



# St. Joseph CITY OF

## Personnel Policy Manual

*Revised 12/10/18*

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# **SJC Personnel Policy Manual**

Welcome to the City of St. Joseph!

We believe that every employee helps to make the City of St. Joseph (City) successful. We hope that you will be proud to be a member of our team.

This handbook describes many of our policies. The handbook also outlines many of the programs and benefits available to eligible employees.

The handbook will answer many questions you may have about your employment at the City. We suggest that you become familiar about the handbook as soon as possible.

We hope that your experience here will be challenging, enjoyable and rewarding. Again, welcome!

Sincerely,

John M. Hodgson, City Manager

# SJC Personnel Policy Manual

## INTRODUCTORY STATEMENT

This employee handbook will give you important information about working at the City. The policies in the handbook explain many of the benefits of working here. The handbook also explains what we expect of you and tells about many of our rules.

However, this employee handbook cannot cover every situation or answer every question about policies and benefits at the City. Also, sometimes we may need to change the handbook. The City has the right to add new policies, change policies, or cancel policies at any time. The only policy we will never change or cancel is our employment-at-will policy. The employment-at-will policy allows you or the City to terminate your employment at any time for any reason. The employment-at-will policy is further described in the policy titled Nature of Employment. If we make changes to the handbook, we will tell you about the changes.

These rules shall apply to all employees in City service, except as may be specifically modified or otherwise governed by City Commission approved contracts, collective bargaining agreements and memoranda of agreement, the City Charter and City Ordinances, which take precedence over these rules and policies in case of conflict. Where no conflict exists, the provisions of this handbook will apply.

Many specific benefit provisions included in this handbook are geared toward employees who do not belong to collective bargaining units. Inclusion of these benefits in this handbook does not create a right to such benefits in bargaining unit employees unless specifically included in the appropriate Union contracts.

# SJC Personnel Policy Manual

## EMPLOYEE ACKNOWLEDGEMENT FORM

The employee handbook describes important information about the City. I understand that I should consult the Personnel Office if I have any questions that are not answered in the handbook.

I became an employee at the City voluntarily. I understand and acknowledge that there is no specified length to my employment at the City and that my employment is at will. I understand and acknowledge that "at will" means that I may terminate my employment at any time, with or without cause or advance notice. I also understand and acknowledge that "at will" means that the City may terminate my employment at any time, with or without cause or advance notice, as long as they do not violate federal or state laws.

I understand and acknowledge that there may be changes to the information, policies, and benefits in the handbook. The only exception is that the City will not change or cancel its employment-at-will policy. I understand that the City may add new policies to the handbook as well as replace, change, or cancel existing policies. I understand that I will be told about any handbook changes and I understand that handbook changes may only be authorized by the City Manager or the St. Joseph City Commission.

I understand and acknowledge that this handbook is not a contract of employment or a legal document.

I have received the handbook and I understand that it is my responsibility to read and follow the policies contained in this handbook and any changes made to it.

EMPLOYEE'S NAME (printed): \_\_\_\_\_

EMPLOYEE'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

# SJC Personnel Policy Manual

## **100 Nature of Employment**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

You became an employee of the City voluntarily and your employment is at will. "At will" means that you are free to resign at any time, with or without cause. Likewise, "at will" means that the City may terminate your employment at any time, with or without cause or advance notice, as long as we do not violate any applicable federal or state law.

The policies in this handbook are not intended to create a contract. The policies should not be construed to constitute contractual obligations of any kind or a contract of employment between the City and any employee. The provisions in the handbook have been developed at the discretion of management and, except for the policy of employment-at-will, may be amended or cancelled at any time, at the sole discretion of the City.

These provisions replace all other existing policies and practices and may not be changed or added to without the express written approval of the City Manager.

# **SJC Personnel Policy Manual**

## **101 Employee Relations**

Effective Date: 05/07/2012

Revision Date:

We believe that the work conditions, wages, and benefits we offer to the City employees are competitive with those offered by other employers in this area and in this industry. If you have concerns about work conditions or compensation, we strongly encourage you to express these concerns openly and directly to your supervisor.

Our experience has shown that when employees deal openly and directly with management, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the City fully demonstrates its commitment to employees by responding effectively to employee concerns.

As some employees at the City have already chosen third party representation, we affirm our commitment to retaining positive relationships with all existing bargaining units.

# **SJC Personnel Policy Manual**

## **102 Equal Employment Opportunity**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

To give equal employment and advancement opportunities to all people, we make employment decisions at the City based on each person's performance, qualifications, and abilities. The City does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, age, height, weight, marital status, disability, or any other characteristic protected by law.

We will make reasonable accommodations for qualified individuals with known disabilities unless making the reasonable accommodation would result in an undue hardship to the City.

Our Equal Employment Opportunity policy covers all employment practices, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

If you have a question about any type of discrimination at work, talk with your immediate supervisor or the Personnel Office. You will not be punished for asking questions about this. Also, if we find out that anyone was illegally discriminating, that person will be subject to disciplinary action, up to and including termination of employment.

# **SJC Personnel Policy Manual**

## **103 Immigration Law Compliance**

Effective Date: 05/07/2012

Revision Date:

The City is committed to employing only people who are United States citizens or who are aliens legally authorized to work in the United States. We do not illegally discriminate because of a person's citizenship or national origin.

Because we comply with the Immigration Reform and Control Act of 1986, every new employee at the City is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility.

If you leave the City and are rehired, you must complete another Form I-9 if the previous I-9 with the City is more than three years old, or if the original I-9 is not accurate anymore, or if we no longer have the original I-9.

If you have questions or want information on the immigration laws, contact the Personnel Office. If you ask questions or want to complain about the immigration law, you will not be punished in any way.

# SJC Personnel Policy Manual

## **104 Employee Medical Examinations**

Effective Date: 05/07/2012

Revision Date:

The City may require that some employees have a medical examination. The exam is to help make sure you can perform your duties.

After we make a job offer to an applicant for certain types of jobs, we may require a medical examination. Such job offer is contingent upon satisfactory completion of a medical examination to ensure that you are able to perform job duties. We will choose the health professional and pay for the examination.

Sometimes we may require current employees to take medical examinations to make sure they are fit for work. If we ask you to take an exam, we will schedule it for a reasonable time and frequency and we will pay for it.

In addition, under State and Federal law, employees who possess certain licenses or occupy positions of supervising such employees may be subject to special medical requirements, including random tests for drug or alcohol use. Your supervisor will inform you if you occupy such a position.

We keep any medical information separate from your other personnel information to protect your privacy. Also, only people who have a legitimate business need to know may see medical information.

# SJC Personnel Policy Manual

## **105 Disability Accommodations**

Effective Date: 05/07/2012

Revision Date:

The City is committed to complying fully with the Americans with Disabilities Act (ADA) and the Persons with Disabilities Civil Rights Act (PDCRA). We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities. We conduct all our employment practices and activities on a non-discriminatory basis.

Our hiring procedures have been reviewed and they provide meaningful employment opportunities for persons with disabilities. We only make pre-employment inquiries regarding an applicant's ability to perform the duties of the job.

We require post-offer medical examinations only for jobs that have bona fide job-related physical requirements. An examination will be given to any person who enters the job but only after that person has been given a conditional job offer. We keep medical records separate from other personnel files and confidential.

Reasonable accommodation is available to an employee with a disability when the disability affects the performance of job functions. We make our employment decisions based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. We make all types of leaves of absence available to all employees on an equal basis.

The City is also committed to not discriminating against any qualified employee or applicant because the person is related to or associated with a person with a disability. The City will follow any state or local law that gives more protection to a person with a disability than the ADA gives.

The City is committed to taking all other actions that are necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA, the PDCRA, and any other applicable federal, state, and local laws.

# SJC Personnel Policy Manual

## **106 Conflicts of Interest**

Effective Date: 05/07/2012

Revision Date:

The City has guidelines to avoid real or potential conflicts of interest. It is your duty as an employee of the City to follow the following guidelines about conflicts of interest. If this is not clear to you or if you have questions about conflicts of interest, contact the City Manager.

What is a conflict of interest? An actual or potential conflict of interest is when you are in a position to influence a decision or have business dealings on behalf of the City that might result in a personal gain for you or for one of your relatives. For conflicts of interest, a relative is any person who is related to you by blood or marriage, or whose relationship with you is similar to being a relative even though they are not related by blood or marriage.

We do not automatically assume that there is a conflict of interest if you have a relationship with another company. However, if you have any influence on transactions involving purchases, contracts, or leases, you must tell an officer of the City as soon as possible. By telling us that there is the possibility of an actual or potential conflict of interest, we can set up safeguards to protect everyone involved.

The possibility for personal gain is not limited to situations where you or your relative has a significant ownership in a firm with which the City does business. Personal gains can also result from situations where you or your relative receives a kickback, bribe, substantial gift, or special consideration as a result of a transaction or business dealing involving the City.

# SJC Personnel Policy Manual

## 107 Hiring of Relatives

Effective Date: 05/07/2012

Revision Date: 12/10/2018

When relatives or persons involved in a dating relationship work in the same area of an organization, it may cause problems at work. In addition to claims of favoritism and morale issues, personal conflicts from outside can sometimes carry over to work.

For this policy, we define a relative as any person who is related to you by blood or marriage, or whose relationship with you is similar to that of a relative. We define a dating relationship as a relationship that might reasonably be expected to lead to a consensual "romantic" or sexual relationship.

Our policy is that an employee may not directly work for a relative or supervise a relative. We also do not allow a person in a dating relationship to work for the other person in that relationship or to supervise the other person. The City also reserves the right to take quick action if an actual or potential conflict of interest arises involving relatives or persons involved in a dating relationship who are in positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If two employees become relatives, or start a dating relationship and one of them supervises the other, the one who is the supervisor is required to tell management about the relationship. We will then ask the two employees to decide which one of them is to be transferred to another available position. If they do not make that decision within 30 calendar days, the City will decide which one will be transferred or, if necessary, terminated from employment.

There may also be situations when there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct reporting relationship or authority involved. In that case, we may separate the employees by reassignment or termination of employment.

In addition, the City Charter prohibits relatives by blood or marriage of any Commissioner or the City Manager, within the second degree of consanguinity or affinity, from holding any appointive office or any employment during the term for which said Commissioner was elected, or during the tenure of office of the City Manager, except by unanimous vote of the Commission.

# SJC Personnel Policy Manual

## **108 Outside Employment**

Effective Date: 05/07/2012

Revision Date:

You may hold an outside job as long as you can satisfactorily perform your City job and the job does not interfere with our scheduling demands.

We hold all employees to the same performance standards and scheduling expectations regardless if they have other jobs. In order to remain employed at the City, we will ask you to terminate an outside job if we determine that it is impacting your performance or your ability to meet our requirements, which may change over time.

You may not have an outside job that is a conflict of interest with the City. Also, you may not get paid or get anything in return from a person outside the City in exchange for something you produce or a service you provide as part of your the City job.

Outside employment will present a conflict of interest if it has an adverse impact on the City.

# SJC Personnel Policy Manual

## **109 Hiring / Promotions**

Effective Date: 05/07/2012

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Posting of jobs gives you the opportunity to show your interest in open jobs and to advance within the organization according to your skills and experience. In general, we post all regular, full-time job openings, although the City reserves its right to not post a particular opening.

Job openings will be posted on the public notice bulletin board (outside the Clerk's Office) and normally remain open for 5 days. Each job posting notice will include the dates of the posting period, job title, department, location, grade level, job summary, essential duties, and qualifications (required skills and abilities).

To be eligible to apply for a posted job, you must have performed competently for at least 90 calendar days in your current position. You are not eligible to apply for a posted job if you have a written warning on file within the past six months, or are on probation or suspension. You may only apply for posted jobs for which you possess the required skills, competencies, and qualifications.

To apply for an open position, submit a job posting application to the Personnel Office. List your job-related skills and accomplishments on the application. Also tell how your education and your work experience here or elsewhere makes you qualified for the new job.

We encourage you to talk with your supervisor about your career plans. We also encourage supervisors to support your efforts to gain experience and advance within the City.

After you apply for a job, your supervisor may be contacted for information about your performance, skills, and attendance. Any staffing limitations or other circumstances that might affect a possible transfer may also be discussed.

Job posting is a way to inform you of open jobs. It is also a way for the hiring manager to find out about qualified and interested applicants. In addition to posting, the City may use other recruiting sources to fill open jobs. The City is not required to fill open jobs internally.

# **SJC Personnel Policy Manual**

## **110 Employment Applications**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

We rely on the accuracy of the information you put on your employment application. We also expect that you and your references give accurate and true information during the hiring process and employment. If we find that any information is misleading, false, or was left out on purpose, we may reject an applicant from further consideration. If the person was already hired, it could result in termination of employment.

