manufacture of illegal drugs or other controlled substances;
- 4) Involved the possession, distribution, or dispensation of illegal drugs or other controlled substances or alcohol in a quantity greater than for personal use;
- 5) Involved an employee who had not completed the introductory period or was a casual, seasonal, or temporary employee; or
- 6) Involved the failure of an employee to report a criminal conviction, as required by below policy.

#### **Discretion Not to Discharge**

In circumstances other than those described above, the County, in the discretion of management, may choose not to discharge an employee for a first violation of this Guideline if the employee satisfactorily participates in and completes an approved drug or alcohol abuse 'assistance' or rehabilitation program when recommended by the County or the employee contacts the Employee Assistance Department within two working days after being referred there by management and follows the recommendations made by the Employee Assistance Department, including satisfactory participation in and completion of an approved drug or alcohol abuse, assistance, or rehabilitation program.

#### **Effect of Criminal Conviction**

An employee who is convicted under a criminal drug statute for a violation occurring in the workplace or during any County-related activity or event will be deemed to have violated this Guideline.

#### **Written Warning**

An employee who is not discharged for a first violation of this Guideline will receive a final written warning and immediate suspension without pay for a period up to 10 calendar days.

#### **Effect of Second Violation**

A second violation of this Guideline at any time will result in immediate discharge.

#### **Effect of Discharge on Eligibility for Rehire**

Employees who are discharged for a violation of this Guideline will not be eligible for rehire by the County.

#### **Confidentiality**

Disclosures made by employees to the Human Resources Manager concerning their use of legal drugs will be treated confidentially and will not be revealed to managers or supervisors unless there is an important work-related reason to do so in order to determine whether it is advisable for the employee to continue working. Disclosures made by employees to the Human Resources Manager concerning their participation in any drug or alcohol rehabilitation program will be treated confidentially.

#### **Counseling/Employee Assistance**

Employees who suspect they may have alcohol or drug problems, even in the early stages, are encouraged voluntarily to seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. Employees who wish to voluntarily enter and participate in an approved alcohol or drug rehabilitation program are encouraged to contact the Human Resources Manager, who will determine whether the County can accommodate the employee by providing unpaid leave for the time necessary to complete participation in the program. Employees should be aware that participation in a rehabilitation program will not necessarily shield them from disciplinary action for a violation of this Guideline, particularly if discipline is imposed for a violation occurring before the employee seeks assistance.

#### **Substance Abuse Amnesty Program**

Substance abuse is defined as the taking of alcohol or other drugs at dosages that place the individual's social, economic, psychological, and physical welfare in potential hazard or to the extent that an individual loses the power of self-control as a result of the use of alcohol or drugs, or while habitually under the influence of alcohol or drugs, endangers public health, morals, safety, or welfare, or combination thereof. MCLA 333.6107(3). The County recognizes that many chemical dependencies are the result of abuse of legal, socially accepted substances, such as alcohol, over-the-counter drugs, or prescribed medications. Under County rules and regulations, employees reporting for work under the influence of alcohol or drugs such that their job performance is impaired or endangers the well-being of other employees and/or residents or who use or possess alcohol or drugs while at work are subject to discipline, up to and including discharge. Some of these employees may have substance abuse problems. The County must operate in a

drug-free and alcohol-free environment. The County's policy is to deal with substance abuse problems through rehabilitation and counseling of those County employees who voluntarily come forward to acknowledge their personal problem, disclose their activities involving substance abuse and request assistance, rather than to impose disciplinary action. In order to accomplish this goal, the Alpena County Substance Abuse Amnesty Program is created under the following terms and conditions:

- a) In lieu of disciplinary action, employees voluntarily acknowledging a substance abuse problem not involving use of illegal drugs will be permitted to participate in the Amnesty Program. Employees acknowledging a substance abuse problem involving use of illegal drugs may be permitted to participate in the Amnesty Program in the discretion of the County.
- b) This Amnesty Program will be available only upon an initial determination of substance abuse and will not be available in instances where an employee suffers a chemical dependency relapse after participating in the Amnesty Program. A chemical dependency relapse is a return to substance abuse by an individual previously identified as chemically dependent.
- c) The Amnesty Program is not available to employees involved in the selling or distribution of illegal drugs. Employees eligible to participate in the Amnesty Program will be required to enter into a return-to-work contract containing a treatment/ rehabilitation program. Employees required to participate in an inpatient treatment program will be eligible to utilize accrued sick leave and vacation pay during such treatment programs but will not otherwise be eligible for payment of wages. Continued fringe benefit eligibility is covered under the provisions of County policy.
- d) The County will not automatically report chemical dependency situations to law enforcement agencies but will review each situation on a case-by-case basis.
- e) A violation of the return-to-work contract by an employee subjects that employee to termination of the employment relationship with the County. In the event an employee's employment is terminated, any appeal to the grievance procedure shall be limited solely to the question of whether the employee breached the terms of this contract, and the disciplinary penalty assessed shall not be subject to review.