# SJC Personnel Policy Manual

## **111 Employment Background Reference Checks**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

To ensure that individuals who join the City are well qualified and have a strong potential to be productive and successful, it is the policy of the City to conduct pre-employment background checks on all applicants considered for employment. Background checks may include verification of any information on the applicant's resume or application form, a driving record check, a criminal background check, and in certain positions, a credit report.

All offers of employment are conditional, based on a successful background check. All background checks are conducted in compliance with the law, including the Federal Fair Credit Reporting Act, the Elliott-Larsen Civil Rights Act, the Americans with Disabilities Act, the Persons with Disabilities Civil Rights Act, and stated and federal privacy and anti-discrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

The Personnel Office will respond to all reference check inquiries from other employers. Responses to such inquiries will be limited to factual information that can be substantiated by the City's records or as otherwise required by law.

# SJC Personnel Policy Manual

## **112 Introductory Periods**

Effective Date: 05/07/2012

Revision Date:

The City has an introductory period for new employees. During the introductory period, we will evaluate your work habits and abilities to make sure that you can perform your job satisfactorily. The introductory period also gives you time to decide if the new job meets your expectations.

Your employment with the City is voluntary and at will; you may terminate your employment at any time during or after the introductory period, with or without cause or advance notice. Likewise, the City also may terminate your employment at any time during or after the introductory period, with or without cause or advance notice.

The introductory period for all new and rehired employees is the first 90 calendar days after their hire date. If you are promoted or transferred within the City, you will be asked to complete a secondary introductory period of the same length when you start the new position.

If you are absent for a significant amount of time during your introductory period, the length of the absence will automatically extend the introductory period. We may also extend the introductory period if we decide it was not long enough to evaluate your performance. This could happen either during or at the end of the introductory period.

If you go through a secondary introductory period because of a promotion or transfer, and it appears that you are not performing satisfactorily in the new job, you may be removed from the new job. If this happens, you may be allowed to return to your former job or to a comparable job for which you are qualified. This will depend on our business needs and whether a comparable job is available.

When employees satisfactorily complete the first introductory period, they are assigned to the "regular" employment classification.

Your employment status will not change if you go through a secondary introductory period due to a promotion or transfer within the City.

# SJC Personnel Policy Manual

## 113 Employment Categories

Effective Date: 05/07/2012

Revision Date: 12/10/2018

Revision Date: 03/25/2019

It is important that you understand the definitions of the employment classifications at the City and know your classification. The reason is because your employment classification helps determine your employment status and what benefits you are eligible for. If you have questions or are not sure what your employment classification is, see your supervisor.

These employment classifications do not guarantee employment with the City for any specific period of time. You became an employee at the City voluntarily and your employment is at will. "At will" means that you may terminate your employment at any time, with or without cause or advance notice. Likewise, "at will" means that the City may terminate your employment at any time, with or without cause or advance notice, as long as we do not violate federal or state laws.

Depending on your job, you are either NON-EXEMPT or EXEMPT from federal and state wage and hour laws. As a NON-EXEMPT employee, you are entitled to overtime pay under the specific provisions of federal and state laws. An EXEMPT employee is excluded from specific provisions of federal and state wage and hour laws. Your EXEMPT or NON-EXEMPT classification may be changed only with written notification by the City Manager.

In addition to being a Non-exempt or Exempt employee, you also belong to one of the following employment categories:

**REGULAR FULL-TIME** employees are employees who are not in a temporary or introductory status AND who are regularly scheduled to work the full-time schedule of forty hours (40) per week at the City. In most cases, regular full-time employees are eligible for all SJC benefit programs, subject to the terms, conditions, and limitations of each benefit program.

**REGULAR PART-TIME** employees are employees who are not in a temporary or introductory status AND who are regularly scheduled to work less than the full-time forty hour (40) weekly work schedule but more than twenty (20) hours per week. Regular part-time employees who work a regular schedule averaging at least 20 hours per week are eligible for some City benefit programs on a prorated basis, subject to the terms, conditions, and limitations of each benefit program; regular part-time employees who work a schedule averaging at least 30 hours per week per month, on average, for at least 120 days or as otherwise provided under the Affordable Care Act or other federal or state laws, are also eligible for health care benefits.

**INTRODUCTORY** employees are those employees whose performance is being evaluated to determine whether further employment in a specific position or with the City is appropriate. When you satisfactorily complete the introductory period, you will be told about your new employment classification.

**TEMPORARY/SEASONAL** employees are those who were hired as an interim replacement, or to temporarily increase our workforce, or to help finish a specific project. Employees are in the temporary category for a limited time. Even if you work at the City longer than the original time

# **SJC Personnel Policy Manual**

period that we agreed to when you were first hired, you will stay a temporary employee until you are officially notified that you have been assigned to a different category. Temporary employees receive all legally mandated benefits, such as Social Security and workers' compensation insurance, and in some cases paid medical leave or health insurance. Temporary employees are not eligible for other City benefit programs.

# **SJC Personnel Policy Manual**

## **201 Work Schedules**

Effective Date: 05/07/2012

Revision Date:

There are different work schedules at the City. Your supervisor will tell about your work schedule.

Our staffing needs and work demands may require that we change the starting and ending times of work schedules. We may also need to change the number of work hours that are scheduled each day and week.

# **SJC Personnel Policy Manual**

## **202 Rest and Meal Periods**

Effective Date: 05/07/2012

Revision Date:

All full-time employees will have one hour meal period each workday. Your supervisor will schedule your meal period to accommodate operating requirements. During meal periods, you are not subject to any work responsibilities or restrictions. You will not be paid for meal period time.

# **SJC Personnel Policy Manual**

## **203 Personnel Data Changes**

Effective Date: 05/07/2012

Revision Date:

It is important that the City have certain personal information about you in our records. You must tell us as soon as there is a change to your mailing address, telephone numbers, marital status, dependents' information, educational accomplishments, and other possibly related information. We also need to have information about who to contact in case of an emergency.

If you wish to change your personal information or if you have questions about what information is required, contact the Personnel Office.

# SJC Personnel Policy Manual

## 205 Timekeeping

Effective Date: 05/07/2012

Revision Date:

Both **Exempt and Non-exempt** employees are responsible for accurately recording the hours they work. The law requires the City to keep accurate records of "time worked" in order to correctly calculate employee pay and benefits. "Time worked" means all the time that employees spend performing their assigned work.

If you are a **non-exempt** employee, you must accurately record the time you start and stop work, when you start and end any meal periods or split shifts, and when you leave the workplace for personal reasons. Before you work any overtime, you must always get advance approval.

Falsifying time records is a serious matter. You may not change time after it is already recorded, enter a false time on purpose, tamper with time records, or record other employees' time for them. If you do any of these actions, you may be subject to disciplinary action, up to and including termination.

If you are a **non-exempt** employee, you should not start working more than 15 minutes before your scheduled start time. You should also not continue working more than 15 minutes after your schedule end time. You can only start earlier or work later when your supervisor approves it in advance.

**Exempt** employees are expected to work the number of hours required to complete their job duties; they are responsible for accurately recording their leave time.

All employees must sign their time records to say they are accurate. Each supervisor will review and initial the time record before submitting it for payroll processing. In addition, if corrections or changes are made to the time record, both you and your supervisor must initial the changes on the time record.

# SJC Personnel Policy Manual

## **206 Overtime**

Effective Date: 05/07/2012

Revision Date:

There may be times when the City cannot meet its operating requirements or other needs during regular working hours. If this happens, we may give employees the opportunity to work overtime.

It is our policy that no overtime can be worked without the prior approval and authorization of the supervisor. We try to distribute overtime assignments fairly among all employees who are qualified to perform the required work.

Non-exempt employees will receive overtime pay in accordance with the federal and state wage and hour laws. Overtime pay is based on the actual hours worked or fully paid time off during a regular work week. Time off for unpaid leaves of absence is not counted as hours worked when calculating overtime pay.

An employee who is called in to work overtime at a time that is not immediately before or immediately after a regularly scheduled shift will receive overtime pay for a minimum of two hours.

Employees may take Compensatory Time in place of overtime pay for overtime work.

# SJC Personnel Policy Manual

## **207 Compensatory Time**

Effective Date: 05/07/2012

Revision Date:

In general, it is the City's policy that non-exempt employees may take compensatory time off--or "comp time"-- for work performed in excess of a normal shift or workweek, at the rate of one-and-one-half hours of compensatory time banked for each hour of work in excess of a normal shift or workweek.

Compensatory time earned or taken must be noted on the employee's time card. Employees may not carry more than forty hours of banked compensatory time at any time; excess hours worked will be paid as overtime.

Earned compensatory time may be used with the prior approval of the employee's supervisor.

# **SJC Personnel Policy Manual**

## **208 Paydays**

Effective Date: 05/07/2012

Revision Date:

All employees are paid biweekly on every other Friday. Each paycheck includes pay for all work performed through the end of the previous payroll period (Friday).

If a payday falls on a weekend or holiday, you will be paid on the last work day before that payday.

If you are on vacation on payday, you will get your paycheck on payday through direct deposit or when you return.

The City has a direct deposit program. Direct deposit means that we will deposit your pay directly into your bank account if you authorize it. On paydays, instead of a check, you will get a statement explaining how much you were paid including all of the related details.

# SJC Personnel Policy Manual

## **209 Pay Deductions and Setoffs**

Effective Date: 05/07/2012

Revision Date:

Laws require the City to take deductions from your pay. Deductions are money taken from your pay for certain things such as federal, state, and local taxes. In most cases, the law also requires us to deduct Social Security taxes from your pay. We must deduct up to a certain amount called the Social Security "wage base." We also contribute to your Social Security. We pay the same amount of Social Security tax to the government as we deduct from your pay. It should be noted that some police and fire personnel are not required to participate in Social Security.

In addition to those programs required by law, the City also offers some additional programs and benefits to eligible employees. You may ask us to deduct money from your pay to cover your payment for these programs.

We may have to take a "pay setoff" from your paycheck. Pay setoffs mean that the City must deduct money from your paycheck to pay off a debt you owe to us or someone else.

If you want to know why money was deducted from your paycheck or how your pay is calculated, see the Personnel Office.

# **SJC Personnel Policy Manual**

## **210 Pay Advances**

Effective Date: 05/07/2012

Revision Date:

The City does not give pay advances on unearned wages to employees.

# **SJC Personnel Policy Manual**

## **211 Administrative Pay Corrections**

Effective Date: 05/07/2012

Revision Date:

The City tries to make sure that you are paid correctly and on scheduled paydays. In case you find a mistake in your pay, you are responsible to report the error to the Personnel Office immediately so that the inaccuracy can be corrected as quickly as possible. Failure to report an inaccuracy may result in disciplinary action.

# SJC Personnel Policy Manual

## **212 Emergency Closings**

Effective Date: 05/07/2012

Revision Date:

There may be times when emergencies, such as severe weather, fires, power failures, or earthquakes, disrupt normal business operations at the City. We may even have to close a work facility. If we decide to close during nonworking hours, we will ask local radio and/or television stations to announce that we will be closed.

When we are officially closed due to emergency conditions, you will be paid for the time off.

If an emergency closing is not authorized and you do not report for work, you will not be paid for the time off. You may request to use any available vacation or compensatory time.

There may also be some times when we ask employees in essential operations to work on a day when we are officially closed due to an emergency. If we ask you to work on a day when we are officially closed, we will pay you your regular pay.

# SJC Personnel Policy Manual

## **213 Job Descriptions**

Effective Date: 05/07/2012

Revision Date:

We try to have accurate job descriptions for all jobs at the City. A job description includes the following sections: job information; job summary (gives a general overview of the job's purpose); essential duties and responsibilities; supervisory responsibilities; qualifications (includes education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required); physical demands; and work environment.

We use the job descriptions to help new employees understand their jobs and their responsibilities. We also use job descriptions to identify the requirements of a job, set up the hiring criteria, set standards for employee performance evaluations, and establish a basis for making reasonable accommodations for individuals with disabilities.

The Personnel Office and the hiring manager prepare a job description when a new job is created. We review existing job descriptions and change them when a job changes. You can help by making sure that your job description is accurate and describes your job duties.

Your job description does not necessarily cover every task or duty that you might be assigned. You may be assigned additional responsibilities as necessary. If you have questions or concerns about your job description, contact the Personnel Office.

# SJC Personnel Policy Manual

## **214 Access to Personnel Files**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City keeps personnel files on all employees. The personnel files include the job applications and related hiring documents, training records, performance documentation, salary history, and other employment records.

Personnel files are the property of the City. Because personnel files contain confidential information, the only people who can see them are people with a legitimate business reason. Certain non-confidential portions of personnel files may be subject to public disclosure under the Freedom of Information Act or other legal processes.

If you wish to review your own file, contact the Personnel Office. You will need to give advance notice if you wish to see your file. You may review your file only when a representative of the City is also present.

# SJC Personnel Policy Manual

## **215 Performance Evaluations**

Effective Date: 05/07/2012

Revision Date:

We encourage you and your supervisor to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are done at the end of your introductory period for any new job. The introductory period is a time for you and your supervisor to talk about your job responsibilities and the performance requirements of the new job. In addition, you and your supervisor will have formal performance evaluations to discuss your work and goals, to identify and correct weaknesses, and to encourage and recognize your strengths.

Performance evaluations are usually done every 12 months around the end of the fiscal year.

# SJC Personnel Policy Manual

## **216 Medical Information Privacy**

Effective Date: 05/07/2012

Revision Date:

This policy describes how health information about you may be used and disclosed and how you can get access to this information. If you have any questions, ask your supervisor or the Personnel Office.

The City is committed to keeping our employees' personal information private. This policy of privacy applies to our health plans that are covered by state or federal law, for example health benefit plans, dental plans, employee assistance plans, and pharmacy benefit programs. We will refer to all of these plans in this policy as the Benefit Plans.

The Benefit Plans are required by federal and state law to protect the privacy of your health information and other personal information, and to provide you with notice about our policies and protections. When the Benefit Plans use or disclose your protected health information, the Benefit Plans promise to respect the privacy of that information.

The Benefit Plans will not use your protected health information or disclose it to others without your permission, except for the following reasons:

- \* Treatment
- \* Payment
- \* Health Care Operations
- \* Disclosure to Employer or Operating Company
- \* Disclosure to Health Care Vendors and Accreditation Organizations
- \* Public Health Activities
- \* Health Oversight Activities
- \* Research
- \* To Comply with the Law
- \* Judicial and Administrative Proceedings
- \* When required by Law Enforcement Officials
- \* Health or Safety
- \* Government Functions
- \* Workers' Compensation

The Benefit Plans may also disclose your protected health information when necessary to file claims with other insurance carriers.

The Benefit Plans will not use or disclose your protected health information for any purpose other than the purposes described in this policy without your written consent. You may take back an authorization that you gave before by sending a written request to the Personnel Office, but not about any actions the Benefit Plans have already taken.

The Benefit Plans may disclose protected health information about you to a relative, a friend or any other person you identify, provided the information is directly relevant to that person's involvement with your health care or payment for your care. For example, if a family member or a

# SJC Personnel Policy Manual

caregiver calls us with knowledge of your protected health information, we may confirm it or answer questions about it. You have the right to stop or limit this type of disclosure by contacting the Personnel Office.

You have the right to additional restrictions on who can see your protected health information. While the Benefit Plans will consider all requests for restrictions carefully, they are not required to agree to a requested restriction.

You have the right to confidential communications about your protected health information. While the Benefit Plans will consider reasonable requests carefully, the Benefit Plans are not required to agree to all requests.

You have the right to make corrections to your protected health information. If your doctor or another person created the information that you want to change, you should ask that person to change the information.

You have the right to know who your protected health information is disclosed to. If you request an accounting more than once during any 12-month period, the Benefit Plans will charge you a reasonable fee for each accounting statement after the first one.

You have the right to a paper copy of this policy. You may contact the Personnel Office to obtain a paper copy of this policy, even if you agreed to receive this policy electronically.

If you want to make any of the requests listed above, you must contact the Personnel Office.

If you want more information about your privacy rights, do not understand your privacy rights, are concerned that the Benefit Plans have not respected your privacy rights, or disagree with a decision that the Plans made about who can see your protected health information, you may contact the Personnel Office. You may also file written complaints with the Secretary of the U.S. Department of Health and Human Services. We will not take any action against you if you file a complaint with the Secretary of Health and Human Services or the Personnel Office.

Finally, the Benefit Plans may change this policy at any time. If the policy is changed, the Benefit Plans may make the new policy effective for all of your protected health information that the Benefit Plans maintain, including any information created or received before the new policy. If the Benefit Plans change this policy, you will be notified of the change.

# **SJC Personnel Policy Manual**

## **217 Life-Threatening Illnesses in the Workplace**

Effective Date: 05/07/2012

Revision Date:

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal lives, including work, to the degree that they can. The City wants to help these employees to work as long as they continue meeting acceptable performance standards.

Medical information on any employee is confidential. The City will take reasonable precautions to protect medical information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing medical information is subject to disciplinary action, up to and including termination of employment.

# SJC Personnel Policy Manual

## 218 Social Security Number Policies

Effective Date: 05/07/2012

Revision Date:

The City will take all necessary steps to ensure compliance with the provisions of the Michigan Social Security Number Privacy Act. To protect your personal information, the City will not use your Social Security number to identify you. That means we will not:

- \* Publicly post or publicly display your Social Security number.
- \* Print your Social Security number on any card you need to access our products or services.
- \* Require you to send your Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted.
- \* Require you to use your Social Security number to access an Internet web site, unless a password or unique personal identification number or another authentication device is also required to access the Internet web site.
- \* Print your Social Security number on any materials that are mailed to you, unless state or federal law requires the Social Security number to be on the document that is mailed.

However, Social Security numbers may be included in job applications and forms sent by mail.

If the City used your Social Security number in the past in a way that this policy now prohibits, we will continue using your Social Security number in that way, if:

- \* The use of the Social Security number is ongoing continuous, and in the ordinary course of business. If the use is stopped for any reason, this exemption no longer applies and conditions listed above will apply instead.
- \* You get a yearly memo that tells you that you have the right to stop the use of your Social Security number in a way that is prohibited by this policy.

A written request by you to stop the use of your Social Security number in a prohibited way will be taken care of within 30 days of our receiving the request. You will not be charged for stopping the use of your Social Security number. The City will not deny you services because you make a written request to stop the use of your Social Security number.

The City will continue to collect, use, or release Social Security numbers as required by state or federal law, and may use Social Security numbers for our own identification or authorization purposes.

If you have questions about this policy or feel your Social Security number has been misused by the City, contact the Personnel Office.

# SJC Personnel Policy Manual

## **300 Employee Benefits**

Effective Date: 05/07/2012

Revision Date: 08/12/2024

The City gives eligible employees many benefits. Some benefits are required by law and cover all employees. The legally required benefits include Social Security, workers' compensation, state disability, and unemployment insurance.

There are several factors that decide if you are eligible for a benefit. One important factor is your employment classification. See your supervisor to find out which benefit programs you are eligible for.

This employee handbook contains policies describing many of the benefit programs. Sometimes a policy will tell you that there is more information in another place such as the Summary Plan Document.

The following benefit programs are available to eligible employees:

- \* Bereavement Leave
- \* Certification Pay
- \* Clothing and Equipment Reimbursement
- \* Deferred Compensation Plan
- \* Dental Insurance
- \* Educational Assistance
- \* Employee Assistance Program
- \* Family and Medical Leaves
- \* Health Insurance
- \* Holidays
- \* Jury Duty Leave
- \* Life Insurance
- \* Military Leave
- \* On-call Pay
- \* Retirement Plan
- \* Sick Leave Benefits
- \* Social Security / Medicare
- \* Supplemental Life Insurance
- \* Travel Allowances
- \* Vacation Benefits
- \* Vision Care Insurance
- \* Voting Time Off
- \* Witness Duty Leave

You may have to pay part or all of the cost for some benefits, but the City fully pays for many of them.

# SJC Personnel Policy Manual

## **301 Bereavement Leave**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City provides bereavement leave to employees who need to take time off because an immediate family member died. To ask for bereavement leave, see your supervisor.

Employees in the following employment classifications are eligible for up to three (3) days of bereavement leave with pay:

\* Regular full-time employees

\*Regular part-time employees

While you are on a paid bereavement leave, you will get your base pay rate (pro-rated for regular part-time employees) but you will not get any special forms of pay, such as incentives, commissions, bonuses, or shift differentials.

We normally will give you bereavement leave unless there are business reasons that require you be at work. With your supervisor's approval, you can use any available paid leave benefits you have, such as vacation, if you need more time off.

For bereavement leave, "immediate family" means your spouse; parent or step-parent; child or step-child; grandchild or step-grandchild; sibling or step-sibling; grandparent or step-grandparent; spouse's parent or step-parent; spouse's grandparent or step-grandparent; child's spouse; brother-in-law or sister-in-law; or other unspecified relative living in the employee's household.

# SJC Personnel Policy Manual

## **302 Deferred Compensation Savings (457-Plan)**

Effective Date: 05/07/2012

Revision Date: 09/22/2025

The City offers an IRC Section 457 savings plan (“457-plan”) to help eligible employees save for the future and their retirement years. This is a deferred savings plan that allows you to save pre-tax earnings in an account, reducing your annual income taxes while postponing the taxes due until the money is withdrawn during retirement.

In other words, the 457-plan contribution is taken from your pay before the federal and state taxes are calculated for your paycheck. That means that you will pay lower taxes now while you are contributing to the 457-plan account. You will pay taxes on the money in your 457-plan account when you withdraw it, but at that time, it is possible that you will pay taxes at a lower rate.

All employees are eligible to participate in our 457-plan. subject to all the terms and conditions of the plan. Participation is optional.

You choose how much salary you wish to contribute to the 457-plan. You will also choose how your plan account is invested. You are responsible for monitoring your annual 457-plan contributions and ensuring they are within the allowable limits established by the Internal Revenue Service. While your 457-plan contributions will be listed on your pay records, the City is not responsible for ensuring that your annual contributions are within the allowable limits established by the Internal Revenue Service.

There are more details about our 457-plan in the Summary Plan Description. If you have questions about the 457-plan, contact the Personnel Office for more information.

# SJC Personnel Policy Manual

## **303 Roth Retirement Savings**

Effective Date: 09/22/2025

Revision Date:

The City offers a Roth retirement savings plan to help eligible employees save for the future and their retirement years. The Roth contribution is taken from your pay after federal and state taxes are calculated. This means you pay taxes now on your contributions, but qualified withdrawals from your Roth account in the future will be tax-free, provided you meet IRS requirements (such as the 5-year rule and age 59½).

All employees are eligible to participate in our Roth savings plan, subject to all the terms and conditions of the plan. Participation is optional.

You choose how much salary you wish to contribute to the Roth plan. You will also choose how your plan account is invested. You are responsible for monitoring your annual Roth contributions and ensuring they are within the allowable limits established by the Internal Revenue Service. While your Roth contributions will be listed on your pay records, the City is not responsible for ensuring that your annual contributions are within the allowable limits established by the Internal Revenue Service.

There are more details about our Roth savings plan in the Summary Plan Description. If you have questions about the Roth plan, contact the Personnel Office for more information.

# **SJC Personnel Policy Manual**

## **304 Employee Assistance Program**

Effective Date: 05/07/2012

Revision Date:

The City provides an Employee Assistance Program for City employees through a qualified provider. Confidential counseling and referrals to City employees who require assistance with work related problems or those having a direct impact on your work performance are provided. The City does not receive information on which employees take advantage of the service, or on the matters discussed.

Counseling and referrals are free of cost to the employee. Any other counseling or service which an employee undertakes through the contracted provider is covered under the medical provisions of the health insurance policy.

For further information, contact the Personnel Office.

# SJC Personnel Policy Manual

## 305 Family and Medical Leave

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City provides unpaid family leaves of absence to eligible employees in compliance with the Family and Medical Leave Act ("FMLA), who need to take time off from work duties to meet family obligations that are directly related to childbirth, adoption, or placement of a foster child. Family leave may also be requested to care for a child, spouse, or parent with a serious health condition, a serious health condition that makes the employee unable to perform one or more of the essential functions of the job, or a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" or to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

Employees in the following employment classifications are eligible to request family leave:

- \* Regular full-time employees
- \* Regular part-time employees

Eligible employees may request family leave only after they have completed 365 calendar days of service. If you think you will need a family leave, give your request to your supervisor at least 30 days in advance of the date the leave would start. This will help us plan for your possible absence. If it is an unexpected situation, make your request as soon as possible.

You may be required to provide medical certification supporting the need for a leave due to a serious health condition affecting you or an immediate family member, verifying the need for a family leave, the start and expected end dates, and the estimated time required.

An eligible employee may request up to a maximum of 12 workweeks of family leave within any 12-month period. The 12-week maximum applies to any combination of both family leave and medical leave during any 12-month period. If this initial period of leave is not enough, we will consider your written request for one extension of no more than 30 calendar days.

Or for military care leave, an eligible employee may request up to a maximum of 26 workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin.

If your spouse is also employed by the City, as a couple you may be restricted to a combined total of 12 weeks leave within any 12-month period for childbirth, adoption or placement of a foster child, or to care for a parent with a serious health condition.

Subject to the terms, conditions, and limitations of the applicable plans, the City will provide health insurance benefits you will be responsible for your normal share of health insurance premiums during such time. In some instances, the City may recover premiums it paid to maintain the health coverage for an employee who fails to return to work from FMLA leave.

# SJC Personnel Policy Manual

Your benefits, such as vacation, sick leave, or holiday benefits, will not accrue during unpaid family leave. When you return from leave, the benefits will start accruing again.

Please give us at least two weeks advance notice before you plan to return. When you return from family leave, you will go back to the same job if it is still available. If that job is no longer available, we will place you in an equivalent job that you are qualified for. If you do not come back to work promptly at the end of a family leave, we will assume that you have resigned.