### **Prohibited Conduct**

The prohibitions of this section apply whenever the interests of the County may be adversely affected, including any time an employee is:

- 1) On County premises;
- 2) Conducting or performing County business, regardless of location;
- 3) Operating or responsible for the operation, custody, or care of County equipment or other property;  
or
- 4) Responsible for the safety of others in connection with, or while performing, County-related business.

When applicable, protected concerted activity covered by the NLRA or the particular collective bargaining agreement is *not* prohibited by this policy. This policy in no way prohibits employee communications that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the NLRA, which includes the right of employees to speak with others about their terms and conditions of employment. To the extent that any provision of this handbook purports to prohibit conduct that is or is later determined to be otherwise protected under Section 7 of the NLRA, such conflicting provisions will be void.

### **Alcohol**

The following acts are prohibited and will subject an employee to discharge:

- 1) The unauthorized use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol; or
- 2) Being under the influence of alcohol from unauthorized consumption.

### **Illegal Drugs**

The following acts are prohibited and will subject an employee to discharge:

- 1) The use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug or other controlled substance; or
- 2) Being under the influence of any illegal drug or other controlled substance.

Despite many states' recent legalization of medical and/or recreational marijuana, the County's zero tolerance policy prohibits any employee from having marijuana in their system while working and also prohibits any employee from possessing marijuana while on County property.

### **Legal Drugs**

The following acts are prohibited and will subject an employee to discharge:

- 1) The abuse of any legal drug;
- 2) The purchase, sale, manufacture, distribution, transportation, dispensation, or possession of any legal prescription drug in a manner inconsistent with law; or
- 3) Working while impaired by the use of a legal drug whenever such impairment might:
  - a. Endanger the safety of the employee or some other person;
  - b. Pose a risk of significant damage to County property or equipment; or
  - c. Substantially interfere with the employee's job performance or the efficient operation of The County's business or equipment.

### **Employer-Sponsored Events**

From time to time, the County may sponsor social or business-related events where alcohol may be served. This policy does not prohibit the use or consumption of alcohol at these events. However, if you choose to consume alcohol at such events, you must do so responsibly and maintain your obligation to always conduct yourself properly and professionally.

### **Violations**

Violation of this policy may result in disciplinary action, up to and including termination of employment.

## **9.3 General Safety**

It is the responsibility of all Alpena County employees to maintain a healthy and safe work environment, report any health or safety hazards, and follow the County health and safety rules. Failure to do so may result in disciplinary action, up to and including termination of employment. The County also requires that all occupational illnesses or injuries be reported to your Department Head as soon as reasonably possible and that an occupational illness or injury form be completed on each reported incident.

## **9.4 Infectious Disease Control Policy**

The County will ensure a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, break rooms, conference rooms, door handles and railings. A committee will be designated to monitor and coordinate events around an infectious disease outbreak, as well as to create work rules that could be implemented to promote safety through infection control.

We ask all employees to cooperate in taking steps to reduce the transmission of infectious disease in the workplace. The best strategy remains the most obvious—frequent hand washing with warm, soapy water; covering your mouth whenever you sneeze or cough; and discarding used tissues in wastebaskets. We will also install alcohol-based hand sanitizers throughout the workplace and in common areas.

Unless otherwise notified, our normal attendance and leave policies will remain in place. Individuals who believe they may face particular challenges reporting to work during an infectious disease outbreak should take steps to develop any necessary contingency plans. For example, employees might want to arrange for alternative sources of child care should schools close and/or speak with supervisors about the potential to work from home temporarily or on an alternative work schedule.

### **Staying Home When Ill**

Many times, with the best of intentions, employees report to work even though they feel ill. We provide certain time off benefits to compensate employees who are unable to work due to illness. Information on time off benefits can be found in the time off policies in this handbook.

During an infectious disease outbreak, it is critical that employees do not report to work while they are ill and/or experiencing the following symptoms: Examples include fever, cough, sore throat, runny or stuffy nose, body aches, headache, chills and fatigue. Currently, the Centers for Disease Control and Prevention recommends that people with an infectious illness such as the flu remain at home until at least 24 hours after they are free of fever (100 degrees F or 37.8 degrees C) or signs of a fever without the use of fever-reducing medications. Employees who report to work ill will be sent home in accordance with these health guidelines.