You are encouraged to contact the Personnel Office if you need or desire additional information.

# SJC Personnel Policy Manual

## **306 Flexible Spending Accounts (FSA)**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City provides a Flexible Spending Account (FSA) program to eligible employees who enroll in the program. We will take money from your pay before taxes are calculated. We put the money in your FSA. You can then use the money in your FSA to pay for health care expenses that are not paid by health insurance or dependent care expenses during the plan year. Because we take the FSA contributions from your pay before taxes, there is less tax taken out.

Employees in the following employment classifications are eligible to participate in the Flexible Spending Account program:

- \* Regular full-time employees
- \* Regular part-time employees

It is up to you if you want to participate in the FSA. You must re-enroll each plan year. You decide how much you want to contribute to the FSA by figuring out how much you might need to pay next year for health and dependent care expenses that are covered by the FSA. The maximum amount you may contribute each year is set by Federal law and changes from time to time. You can only contribute to the FSA by having the money taken directly out of your pay before taxes. If you do not use all the money in your FSA by the end of the plan year, you will lose that money so you do not want to contribute more than you expect you will need.

There are more details about our Flexible Spending Account program in the Summary Plan Description. If you have questions about the Flexible Spending Account program, contact the Personnel Office for more information. The Personnel Office can also give you a worksheet to help you decide how much you should put in the FSA and examples of how you can use your FSA money.

# SJC Personnel Policy Manual

## **307 Health Insurance**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

Our health insurance plan offers medical, dental, and vision care benefits to eligible employees and their dependents; this complete coverage is our health care plan. Employees in the following employment classifications are eligible to enroll in the health care plan:

- \* Regular full-time employees
- \* Other employees entitled to health insurance under the Affordable Care Act or other applicable federal or state law

The eligible employees can enroll in the health care plan subject to the terms and conditions of the agreement between the City and its insurance carrier. The City will contribute up to 80% of the total cost of your health care benefit; the employee will contribute the remaining 20%.

If you are enrolled in the health care plan and change to an employment classification that would make you no longer eligible, you may be able to continue your health care benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA). See 603-Benefits Continuation (COBRA) Policy in this handbook for more information.

If you have questions about our health care coverage or your contribution to the plan, contact the Personnel Office.

Employees may voluntarily opt out of the City's health care plan. Non-union employees will be paid \$80 per pay period for opting out of single coverage, \$90 per pay period for opting out of two-person coverage, or \$100 per pay period for opting out of family coverage. An employee must opt-out of the complete health care plan and provide proof of alternate health care insurance to take advantage of this program.

An employee who has opted out of the health care plan may re-enter the program, but the reentry may be subject to rules set by the insurance company. An employee who is interested in opting out of the health care plan should contact the Personnel Department to discuss the current insurance company rules. The opt-out reimbursement does not apply to an employee who is the spouse or a dependent of another City employee; the City will provide a single insurance policy for the family.

Employees eligible for the City's Section 125 Flexible Spending Plan may elect to pay any employee's portion of the health care insurance premium from "pre-tax" dollars under the Section 125 Plan.

Employees who are members on collective bargaining agreement should refer to their current union contract for insurance information.

# SJC Personnel Policy Manual

## 308 Holidays

Effective Date: 05/07/2012

Revision Date: 02/04/2016

Revision Date: 12/10/2018

Revision Date: 03/25/2019

The City gives time off to all employees on the following holidays:

- \* New Year's Day (January 1)
- \* Martin Luther King, Jr. Day (third Monday in January)
- \* Presidents' Day (third Monday in February)
- \* Good Friday (Friday before Easter)
- \* Memorial Day (last Monday in May)
- \* Independence Day (July 4)
- \* Labor Day (first Monday in September)
- \* Thanksgiving (fourth Thursday in November)
- \* Day after Thanksgiving
- \* Christmas Eve (December 24)
- \* Christmas (December 25)
- \* New Year's Eve (December 31)

Eligible employees will be paid for holiday time off. If you are eligible, your holiday pay will be calculated at your straight-time pay rate as of that holiday multiplied by the number of hours you would normally have worked that day.

Employees in the following employment classifications are eligible for holiday time off with pay immediately (pro-rated for part-time employees):

\* Regular full-time employees

\*Regular part-time employees

If a recognized holiday falls on a Saturday, the City will typically observe it on the Friday before the holiday. If a recognized holiday falls on a Sunday, the City will typically observe it on the Monday after the holiday.

If you are eligible for paid holidays and on the holiday you are on a paid absence, such as vacation or sick leave, you will get holiday pay instead of the paid time off pay you would have received.

If eligible non-exempt employees work on a recognized holiday, they will receive holiday pay plus their wages at their overtime rate for the hours they worked on the holiday.

An eligible employee who is not scheduled to work on the holiday will instead receive compensatory time equal to the time they work on a regular work day, to be used at another time.

We will count holiday paid time off as hours worked when calculating overtime.

# SJC Personnel Policy Manual

## **309 Jury Duty**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City encourages you to fulfill your civic responsibilities by serving jury duty if you get a summons. Employees with 90 calendar days of service in an eligible classification may request paid jury duty.

Employees shall turn in to the Clerk's Office any money received from the court for jury duty during their term of service on the jury, except for mileage, and shall continue to receive their regular base pay (pro-rated for part-time employees) from the City.

Employees in the following classifications are eligible for paid jury duty leave:

\* Regular full-time employees

\*Regular part-time employees

If you get a jury duty summons, show it to your supervisor as soon as possible. This will help us plan for your possible absence from work. We expect you to come to work whenever the court schedule permits.

Either you or the City may ask the court to excuse you from jury duty if necessary. We may ask that you be relieved from going on jury duty if we think that your absence would cause serious operational problems for the City.

Subject to the terms, conditions, and limitations of the applicable plans, the City will continue to provide health insurance benefits for the full period of jury duty leave.

Your vacation, sick leave, and holiday benefits will continue to accrue during jury duty leave.

# SJC Personnel Policy Manual

## **310 Life Insurance**

Effective Date: 05/07/2012

Revision Date:

The City offers a basic life insurance plan for eligible employees. Eligible employees may also purchase additional supplemental life insurance for themselves. Eligible employees may also purchase life insurance for their dependents.

The basic life insurance plan includes Accidental Death and Dismemberment (AD&D) insurance. AD&D provides benefits in case an accident causes a serious injury or death.

Employees in the following employment classifications are eligible to enroll in the life insurance plan:

- \* Regular full-time employees

The eligible employees may participate in the life insurance plan subject to the terms and conditions of the agreement between the City and its insurance carrier.

There are more details about our basic life insurance plan in the Summary Plan Description. If you have questions about our life insurance plan, contact the Personnel Office for more information.

# SJC Personnel Policy Manual

## **311 Longevity Pay**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

Each regular full-time employee who is employed who was hired prior to February 2, 2010 and who is employed on December 1 of each year, and who has completed twelve months of continuous service, will receive a lump-sum longevity payment on the following basis:

- \$100 per year of service for each full year to a maximum of 20 years

An employee, who leaves the employ of the City for any reason (including retirement) prior to December 1, will not be entitled to a longevity payment for that year; longevity will not be prorated.

# SJC Personnel Policy Manual

## **313 Military Leave**

Effective Date: 05/07/2012

Revision Date:

The City will grant a military leave of absence if you are absent from work because you are serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). You must give your supervisor advance notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable.

You will receive partial pay if you are on military leave. In order to process your payroll, you are required to submit copies of your Military Leave and Earnings Statement, regularly. We will pay you the difference between your normal base pay and the pay you received per your Leave and Earning Statements (excluding expense pay) with our next regular bi-weekly payroll.

Continuation of health insurance benefits is available, as required by USERRA, based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which you are otherwise eligible. Health Care benefits will not be provided by the City for the full term of an extended military leave, unless required by state or federal law, except that if the employee chooses to continue health insurance under COBRA, the City will make its normal contribution to health insurance toward the first month's premium under COBRA, to help ensure that there is not a gap in coverage. Full benefits will remain in effect for military leaves used to attend short, two – week active duty training assignments.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

If you are on military leave for up to 30 days, you must return to work on the first regularly scheduled work period after your service ends (allowing for reasonable travel time). If you are on military leave for more than 30 days, you must apply for reinstatement in accordance with USERRA and applicable state laws.

When you return from military leave (depending on the length of your military service in accordance with USERRA), you will be placed either in the position you would have attained if you had stayed continuously employed or in a comparable position. For the purpose of determining benefits that are based on length of service, you will be treated as if you had been continuously employed.

If you have questions about military leave, contact the Personnel Office for more information.

# SJC Personnel Policy Manual

## 315 Retirement Plan

Effective Date: 02/27/12

Revision Date:

All regular (non-temporary) full-time employees must enroll in the City's self-administered retirement system. The plan is funded by City and employee contributions. General non-union employees contribute 4% of wages, which is deducted from their bi-weekly payroll.

General non-union employees may retire at age 60 with 10 years of service, or at any age with 30 years of service. An employee may take a deferred retirement at any age with 10 years of service, payable at age 60.

The pension ordinance provides for pensions in several other circumstances, such as disability, or death in service. Employees should review the City's pension ordinance for details; the pension ordinance is available from the Personnel Office.

Employees retiring prior to April 1, 2012 may elect to continue the City's health care plan for themselves, their spouse and certain dependents until the retiree becomes eligible for Medicare benefits or age 65, whichever comes first. In this case, the City will pay one-half the cost of the total health care premium until the retiree's 65<sup>th</sup> birthday. Once the retiree reaches the age of 65, he and his/her dependents will no longer be eligible for health care benefits through the City's health care plan, except as provided under COBRA.

Employees who retire on or after April 1, 2012 shall not be eligible to participate in the City's health care program after retirement, except as provided under COBRA.

Upon separation (non-retirement), an employee can apply to have his contributions to the pension fund refunded. Employees should learn about the tax implications of removing money from a pension plan when considering this option.

# SJC Personnel Policy Manual

## 316 Sick Leave Benefits

Effective Date: 05/07/2012

Revision Date: 12/10/2018

Revision Date: 03/25/2019

Revision Date: 02/21/2025

The City provides paid sick leave benefits to regular full-time employees and part-time employees who are temporarily absent due to illness, injury, or health condition, as well as purposes related to domestic violence and sexual assault in compliance with, the Michigan Earned Sick Time Act (“ESTA”), Public Act 338 of 2018, as amended, being MCL 480.961 et seq Leave for these purposes is collectively referred to as “sick leave.” Volunteers, unpaid trainees or interns, and others exempted under ESTA are not eligible for paid sick leave.

If you are eligible, you will receive sick leave benefits at the rate of 1 hour for every 30 hours worked per calendar year. For purposes of earned sick time accrual, an employee who is exempt from overtime requirements under section 13(a)(1) of the Fair Labor Standards Act, 29 USC 213(a)(1), is assumed to work 40 hours in each workweek unless the employee’s normal work week is less than 40 hours, in which case earned sick time accrues based upon that normal workweek. For regular full-time employees, sick leave benefits will accrue as described or at a rate of 8 hours per month, whichever is more.

If you are a regular full-time or part-time employee, you can request to use paid sick leave 90 days after starting employment. If you are a seasonal full or part-time employee, you can request to use paid sick leave 120 days after starting employment. You may not take sick leave in increments of less than one hour.

Sick leave benefits may be used for an absence due to the following:

- Your or your family member’s
  - mental or physical illness, injury, or health condition;
  - medical care, diagnosis, or treatment of a mental or physical illness, injury, or health condition;
  - preventative medical care;
  - medical, psychological, counseling, or other care services if you or your family member is a victim of domestic abuse or sexual assault.
- Meetings at a child’s school or place of care if related to the child’s health or disability, or the effects of domestic violence or sexual assault on the child.
- Order of work closure due to a public health emergency or for your need to care for a child whose school or place of care has been closed to public health emergency, or quarantine orders as further described under ESTA.

Family member is defined as:

- A person to whom the employee is legally married or a domestic partner;
- A biological, adopted, or foster child, stepchild, or legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis;

# SJC Personnel Policy Manual

- A biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child;
- A grandchild or step-grandchild;
- A biological, foster or adopted sibling or a stepsibling;
- A grandparent or step-grandparent;
- A spouse's or domestic partner's parent or stepparent;
- A spouse's or domestic partner's grandparent or step-grandparent;
- A child's spouse or domestic partner;
- Any other individual related by blood to the employee;
- An individual whose close association with the employee is the equivalent of a family relationship.

If you need to use earned sick time, and the leave is foreseeable, you must notify your supervisor at least 7 days before the date the sick leave is to begin. If the need to use earned sick time is not foreseeable, you must notify your supervisor of the date the sick leave is to begin as soon as practicable and before the scheduled start of your workday, if possible. Your supervisor must also be contacted on each additional day of absence.

If you take more than 3 consecutive days of earned sick time, the City may require documentation that the earned sick time has been used for an allowable purpose and that you may safely return to work.

Your sick leave benefits will be calculated based on your base pay rate at the time of your absence. Sick leave benefits do not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

You may take accrued sick leave without a restricted time limit; however, if you are on sick leave for an extended absence because of an illness or injury, you must also apply for any other available compensation and benefits, such as workers' compensation. Your sick leave benefits will be used to supplement any payments that you are eligible for from disability insurance or workers' compensation. The combination of these disability payments and your sick leave may not be more than your normal weekly pay.

Unused sick leave benefits will be allowed to accumulate indefinitely.

Sick leave benefits are meant to provide income protection for qualifying absences; they may not be used for any other absence. You will not be paid for unused sick leave benefits while you are employed or upon termination of your employment; except that upon retirement, you will receive pay for up to 960 hours of your unused sick time. This payment will be paid at one-half your normal base rate at the time of retirement.

Employees covered under a collective bargaining agreement in effect on the date this policy is amended shall continue to receive the sick leave benefits provided in the collective bargaining agreement.

# SJC Personnel Policy Manual

## **317 Social Security / Medicare**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

All City employees except Public Safety employees with the rank of public safety officer, fire fighter or higher, are enrolled in the Social Security/Medicare system as required by Federal law. Employee contributions to the Social Security/Medicare system are deducted from each payroll check.

Public Safety employees with the rank of public safety officer, fire fighter or higher, are exempt from Social Security. Such public safety employees who entered City employment before April 1986 are also exempt from the Medicare portion of the social security contribution; all other such employees will have Medicare contributions deducted from each payroll check as required by law.

# SJC Personnel Policy Manual

## **318 Time Off to Vote**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City encourages employees who are citizens to vote in elections. If it is impossible for you to vote before work or after work, or by absentee ballot, we will give you up to 1 hour paid time off to vote during working hours.

If you need time off to vote, see your supervisor for the time off at least two days before the Election Day.

# SJC Personnel Policy Manual

## **319 Travel Expenses**

Effective Date: 05/07/2012

Revision Date:

We will reimburse you for reasonable business travel expenses if the Department Head approves the travel in advance. After a trip is approved, you are responsible for making your own travel arrangements.

We reimburse approved travel expenses such as travel, meals, lodging, and other expenses as long as they were necessary to meet the objectives of the trip. You are expected to keep expenses within reasonable limits and within the per diem limitations established from time to time by the City Commission.

If you are involved in an accident while on business travel, immediately report the accident to your supervisor. If you use a vehicle owned, leased, or rented by the City, you may not use that vehicle for personal reasons.

We may sometimes give employees a cash advance to cover the expected expenses for an approved trip. If you think you need cash advance, give a written request to your supervisor.

There may be times when you want to have a family member or friend come with you on a business trip. There may also be times when you want to combine a business trip with personal travel. In both cases, you must first get prior approval. Since the purpose of your trip is business, we need to make sure that nothing interferes with that objective. You are responsible for any expenses related to the personal portion of the trip or for your companion.

When a business trip is over, submit your completed travel expense report within 5 days. With your expense report, you must also submit receipts for every expense.

See your supervisor for help and questions about business travel, travel advances, expense reports, or any other travel issues.

It is a very serious matter if you record false or misleading information on your expense report. You may not request reimbursement for expenses that you did not have or that were not business-related. Employees who do not follow this business travel policy could be subject to disciplinary action, up to and including termination of employment.

# SJC Personnel Policy Manual

## 320 Vacation Benefits and Personal Days

Effective Date: 05/07/2012

Revision Date: 10/10/2016

Revision Date: 12/10/2018

Vacation days are credited annually on January 1 and are awarded to regular full-time employees and regular part-time employees (pro-rated for part-time employees) according to the following procedures:

Accrual: Vacation time accrues monthly commencing on the date of appointment, and is prorated from the date of appointment or termination per the following table:

### Non-Union Employees

Years of Eligibility	Monthly	Annually
Upon initial eligibility – 5 years	1.00 days	12 days
After 5 years	1.25 days	15 days
After 10 years	1.50 days	18 days
After 15 years	1.75 days	21 days
After 20 years	2.00 days	24 days

Eligibility: You are eligible to request to use vacation time following the completion of your introductory period. Personnel calendar records are kept and eligible vacation time is confirmed by the Personnel Department. Employees will be notified of their eligibility annually.

Management Team: Management Team employees include the Assessor; Chief Building Official; City Attorney; City Engineer; City Manager; Community Development Director; Director of Communications and Marketing; Director of Public Safety and deputy director(s); Director of Public Works and deputy director(s); Finance Director / City Clerk; and Water Plant Superintendent and similar salaried/exempt department-head level employees designated by the City Commission or the City Manager. Management Team employees receive vacation as described above except that Management Team employees at the “initial eligibility – 5 years” level receive 1.25 days per month (15 days annually).

Exempt employees receive three (3) personal days per year, credited at the same time as vacation time; personal days must be used during the calendar year in which they are credited and may not be cashed out.

Administration: You may not take less than one hour of vacation at any one time. Vacation time is approved in advance by the immediate supervisor, and is recorded on the bi-weekly time card. Each vacation request will be reviewed based on a number of factors, including the staffing needs of the department. Vacation pay does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

Deferral: A maximum of the greater of (1) twenty-one (21) days or (2) one and one-half times the employee’s annual vacation accrual rate may be deferred to the next calendar year. For example,

# SJC Personnel Policy Manual

an employee receiving 18 vacation days per year may defer up to 27 days (18 days times 1.5 = 27). Any excess time will be forfeited.

Termination: Upon termination of employment, unused, accrued vacation pay will be computed by subtracting the number of days taken from the vacation time earned as prorated to the date of termination. If more vacation time has been taken than earned, when so prorated, an equivalent deduction will be made from the employee's final pay check.

# SJC Personnel Policy Manual

## **321 Witness Duty**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

If you have been subpoenaed or otherwise requested to testify as witnesses by the City, or in connection with or as a result of your official duties, you will receive paid time off for the entire period of witness duty. In such a case, you must turn in to the City Clerk's Office any witness fees paid to you by the court or third parties.

If you have been subpoenaed or otherwise requested to testify by a party other than the City, or not in connection with or as a result of your official duties, you will receive unpaid time off for the entire period of witness duty. However, you may use earned vacation time or compensatory time during this period, if you so wish.

The subpoena should be shown to your supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. We expect you to report for work whenever you are not needed in court.

# SJC Personnel Policy Manual

## **322 Workers' Compensation Insurance**

Effective Date: 05/07/2012

Revision Date:

The City provides a comprehensive workers' compensation insurance program to our employees. This program does not cost you anything.

The workers' compensation program covers injuries or illnesses that might happen during the course of your employment that require medical, surgical, or hospital treatment. Subject to legal requirements, workers' compensation insurance begins after a short waiting period, or if you are hospitalized, the benefits begin immediately.

It is very important that you tell your supervisor immediately about any work-related injury or illness, regardless of how minor it might seem at the time. Prompt reporting helps to make sure that you qualify for coverage as quickly as possible and allows us to investigate the matter promptly.

Workers' compensation covers only work-related injuries and illnesses. Neither the City nor its insurance carrier will pay workers' compensation benefits for injuries that might happen if you voluntarily participate in an off-duty recreational, social, or athletic activity that we might sponsor.

# SJC Personnel Policy Manual

## **325 Boards & Commission Members**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

In addition to regular, regular part-time, part-time, and temporary employees, the City also has a number of unpaid board and commission positions. Persons serving on these boards and commissions are usually not employees of the City, and are generally appointed by the City Commission.

Though it would be permitted to do so, it is not the policy of the City to financially compensate members of these boards and commissions for their attendance at either regular or special meetings and for the other services they render. In lieu of such compensation, the City will provide an annual dinner in recognition of their service as well as service pins upon initial date of service and for each following five year period.

# **SJC Personnel Policy Manual**

## **326 Employee Recognition Benefits**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

To help encourage employees to remain with the City and to acknowledge those who do, the City will provide these additional fringe benefits as part of all employees' overall compensation packages:

1. The City will provide an annual appreciation dinner to all employees.
2. The City will provide service pins to regular employees upon initial employment and for each period of five years of service to the City.
3. Upon completion of twenty-five years of service to the City, an employee will also receive an engraved watch.

# **SJC Personnel Policy Manual**

## **327 Municipal Band Members**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The St. Joseph Municipal Band is an important component of the City, providing free music to the public and adding greatly to the quaintness and charm of St. Joseph. In addition to the compensation paid to members of the Band from the Band Fund, the City shall also provide an annual end-of-season dinner in appreciation for their service to the City, as well as service pins for initial service and for each five (5) years of service, so long as there are sufficient monies in the Band Fund to do so.

# SJC Personnel Policy Manual

## **328 Clothing and Equipment Reimbursement**

Effective Date: 12/10/2018

Revision Date: 03/25/2019

The City will provide a clothing reimbursement to certain employees in the Public Works Department, Inspection Department, and Engineering Department, for the purchase of work clothing and equipment such as shoes or boots (safety toe); outerwear; jeans; gloves; hats; and insulated clothing. Copies of receipts must be submitted to receive reimbursement, and purchases must be made and submitted during each July 1 – June 30 City budget year.

The reimbursement will be \$300 per year for supervisors in the Public Works Department, except for the Director of Public Works, Deputy Director of Public Works, Water Treatment Plant Superintendent, and Water Treatment Plant Chief Operator.

The reimbursement will be \$150 per year for the Director of Public Works, Deputy Director of Public Works, Water Treatment Plant Superintendent, Water Treatment Plant Chief Operator, inspectors and code enforcement officers in the Inspection Department, and the Engineer and Assistant Engineer in the Inspection Department.

The reimbursement will be \$100 per year for regular part-time employees in the Department of Public Works.

# SJC Personnel Policy Manual

## **329 Certification Pay**

Effective Date: 12/10/2018

Revision Date:

We encourage City employees to improve their skills and abilities. Employees who earn work-related certifications beyond the minimum requirements for their positions are eligible to receive annual premiums.

The determination of whether a certification is work-related for a particular position will be made by the employee's department head, subject to the review approval of the City Manager. When authorized, an employee who holds such a certificate on June 30 of each year will receive a premium on the first payroll after the following July 1.

Certified Arborist - \$250

Certified Parks and Recreation Professional - \$250

Certified Playground Safety Inspector - \$250

Certified Pool Operator Certification - \$250

Master Gardener - \$300

Pesticide Application Certificates

Aquatic (Category 5) - \$100

Ornamental (Category 3B) - \$100

Right-of-Way (Category 6) - \$200

Sewer Line (Category 5C) - \$200

Additional certifications of value to the City may be added following consultation between the department head and the City Manager; in such cases the premium may be authorized and the Personnel Policy Manual will be updated to reflect the changes from time to time.

# SJC Personnel Policy Manual

## 330 Educational Assistance

Effective Date: 03/25/2019

Revision Date:

The City believes that the skills and knowledge of employees are critical to the success of the organization. The educational assistance program encourages personal development through formal education so employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs with the City.

The City will provide educational assistance to all eligible regular full-time employees not covered by a collective bargaining agreement, immediately upon assignment to an eligible employment classification. To maintain eligibility, employees must remain on the active payroll and perform their job satisfactorily through completion of each course.

Individual courses or courses that are part of a degree, licensing, or certification program must be related to the employee's current job duties or a foreseeable-future position with the City in order to be eligible for educational assistance. The City has the sole discretion to determine whether a course is so eligible. This program applies to elective educational programs only; the City will pay the full cost of licenses and certifications that it requires employees to acquire or maintain, or which are required by statute for the employee's current duties. The employee should obtain permission to take the course before registering, to be certain the City approves the course for the educational assistance program. Employees should contact the Personnel Department for more information or questions about educational assistance.

The City will contribute one-third the cost of tuition, books, materials, and fees of a qualifying course after the employee provides proof of registration, and an additional one-third the cost after the employee presents proof of satisfactory completion. "Satisfactory completion" shall mean completing a class with a grade of "C" or better if so graded, or "satisfactory" or "pass" or equivalent if the course is graded as "pass/fail".

Application and registration fees will be included in this amount, although indirect expenses--such as mileage, meals, or child care--will not be considered for reimbursement. When used textbooks are reasonably available, the employee shall purchase them in preference to new textbooks. The employee will provide receipts or other proof of qualifying expenses. Total reimbursement shall not exceed \$2,000 for expenses incurred during any fiscal year for undergraduate classes or \$3,000 for graduate level classes. Payment will be made directly to the employee.

If an employee should voluntarily leave City service within two years of completing a class for which the employee has received reimbursement, the employee will be required to repay the City's contribution for that class.