### ***Requests for Medical Information and/or Documentation***

If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your health care provider. In general, we would request medical information to confirm your need to be absent, to show whether and how an absence relates to the infection, and to know that it is appropriate for you to return to work. As always, we expect and appreciate your cooperation if and when medical information is sought.

### ***Confidentiality of Medical Information***

Our policy is to treat any medical information as a confidential medical record. In furtherance of this policy, any disclosure of medical information is in limited circumstances with supervisors, managers, first aid and safety personnel, and government officials as required by law.

### ***Social Distancing Guidelines for Workplace Infectious Disease Outbreaks***

In the event of an infectious disease outbreak, the County may implement these social distancing guidelines to minimize the spread of the disease among the staff.

#### **During the workday**

Employees are requested to:

- 1) Avoid meeting people face-to-face. Employees are encouraged to use the telephone, online conferencing, e-mail or instant messaging to conduct business as much as possible, even when participants are in the same building.
- 2) If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least one yard from each other if possible; avoid person-to-person contact such as shaking hands.
- 3) Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops and training sessions.
- 4) Do not congregate in work rooms, pantries, copier rooms or other areas where people socialize.
- 5) Bring lunch and eat at your desk or away from others (avoid lunchrooms and crowded restaurants).
- 6) Encourage members and others to request information and orders via phone and e-mail in order to minimize person-to-person contact. Have the orders, materials and information ready for fast pick-up or delivery.

#### **Outside activities**

Employees might be encouraged to the extent possible to:

- 1) Avoid public transportation (walk, cycle, drive a car) or go early or late to avoid rush-hour crowding on public transportation.
- 2) Avoid recreational or other leisure classes, meetings, activities, etc., where employees might come into contact with contagious people.

## **9.5 Workplace Violence**

### ***Policy Against Workplace Violence***

As the safety and security of our employees, vendors, contractors, and the general public is in the best interests of Alpena County, we are committed to working with our employees to provide a work environment free from violence, intimidation, and other disruptive behavior. Moreover, the County seeks to prevent workplace violence before it begins and reserves the right to address certain behaviors, even in the absence of violent behavior.

The County believes that prevention of workplace violence begins with recognition and awareness of potential early warning signs and has established procedures within Human Resources for responding to any situation that presents the possibility of violence.

### ***Zero Tolerance Policy***

The County has a zero-tolerance policy regarding workplace violence and will not tolerate acts or threats of violence, harassment, intimidation, and other disruptive behavior, either physical or verbal, that occurs in the workplace or other areas. This applies to management, co-workers, employees, and non-employees such as contractors, customers, and visitors. Workplace violence can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm, damage to property, or any intentional behavior that may cause a person to feel threatened.

### ***Workplace Violence Defined***

Workplace violence includes, but is not limited to, the following:

- 1) Threats of any kind;

- 2) Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others;
- 3) Other behavior that suggests a propensity towards violence, which can include belligerent speech, excessive arguing or swearing, sabotage, or threats of sabotage of County property, or a demonstrated pattern of refusal to follow County policies and procedures;
- 4) Defacing County property or causing physical damage to the facilities; or
- 5) With the exception of security personnel, bringing weapons or firearms of any kind on County premises, in County parking lots, or while conducting County business.

### ***Reporting Incidents of Violence***

Report to your Department Head, in accordance with this policy, any behavior that compromises our ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. You are expected to cooperate in any investigation of workplace violence. Violating this policy may subject you to criminal charges as well as discipline up to and including immediate termination of employment. Victims and witnesses of workplace violence will not be retaliated against in any manner. In addition, you will not be subject to discipline for, based on a reasonable belief, reporting a threat or for cooperating in an investigation. If you initiate, participate, are involved in retaliation, or obstruct an investigation into conduct prohibited by this policy, you will be subject to discipline up to and including termination.

As the safety and security of our employees, vendors, contractors, and the general public is in the best interests of Alpena County, we are committed to working with our employees to provide a work environment free from violence, intimidation, and other disruptive behavior.

### ***Investigation***

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the County will inform the reporting individual of the results of the investigation. To the extent possible, the County will maintain the confidentiality of the reporting employee and of the investigation. The County may, however, need to disclose results in appropriate circumstances, for example, in order to protect individual safety. The County will not tolerate retaliation against any employee who reports workplace violence.