In instances where the employee's regular work schedule would make it difficult or impossible to attend classes, the City is willing to consider alternative scheduling. However, it may not be

# SJC Personnel Policy Manual

possible to accommodate the employee in every instance. The City will not ordinarily allow alternative scheduling in instances where it would create an overtime situation. Moreover, the City reserves the right to refuse to reimburse an employee for a class if the employee creates an overtime situation for the City by using vacation time or compensatory time to attend the class.

While educational assistance is expected to enhance employees' performance and professional abilities, the City cannot guarantee that participation in formal education will entitle an employee to automatic advancement, a different job assignment, or pay increase.

# SJC Personnel Policy Manual

## 331 On-call Pay

Effective Date: 08/12/2024

Revision Date:

The Department of Public Works collective bargaining agreement describes a program under which employees are allowed and required to accept on-call duties to be available to respond outside of regular work hours.

Although this is bargaining unit work, the agreement provides that in the event no bargaining unit member has accepted on-call duty for a given week, non-union supervisory personnel are able to take this duty. Because this is bargaining unit work, a bargaining unit member may “bump” a supervisory employee from on-call duty for a given week at any time before the supervisory employee begins their on-call duty.

Supervisory employees who take the on-call assignment for their department in the absence of a bargaining unit employee doing so will receive the lump-sum compensation for each week of such duty and for holidays within each week, as described in the then-current bargaining agreement.

This premium pay will be the only compensation for exempt supervisory employees. Non-exempt supervisory employees will also receive call-in pay for time worked when required to respond.

To ensure there are not differing expectations, the duties and responsibilities of a supervisory employee with an on-call assignment are as described in the collective bargaining agreement.

# SJC Personnel Policy Manual

## **332 Relocation Stipend**

Effective Date: 02/27/2025

Revision Date: 02/27/2025

To attract and retain qualified talent for critical roles, the City Manager may authorize a one-time relocation stipend of up to \$3,000 for candidates accepting employment in designated hard-to-fill positions. This stipend is intended to assist with expenses incurred during the relocation process.

The position must be identified as hard to fill based on factors such as labor market conditions, specialized skill requirements, or prior recruitment challenges. The candidate must be relocating from a distance of 75 miles or more from City limits. The candidate must accept and commence full-time employment with the City.

The hiring Department head must submit a request for the relocation stipend to the City Manager, providing justification for the designation of the position as hard to fill. The City Manager has sole discretion to approve or deny the request and determine the stipend amount, subject to budget availability. Approved stipends will be provided as a one-time payment, with the amount to be determined based on factors such as distance relocated and estimated expenses.

Employees who voluntarily resign or are terminated for cause within one year of their start date will be required to repay the stipend.

# **SJC Personnel Policy Manual**

## **401 Ethics and Conduct**

Effective Date: 05/07/2012

Revision Date:

We expect the City employees to be ethical in their conduct. It affects our reputation and success. The City requires employees to carefully follow all federal, state and local laws, rules and regulations, and have the highest standards of conduct and personal integrity.

Our continued success depends on our customers' trust. Employees owe a duty to the City, our customers, and residents to act in ways that will earn the continued trust and confidence of the public.

As an organization, the City will comply with all applicable laws and regulations. We expect all employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to not do anything that is illegal, dishonest, or unethical.

If you are not sure if an action is ethical or proper, you should discuss the matter openly with your supervisor. If necessary, you may also contact the Personnel Office for advice and consultation.

It is the responsibility of every City employee to comply with our policy of business ethics and conduct. Employees who ignore or do not comply with this standard of business ethics and conduct may be subject to disciplinary action, up to and including possible termination of employment.

# **SJC Personnel Policy Manual**

## **402 Non-Disclosures/Confidentiality**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

It is very important to the City that we protect confidential information. Confidential information includes, but is not limited to the following examples:

- \* Attorney-client privileged information
- \* Information regarding on-going investigations
- \* Customer financial information
- \* Labor relations strategies

If you improperly use or disclose confidential information, you will be subject to disciplinary action, up to and including termination of employment and legal action. This applies even if you do not get any benefit from releasing the information.

# SJC Personnel Policy Manual

## **403 Workplace Etiquette**

Effective Date: 05/07/2012

Revision Date:

The City can be a better place to work when all employees show respect and courtesy to each other. Sometimes there are problems when employees do not realize that they are bothering or annoying other people. If this happens to you, you should first try to solve the problem by politely telling your co-worker what is bothering you.

In most cases, if you use common sense, the problem can be fixed. We encourage you to keep an open mind. If another employee tells you about something that you are doing that makes it hard for that person to work, try to understand the other person's point of view.

The following are some guidelines and suggestions for how to be considerate of others at work. You will not necessarily be disciplined if you do not follow these suggestions, but the guidelines will help you get along with others. If you have comments or suggestions about workplace etiquette, contact your Department Head:

- \* Return copy machine and printer settings to their default settings after changing them.
- \* Replace paper in the copy machine and printer paper trays when they are empty.
- \* Keep the area around the copy machine and printers orderly and picked up.
- \* Be careful not to take or discard others' print jobs or faxes when collecting your own.
- \* Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your supervisor.
- \* Try to minimize unscheduled interruptions of other employees while they are working.
- \* Be conscious of how your voice travels, and try to lower the volume of your voice when talking on the phone or to others in open areas.
- \* Keep socializing to a minimum, and try to conduct conversations in areas where the noise will not be distracting to others.
- \* Minimize talking between workspaces or over cubicle walls. Instead, conduct conversations with others in their workspace.
- \* Try not to block walkways while carrying on conversations.
- \* Refrain from using inappropriate language (swearing) that others may overhear.
- \* Avoid discussions of your personal life/issues in public conversations that can be easily overheard.

# SJC Personnel Policy Manual

## **404 Employee Conduct and Work Rules**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

We expect you to follow certain work rules and conduct yourself in ways that protect the interests and safety of all employees and the City.

While it is impossible to list every action that is unacceptable conduct, the following lists some examples. Employees who break work rules such as these may be subject to disciplinary action, up to and including termination of employment:

- \* Falsification of timekeeping records
- \* Working under the influence of alcohol or illegal drugs including marihuana, which remains illegal under federal law
- \* Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- \* Fighting or threatening violence in the workplace
- \* Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- \* Insubordination or other disrespectful conduct toward the public, city employees or officials
- \* Violation of safety or health rules
- \* Smoking in prohibited areas
- \* Sexual or other unlawful or unwelcome harassment
- \* Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- \* Excessive absenteeism or any absence without notice
- \* Unauthorized use of telephones, mail system, or other employer-owned equipment
- \* Unauthorized disclosure of confidential or non-public information
- \* Violation of personnel policies, City ordinances, departmental rules, or federal, state or local laws, rules or regulations
- \* Unsatisfactory performance or conduct
- \* Abuse of City property
- \* Recording conversations with other employees or customers, except as part of an authorized investigation. This does not apply to use of the City's telephone system or the Public Safety's proper use of departmental recording systems.

Since your employment with us is voluntary and at will, you may terminate your employment at any time you want, with or without cause or advance notice. Likewise, the City may terminate your employment at any time, with or without cause or advance notice.

# **SJC Personnel Policy Manual**

## **405 Attendance and Punctuality**

Effective Date: 05/07/2012

Revision Date:

We expect the City employees to be reliable and punctual. You should report for work on time and as scheduled. If you cannot come to work or you will be late for any reason, you must notify your supervisor as soon as possible.

Unplanned absences can disrupt work, inconvenience other employees, and affect productivity. If you have a poor attendance record or excessive lateness, you may be subject to disciplinary action, up to and including termination of employment.

# SJC Personnel Policy Manual

## **406 Personal Appearance**

Effective Date: 05/07/2012

Revision Date: 07/11/2017

Personal appearance means how you dress, how neat you are, and your personal cleanliness standards. Your personal appearance can influence what customers and visitors think about the City. Personal appearance can also impact the morale of your co-workers.

During business hours or whenever you represent the City, you should be clean, well groomed, and wear appropriate clothes. This is particularly important if your job involves dealing with customers or visitors in person.

If your supervisor finds that your personal appearance is inappropriate, you will be asked to leave work and return properly dressed and groomed. If you are asked to leave, you will not be paid for the time you are away from work. See your supervisor if you are not sure about the correct clothing standards for your job.

Where necessary, the City may make a reasonable accommodation to this policy for a person with a disability.

The following examples should help you understand the City personal appearance guidelines:

- \* Shoes must provide safe, secure footing, and offer protection against hazards.
- \* Tank tops, tube or halter tops may not be worn under any circumstances.
- \* Shorts may not be worn except as provided below.
- \* Mustaches and beards must be clean, well trimmed, and neat.
- \* Hairstyles are expected to be in good taste.
- \* Offensive body odor and poor personal hygiene is not professionally acceptable.
- \* Perfume, cologne, and aftershave lotion should be used moderately or avoided altogether, as some individuals may be sensitive to strong fragrances.
- \* Facial jewelry, such as eyebrow rings, nose rings, lip rings, and tongue studs, is not professionally appropriate and must not be worn during business hours.
- \* Torso body piercings with visible jewelry or jewelry that can be seen through or under clothing must not be worn during business hours.
- \* Visible excessive tattoos and similar body art must be covered during business hours.

Department of Public Works Employees may wear shorts while performing the following tasks:

- Operating the street sweeper
- Reading water meters
- Cleaning park restrooms
- Operating a front end loader
- Driving a dump truck
- Performing Park Ranger duties
- Opening/Closing of graves

# SJC Personnel Policy Manual

In addition, shorts may be worn by Department of Public Works Seasonal Employees assigned to the Downtown area and Summer Recreational Staff.

Shorts may also be worn by Public Safety Officers, Parking Enforcement Officers or Reserve Officers as part of an official uniform for those duties allowed under Public Safety Departmental Policy, such as bicycle patrol and beach patrol.

If an above described employee chooses to wear shorts, they must have long pants available for use in case of a change in job assignment.

Shorts must be 5" or less above the knee, khaki or cargo style in navy blue, tan, black or brown or those provided as part of an official uniform. Shorts may not have hanging straps, ties or other loose, dangling items. No gym shorts, running shorts, exercise shorts of any kind, denim shorts, cut-offs, or any other shorts not specifically listed above may be worn.

# SJC Personnel Policy Manual

## **407 Casual Days**

Effective Date: 05/07/2012

Revision Date:

Every Friday at the City is a "casual" day for all employees. Your supervisor may also announce that other days may be a casual day, such as a holiday or the day before a holiday.

On casual days, you can wear more casual and relaxed clothing. The clothing should be clean, neat, and still look right for business. You should never wear stained, wrinkled, frayed, or revealing clothing to work on any day. Check with your supervisor if you have any questions about what you can wear to work.

We do not want to limit your personal style or taste, but we have some standards about what can be worn on casual days. These two lists give of acceptable and unacceptable clothing. The lists do not include every possible piece of clothing, but they should help you understand what is acceptable.

These are examples of acceptable clothing for casual days:

- \* slacks
- \* jeans
- \* sweatshirts
- \* athletic shoes

These are examples of unacceptable clothing for casual days:

- \* jeans that are excessively worn or faded
- \* sweatpants
- \* warm-up or jogging suits and pants
- \* shorts
- \* spaghetti-strap dresses
- \* halter tops
- \* visible undergarments
- \* slippers

Casual days are not a requirement. Some people may prefer to prefer wear their traditional business clothing. We leave the choice up to you.

# SJC Personnel Policy Manual

## **409 Smoking and Vaping**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City prohibits smoking throughout the workplace and in city owned vehicles. Smoking includes the act of lighting, smoking, or carrying a lighted smoldering cigar, cigarette, pipe or other similar items, and includes e-cigarettes and vaping.

This policy applies equally to all employees as well as to our customers and visitors.

Employees utilizing their authorized break time to smoke must do so outdoors, maintaining at least 50 feet from any other employee, door or open window of any city owned facility and must safely dispose of all related material, such as cigarette butts, in an appropriate container. This provision applies to employee breaks taken in the field at a work site. Smoking is prohibited outside of designated normal work breaks or lunch periods, as determined by the City. In situations where the preferences of smokers and non-smokers are in direct conflict, the preferences of the non-smokers will prevail.

# SJC Personnel Policy Manual

## **410 Solicitation**

Effective Date: 05/07/2012

Revision Date:

The City recognizes that employees may have interests in events and organizations outside the workplace. However, to assure a productive and harmonious work environment, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

# SJC Personnel Policy Manual

## **411 Recycling**

Effective Date: 05/07/2012

Revision Date:

We want to help the environment by recycling at the City. We are committed to buying, using, and disposing of products and materials in the best ways for the environment.

You should use the special recycling containers when you throw away the following materials:

- \* computer paper
- \* white high grade or bond paper
- \* ledger paper
- \* mixed or colored paper
- \* newspaper
- \* corrugated cardboard
- \* brown paper bags

Whenever possible, we encourage you to buy products for work that contain recycled or easily recyclable materials.

If you have any questions or new ideas and suggestions for the recycling program, contact the Accounting Clerk.

# SJC Personnel Policy Manual

## **412 Fitness Facility**

Effective Date: 05/07/2012

Revision Date: 10/28/2013

The City encourages employees to pursue physical fitness programs appropriate to each employee's personal circumstances. In keeping with this, all full-time regular and part-time regular employees, as well as police and fire reserves (including police RSVP reserves) are encouraged to use the fitness facility located in the basement of City Hall. Employees should consult a physician before beginning any exercise program, should learn the correct use of the equipment, and should exercise due care when exercising. Each employee must assume responsibility for his or her ability to participate in exercise activities. In addition, City Commissioners, retirees and contract employees are allowed to use the facility under the same general rules as current employees.

Use of the exercise equipment is not mandatory. Employees who voluntarily choose to use the exercise equipment must understand that injuries incurred while exercising are not "work-related" for the purpose of determining eligibility for worker's compensation. Before using exercise equipment, each employee/retiree must sign a waiver, releasing and indemnifying the City from any liability incurred by the actions of the employee/retiree or a guest while using the facility.

Waivers are obtained from the Personnel Office. An employee/retiree who does not sign a waiver will not be permitted to use the facility. Each employee/retiree may bring a single guest into the facility. This guest must be at least 18 years of age, and must be accompanied at all practical times. The basement of the City Hall is a secured area, with access into other areas of the building, and non-employees should not be allowed to roam freely. Each employee/retiree must assume responsibility for the safety and conduct of any guest the employee (they) bring into the facility.

Employees/retirees who do not work in City Hall and do not normally have access to the building basement are allowed access to the workout facility only during those times when City Hall is open to the public. These employees should check in with the Police Clerk, to be loaned an electronic keycard. This card should be scanned past the card reader in the elevator cab, and the "B" button pushed for access to the basement. The card must be returned to the Police Clerk at the conclusion of the workout.

Salaried employees may use the facility at any time, although use during normal work hours does not make the exercise "work-related".

In case of an emergency in the fitness facility, there is a telephone located just inside the door of the employee break room, which is immediately to the right as you exit the fitness facility. Dial "9" for an outside line and then dial "911" which will connect you directly to the Berrien County Central Dispatch.

Employees/retirees and guests must obey any posted rules in the facility. The City may revoke facility privileges to employees/retirees or guests who behave in an inappropriate or unsafe manner, or who violate facility rules.

Please help us maintain a pleasant atmosphere, which will encourage everyone to use the facility!

# SJC Personnel Policy Manual

## **420 Cell Phone and Pager Usage**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

We provide cell phones and pagers to some employees for business use. Employees with cell phones are allowed to use them for short personal calls within reasonable limits. Sometimes we may check cell phone bills to make sure this policy is being followed.

The City prohibits employees using cell phones while they are driving. If you are driving and need to use a cell phone, you should pull off the road and stop before you place a call, text, or talk on the phone.

When using a cell phone, please remember to keep your conversations private and quiet.

The City reserves the right to monitor all messages and call records sent or received and sites accessed on City issued cell phones and pagers. Employees should not expect any degree of privacy regarding cell phone and pager use and should understand that any cell phone and pager record may be considered a public record and disclosable to the public under the Freedom of Information Act or other legal procedures.

# SJC Personnel Policy Manual

## **421 Telephones and Mail System Usage**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City telephones are intended for business calls. You are not permitted to make long-distance or toll calls from our phones. If you make personal calls on the City business phones, we require that you pay us for any charges.

The postage is intended for official business-related mail. If you use City postage or metering for your personal mail, you must pay us for any charges.

Our telephone communications are an important reflection of our image to customers and the community. Always use proper telephone etiquette. The following are some examples of good telephone etiquette:

- \* Answer the telephone quickly
- \* Use the approved greeting
- \* Speak courteously and professionally
- \* Repeat information back to the caller
- \* Only hang up after the caller hangs up

Calls made on the city telephone system may be recorded and may be retrieved for business purposes. The City reserves the right to monitor all telephone messages sent or received on the telephone system. Employees should not expect any degree of privacy regarding use of City telephones and should understand that any message or call made or received may be considered a public record and disclosable to the public under the Freedom of Information Act or other legal procedures.

# SJC Personnel Policy Manual

## **422 Computers and Email Usage**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City has a comprehensive computer policy; please refer to that policy for more detailed information regarding computer use.

To help you do your job, the City may give you access to computers, computer files, the email system, and software. You should not use additional passwords, access a file, or retrieve any stored communication without authorization. To make sure that all employees follow this policy, we may monitor computer and email usage.

**Only city-owned computers** will be allowed access to the City's network server through the system firewall. At no time, should an employee's personal computer be connected to the City server without prior authorization of the City Manager or his designee.

We try hard to have a workplace that is free of harassment and sensitive to the diversity of our employees. Therefore, we do not allow employees to use computers and email in ways that are disruptive, offensive to others, or harmful to morale.

At the City you may not display, download, or email sexually explicit images, messages, and cartoons. You also may not use computers and email for ethnic slurs, racial comments, off-color jokes, or anything that another person might take as discrimination, threats, harassment or disrespect.

You may not use city-owned computers or email to solicit other people for your own personal financial gain.

The City buys and licenses computer software for business purposes. We do not own the copyright to this software or its documentation. Unless the software developer authorizes us, we do not have the right to use the software on more than one computer.

You may only use software on local area networks or on multiple machines according to the software license agreement. The City prohibits the illegal duplication of software and its documentation.

The City reserves the right to monitor all use of city computers and Email, including all communications, sites visited, and other retrievable records sent or received. Employees should not expect any degree of privacy regarding City computers and Email and should understand that any communications, sites visited, and other retrievable records may be considered public records and disclosable to the public under the Freedom of Information Act or other legal procedures.

# **SJC Personnel Policy Manual**

If you know about any violations to this policy, notify your supervisor, the Department Head or the City Manager. Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

# SJC Personnel Policy Manual

## **423 Internet Usage**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City may provide you with Internet access to help you do your job. This policy explains our guidelines for using the Internet. Internet usage is intended for job-related activities but short, occasional personal use is allowed as long as you keep it within reasonable limits.

All Internet data that is written, sent, or received through our computer systems is part of official City records. That means that we can be legally required to show that information to members of the public pursuant to the Freedom of Information Act, law enforcement or other parties. Therefore, you should always make sure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and legal.

The equipment, services, and technology that you use to access the Internet are the property of the City. Therefore, we reserve the right to monitor how you use the Internet. We also reserve the right to find and read any data that you write, send, or receive through our online connections or that is stored in our computer systems.

You may not write, send, read, or receive data through the Internet that contains content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person.

Examples of unacceptable content include (but are not limited to) sexual comments or images, racial slurs, gender-specific comments, or other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, gender identity, gender expression or any other characteristic protected by law.

The City does not allow the unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet. As a general rule, if you did not create the material, do not own the rights to it, or have not received authorization for its use, you may not put the material on the Internet. You are also responsible for making sure that anyone who sends you material over the Internet has the appropriate distribution rights.

Before you download or copy a file from the Internet, it must be checked for viruses. All compressed files must be checked for viruses both before and after decompression.

If you use the Internet in a way that violates the law or the City policies, you will be subject to disciplinary action, up to and including termination of employment. You may also be held personally liable for violating this policy.

The following are some examples of prohibited activities that violate this Internet policy:

- \* Sending or posting discriminatory, harassing, or threatening messages or images
- \* Using the organization's time and resources for personal gain
- \* Stealing, using, or disclosing someone else's code or password without authorization
- \* Copying, pirating, or downloading software and electronic files without permission

# SJC Personnel Policy Manual

- \* Sending or posting confidential material, trade secrets, or proprietary information outside of the organization
- \* Violating copyright law
- \* Failing to observe licensing agreements
- \* Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- \* Sending or posting messages or material that could damage the organization's image or reputation
- \* Participating in the viewing or exchange of pornography or obscene materials
- \* Sending or posting messages that defame or slander other individuals
- \* Attempting to break into the computer system of another organization or person
- \* Refusing to cooperate with a security investigation
- \* Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- \* Using the Internet for political causes or activities, religious activities, or any sort of gambling
- \* Jeopardizing the security of the organization's electronic communications systems
- \* Sending or posting messages that disparage another organization's products or services
- \* Passing off personal views as representing those of the organization
- \* Sending anonymous email messages
- \* Engaging in any other illegal activities

The City reserves the right to monitor all use of city equipment on which the internet is accessible, such as computers, tablets and cell phones, and to monitor all communications, sites visited, and other retrievable records. Employees should not expect any degree of privacy regarding internet use on City equipment and should understand that any communications, sites visited, and other retrievable records may be considered public records and disclosable to the public under the Freedom of Information Act or other legal procedures.

# SJC Personnel Policy Manual

## **424 Equipment and Vehicle Usage**

Effective Date: 05/07/2012

Revision Date:

Equipment and vehicles essential in accomplishing your job duties are expensive and may be difficult to replace. When you use the City property, you should be careful, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Tell your supervisor immediately if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in disrepair. When you promptly report damages, defects, and the need for repairs, you can prevent deterioration of equipment and possible injury to employees or other people.

Department Heads must immediately report all damages, defects and need for repairs to the Finance Office for proper maintenance of Fixed Asset records.

See your supervisor if you have questions about your responsibility for maintenance and care of equipment or vehicles you use on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination of employment.

All vehicle use must in compliance with the law.

# SJC Personnel Policy Manual

## **500 Safety**

Effective Date: 05/07/2012

Revision Date:

Our workplace safety program is a top priority at the City. We want the City to be a safe and healthy place for employees, customers, and visitors. The Department Head is responsible for implementing, administering, monitoring, and evaluating the safety program. A successful safety program depends on everyone being alert and committed to safety.

We regularly communicate in different ways with employees about workplace safety and health issues. These communications may include supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Employees and supervisors receive workplace safety training. The training covers possible safety and health hazards as well as safe work practices and procedures to eliminate or reduce hazards.

Some of the best safety improvement ideas come from employees. If you have an idea, concern, or suggestion on how to improve safety in the workplace, tell your supervisor, another supervisor, or the City Manager. We want you to know that you can report any concerns about workplace safety without fear of reprisal.

You are expected to obey all safety rules and be careful at work. You must immediately report any unsafe condition to the appropriate supervisor. If you violate the City safety standards, you may be subject to disciplinary action, up to and including termination of employment. Violations include causing a hazardous or dangerous situation, not reporting a hazardous or dangerous situation, and not correcting a problem even though you could have corrected it.

It is very important that you tell the appropriate supervisor immediately about any accident that causes an injury, no matter how minor it might seem at the time. When you report it quickly, we can investigate the accident promptly; follow the laws, and start insurance and worker's compensation processing.

# **SJC Personnel Policy Manual**

## **501 Visitors in the Workplace**

Effective Date: 05/07/2012

Revision Date:

Only visitors who are properly authorized may be within restricted areas of City buildings. This helps to maintain safety standards, safeguard employee and customer welfare, protect our property and facilities, guard confidential information against disclosure and theft, and reduce potential distractions and disturbances.

All visitors should enter City facilities at the main entrance. If you have visitors, you are responsible for their conduct and to watch out for their safety.

If you see any unauthorized personnel in your work area, notify your supervisor immediately or direct the person to the main entrance.

# SJC Personnel Policy Manual

## **502 Workplace Monitoring**

Effective Date: 05/07/2012

Revision Date:

The City may conduct workplace monitoring to help ensure quality control, employee safety, security, and customer satisfaction.

All computer equipment, services, or technology that we furnish you are the property of the City. We reserve the right to monitor computer activities and data that is stored in our computer systems. We also reserve the right to find and read any data that you write, send, or receive by computer.

You may ask to see information about you that was gathered by workplace monitoring if it might impact employment decisions. We will give you access unless there is an ongoing investigation or a legitimate business reason to protect confidentiality.

Because we are sensitive to employees' legitimate privacy rights, we will make every effort to guarantee that workplace monitoring is done ethically and with respect.

# SJC Personnel Policy Manual

## **503 Drug and Alcohol Use**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City is committed to being a drug-free, healthful, and safe workplace. You are required to come to work in a mental and physical condition that will allow you to perform your job satisfactorily.

City employees shall not:

1. Use, possess, distribute, or sell alcohol or illegal drugs while on the City premises or while conducting City business;
2. Sell or distribute illegal drugs on or off the job;
3. Operate any city vehicles while under the influence of drugs or alcohol; or
4. Work or conduct City business while under the influence of drugs or alcohol or with illegal drugs in one's system

Illegal drugs include any drug illegal under federal or state law, including marihuana in any form. You may use legally prescribed drugs on the job only if they do not impair your ability to perform the essential functions of your job effectively and safely without endangering yourself or others.

If you violate this policy, it may lead to disciplinary action, up to and including immediate termination of your employment. It could also result in criminal prosecution. The City reserves the right to test employees for drug or alcohol impairment on a random basis or based on a reasonable suspicion that an employee is impaired. The City may also require that you participate in a substance abuse rehabilitation or treatment program.