### ***Corrective Action and Discipline***

If the County determines that workplace violence in violation of this policy has occurred, the County will take appropriate corrective action and will impose discipline on offending employees. The appropriate discipline will depend on the particular facts but may include written or oral warnings, probation, reassignment of responsibilities, suspension, or termination. If the violent behavior is that of a non-employee, the County will take appropriate corrective action in an attempt to ensure that such behavior is not repeated.

Under certain circumstances, the County may forego disciplinary action on the condition that the employee takes a medical leave of absence. In addition, the County may request that the employee participate in counseling, either voluntarily or as a condition of continued employment.

### ***Retaliation***

Victims and witnesses of workplace violence will not be retaliated against in any manner. In addition, you will not be subject to discipline for, based on a reasonable belief, reporting a threat or for cooperating in an investigation.

If you initiate, participate, are involved in retaliation, or obstruct an investigation into conduct prohibited by this policy, you will be subject to discipline up to and including termination.

If you believe you have been wrongfully retaliated against, immediately report the matter to the Human Resource Department.

### ***National Labor Relations Act Activity***

When applicable, protected concerted activity covered by the NLRA or the particular collective bargaining agreement is *not* prohibited by this policy. This policy in no way prohibits employee communications that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the NLRA, which includes the right of employees to speak with others about their terms and conditions of employment. To the extent that any provision of this handbook purports to

prohibit conduct that is or is later determined to be otherwise protected under Section 7 of the NLRA, such conflicting provisions will be void.

### **9.6 Workplace Smoking**

Alpena County is concerned about the effect that vaping, e-cigarettes, smoking, and secondhand smoke inhalation can have on its employees and clients. Vaping, E-cigarettes, and Smoking in the office, client areas, restrooms and County owned vehicles is prohibited.

## **Closing Statement**

Thank you for reading our handbook. We hope it has provided you with an understanding of our mission, history, and structure as well as our current policies and guidelines. We look forward to working with you to create a successful County and a safe, productive, and pleasant workplace.

Board of Commissioners, County Administrator

Alpena County

## ACKNOWLEDGMENT OF RECEIPT OF HANDBOOK

PLEASE READ THE EMPLOYEE HANDBOOK AND FILL OUT AND RETURN THIS PORTION TO THE HUMAN RESOURCES DEPARTMENT [or if delivered via an electronic format: CLICK ON THE BOX AS INDICATED, TYPE YOUR NAME AND DATE, AS APPLICABLE, AND HIT "ENTER"] WITHIN ONE WEEK PRIOR TO YOUR FIRST DAY OF EMPLOYMENT.

Employee Name: \_\_\_\_\_

I acknowledge that I have received a copy of the County's Employee Handbook. I understand that I am responsible for reading the Handbook and for knowing and complying with the policies set forth in the Handbook during my employment with the County.

I further understand, however, that the guidelines contained in the Handbook are guidelines only and are not intended to create any contractual rights or obligations, express or implied, and shall not be construed to create any type of right to a "fair procedure" prior to termination or other disciplinary action. I also understand that, except for the County's at-will employment policy, the County may amend, interpret, modify, or withdraw any of the provisions of the Handbook at any time in its sole discretion, with or without notice. Furthermore, I understand that, because the County cannot anticipate every issue that may arise during my employment, if I have any questions regarding any of the County's guidelines or procedures, I should consult the County's Human Resources Department.

I understand and agree that my relationship with the County is "at-will," which means that my employment is for no definite period and may be terminated by me or by the County at any time and for any reason, with or without cause or advance notice. I also understand that the County may demote or discipline me or otherwise alter the terms of my employment at any time at its sole discretion, with or without cause or advance notice.

I understand and agree that the terms of this Acknowledgment may not be modified or superseded except by a written agreement signed by the County Administrator/Board of Commissioners, that no other employee or representative of the County has the authority to enter into any such agreement, and that any agreement to employ me for any specified period of time or that is otherwise inconsistent with the terms of this Acknowledgment will be unenforceable unless in writing and signed by the County Administrator/Board of Commissioners. I further understand and agree that if the terms of this Acknowledgment are inconsistent with any guideline or practice of the County now or in the future, the terms of this Acknowledgment shall control.

Finally, I understand and agree that this Acknowledgment contains a full and complete statement of the agreements and understandings that it recites, that no one has made any promises or commitments to me contrary to the foregoing, and that this Acknowledgment supersedes all previous agreements, whether written or oral, express or implied, relating to the subjects covered in this Acknowledgment.

I have carefully read this Acknowledgement of Receipt.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_