If you have questions or concerns about substance dependency or abuse, you are encouraged to discuss these matters with your supervisor or the Personnel Office to get help and referrals to community resources.

Under the Drug-Free Workplace Act, if you perform work for a government contract or grant, you must notify the City if you have a criminal conviction for drug-related activity that happened at work. You must make the report within five days of the conviction.

If you have questions about this policy or issues related to drug or alcohol use at work, you can raise your concerns with your supervisor or the Personnel Office without fear of reprisal.

# SJC Personnel Policy Manual

## **510 Workplace Violence Prevention**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

We are committed to preventing workplace violence and making the City a safe place to work. This policy explains our guidelines for dealing with intimidation, harassment, violent acts, or threats of violence that might occur during business hours or on our premises at any time.

You are expected to treat your co-workers, including supervisors and temporary employees, with courtesy and respect at all times. You should not fight, play tricks on others, or behave in any way that might be dangerous to other people. We do not allow firearms, weapons, and other dangerous or hazardous devices and substances on the premises of the City without proper authorization.

The City does not allow behavior at any time that threatens, intimidates, bullies, or coerces another employee, a customer, or a member of the public. This includes off-duty periods. We do not permit any act of harassment, including harassment that is based on an individual's race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, age, height, weight, marital status, disability, or any other characteristic protected by law.

You should immediately report a threat of violence or an act of violence by anyone to your supervisor or another member of management. If you report a threat of violence, give every detail you can.

Be sure to immediately report any suspicious person or activities to a supervisor. Do not place yourself in danger. If you see or hear trouble or a disturbance near your work area, do not try to see what is happening or try to stop it.

We will promptly and completely investigate all reports of violent acts or threats of violence. We will also promptly and completely investigate all suspicious people and activities. We will protect the identity of a person who makes a report when practical. Until we have investigated a report, we may suspend an employee, either with or without pay, if we think it is necessary for safety reasons or to do the investigation.

If you commit a violent act, threaten violence, or violate these guidelines in another way, you will be subject to disciplinary action, up to and including termination of employment.

If you are having a dispute with another employee, we encourage you to talk it over with your supervisor or the Department Head. The City wants to help you work out problems before they become more serious and possibly violent. We will not discipline you for bringing these types of problems to our attention.

# SJC Personnel Policy Manual

## 511 Sexual Harassment, Bullying and Other Unlawful Harassment

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment and bullying. The City will not tolerate any actions, words, jokes, or comments based on a person's race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, age, height, weight, marital status, disability, or any other characteristic protected by law.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- \* Unwanted sexual advances.
- \* Offering employment benefits in exchange for sexual favors.
- \* Making or threatening reprisals after a negative response to sexual advances.
- \* Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- \* Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- \* Verbal sexual advances or propositions.
- \* Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- \* Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Bullying is defined as "repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. All employees will be treated with dignity and respect.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when administering discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is more important. The following are examples of bullying behavior:

- \* Verbal bullying: Slandering, ridiculing, or maligning a person or his/her family; persistent name calling that is hurtful, insulting, or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- \* Cyber bullying: The same definition of verbal bullying, including cyber threats and

# SJC Personnel Policy Manual

harassment.

- \* **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault, or threat of physical assault; damage to a person's work area or property. **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.

If you experience or witness any sexual harassment, bullying, or other unlawful harassment at work, report it immediately to your supervisor or the Personnel Office. There will not be punishment or reprisal if you report sexual harassment or ask questions or raise concerns about it. All allegations of harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and the confidentiality of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or manager who becomes aware of possible sexual harassment, bullying, or other unlawful harassment must immediately advise the Personnel Office so it can be investigated in a timely and confidential manner. Any employee who engages in sexual harassment, bullying, or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

# SJC Personnel Policy Manual

## **512 Security Inspections**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

The City wants to have a work environment that is free of illegal drugs, alcohol, unauthorized firearms, explosives, or other improper materials. Illegal drugs include any drug illegal under federal or state law, including marijuana in any form. We prohibit the possession, transfer, sale, or use of these materials on our premises.

We may provide you with desks, lockers, and other storage devices for your convenience but these are always the sole property of the City. Because they are our property, we may allow our representative or authorized agents to inspect them at any time, either with or without advance notice to you. We may also inspect any items that we find inside them.

We also want to discourage theft and the unauthorized possession of property that belongs to our employees, the City, visitors, and customers. To help enforce this policy, we may require inspection of employees and other persons who enter or exit our premises as well as any packages or other belongings they carry with them. If you wish to avoid having your belongings inspected, the best thing is to not bring them to work.

# **SJC Personnel Policy Manual**

## **513 Drug Testing**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

We are committed to making the City a safe, efficient, and productive work environment for all employees. There can be serious safety and health risks if an employee uses or is under the influence of drugs or alcohol on the job. We may ask job applicants and employees to provide body substance samples, such as urine and/or blood as allowed by state and federal laws. We will use the samples to check for the illegal or illicit use of drugs and alcohol. Illegal drugs include any drug illegal under federal or state law, including marihuana in any form. If you refuse to be tested for drugs, you may be subject to disciplinary action, up to and including termination of employment.

We will provide copies of the drug testing policy to all employees. If you have questions about our drug testing policy or its administration, contact the Personnel Office.

# SJC Personnel Policy Manual

## **520 Problem Resolution**

Effective Date: 05/07/2012

Revision Date:

The City encourages an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the City supervisors and management.

The City tries hard to ensure fair and honest treatment of all employees. We expect supervisors, managers, and employees to treat each other with mutual respect. We encourage employees to give positive and constructive criticism to each other.

If you disagree with the City rules of conduct, policies, or practices, you can state your concerns through the problem resolution procedure described in this policy. You will not be penalized, formally or informally, for making a complaint as long as you do it in a reasonable, business-like manner. You will also not be penalized for using this problem resolution procedure.

If a situation occurs when you believe that a condition of employment or a decision that affects you is not fair, you are encouraged to use the following problem resolution steps. You may stop the procedure at any step.

1. You present the problem to your supervisor after the incident occurs. If your supervisor is unavailable or you believe it would be inappropriate to discuss it with your supervisor, you may present the problem to the Department Head or any other member of management.
2. Your supervisor responds to the problem during discussion or after consulting with appropriate management, when necessary. Your supervisor documents the discussion.
3. You present the problem to the Personnel Office if the problem is not resolved.
4. The Personnel Office counsels and advises you, helps you to put the problem in writing, visits with your managers, if necessary, and directs you to the City Manager for a review of the problem.
5. You present the problem to the City Manager in writing.
6. The City Manager reviews and considers the problem. The City Manager informs you of the decision and forwards a copy of the written response to the Personnel Office for your file. The City Manager has full authority to make any adjustment that is determined to be appropriate to resolve the problem.

Not every problem can be resolved to everyone's total satisfaction. However, we believe that honest discussion and listening to each other will build confidence between employees and management and help make the City a better place to work.

# SJC Personnel Policy Manual

## **521 Progressive Discipline**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

This policy describes the policy for administering fair and consistent discipline for unsatisfactory conduct at the City.

We believe it is important to make sure that all employees are treated fairly and that disciplinary actions are prompt, consistent, and impartial. The major purpose of a disciplinary action is to correct the problem, prevent it from happening again, and prepare the employee for satisfactory performance in the future.

Although your employment is based on mutual consent and both you and the City have the right to terminate employment at will, with or without cause or advance notice, the City may use progressive discipline at its discretion.

In most cases, progressive discipline means that we will normally take these steps in the following order: 1) a first offense may call for a verbal warning; 2) a next offense may be followed by a written warning; 3) another offense may lead to a suspension; and, 4) still another offense may then lead to termination of employment.

In serious situations, some types of employee problems may justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

You should also look at the Employee Conduct and Work Rules policy in this handbook. That policy lists examples of unacceptable conduct that might result in immediate suspension or termination of employment. However, some of the examples of unsatisfactory conduct listed may result in the progressive discipline process described above instead of immediate suspension or termination.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and the City.

# SJC Personnel Policy Manual

## 522 Disciplinary Records

Effective Date: 05/07/2012

Revision Date: 12/10/2018

Records of all disciplinary actions shall be placed in an employee's personnel file at the time of discipline. In increasing order of severity, those disciplinary actions fall under the general categories of 1) verbal warning, 2) written warning, 3) suspension with or without pay, or 4) termination of employment. Discipline shall be commensurate with the degree of the infraction.

- Records of any suspension, demotion, or termination shall be a permanent part of the employee's personnel file.
- Record of a verbal warning shall be placed in the employee's personnel file. These records will be expunged from the file after one year from the date of the reprimand if there is no additional disciplinary offense. If there is an additional offense, whether related or unrelated to the original infraction, the verbal warning will remain in the file for the same duration as the additional offense.
- Record of a written reprimand or restriction of activities shall be placed in the employee's personnel file. As a part of the record of disciplinary action, the disciplining department head shall include a recommendation that the record (a) be expunged after a certain number of years without additional disciplinary action of greater severity than a verbal warning, or (b) retained as a part of the permanent file. The period before expungement is at the department head's discretion, but should not be less than four years from the date of the disciplinary action. The City Manager or designate will review the department head recommendation and approve it by initialing the record, or return it to the department head for review.

Only minor infractions should be recommended for eventual expungement under this section. Actions which placed City employees or other persons in danger should not be considered for expungement. In addition, attendance matters are not eligible for expungement.

Employees shall be shown all records of disciplinary action to be placed in personnel files, and given an opportunity to attach written comments or an explanation. Employees will be asked to sign the record of disciplinary action to demonstrate that he/she has seen it; if the employee declines, the department head will note that fact on the record. By signing the record of disciplinary action, the employee is only confirming that he/she has seen the record, and is not demonstrating agreement. If an employee chooses to attach comments or an explanation, that will become a permanent part of the record of that disciplinary action, and will remain in the personnel file for the appropriate period. If the record of disciplinary action is expunged, any attached employee comments will be likewise expunged.

For disciplinary records placed before the effective date of this policy, individual employees may request that their department head review individual written warnings and determine whether the record should appropriately be expunged. The department head may decide the record should be expunged immediately, or after a set time after the date of the disciplinary action, or that it should not be expunged, in keeping with the spirit of this policy. The City Manager or designee must approve the recommendation. In the event a record may be expunged at a later date, or is not

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eligible for expungement, the department head must add a memorandum to the record of disciplinary action noting the action taken.

Nothing in this policy shall constrain the City Manager's authority to take any lawful action it considers to be in the best interest of the City of St. Joseph

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## 601 Employment Terminations

Effective Date: 05/07/2012

Revision Date:

There can be many reasons why employment may terminate. The following are some of the most common reasons for termination of employment:

- \* Resignation - voluntary employment termination initiated by an employee.
- \* Discharge - involuntary employment termination initiated by the organization.
- \* Layoff - involuntary employment termination initiated by the organization for non-disciplinary reasons.
- \* Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

Your employment with the City is voluntary and at will; you may terminate your employment at any time, with or without cause or advance notice. Likewise, the City may terminate your employment at any time, with or without cause or advance notice.

When you terminate, you will receive your final pay in accordance with applicable state law.

Your benefits are affected by termination in several ways. All accrued, vested benefits that are due and payable at termination will be paid out. You may be allowed to continue some benefits by paying for them yourself. You will be notified in writing about which benefits you can continue and the limitations and details of how to continue them.

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## **602 Resignations**

Effective Date: 05/07/2012

Revision Date: 12/10/2018

Resignation means that you voluntarily terminate your employment at the City. If you decide to resign, we would like you to tell us in writing at least 2 weeks before the date you will leave but as much advance notice as possible is appreciated. Although advance notice is not required, you will be helping your co-workers because there will be more time to reassign work and replace you if necessary.

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## **603 Benefits Continuation (COBRA)**

Effective Date: 05/07/2012

Revision Date:

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) helps employees and their dependents to continue their health insurance even if they are no longer eligible under our health plan.

There are strict rules about when you can use COBRA. COBRA lets an eligible employee and dependents choose to continue their health insurance when a "qualifying event" happens. Qualifying events include the employee's resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death. Another qualifying event is when a dependent child stops being eligible for coverage under your health insurance.

If you continue your insurance under COBRA, you will pay the full cost of the insurance at the City's group rates plus an administration fee. When you become eligible for our health insurance plan, we will give you a written notice describing your COBRA rights. Because the notice contains important information about your rights and what to do if you need COBRA, be sure to read it carefully.

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## **604 Return of Property**

Effective Date: 05/07/2012

Revision Date:

The City may loan you items to help you do your job including but not limited to:

- \* credit cards
- \* cell phones
- \* equipment
- \* identification badges
- \* keys
- \* manuals
- \* pagers
- \* protective equipment
- \* tools
- \* uniforms
- \* vehicles
- \* written materials

You are responsible for protecting and controlling any property we loan you.

You must also return it promptly if we ask. If you stop working at the City, you must return all the City property immediately to the Personnel Clerk.

If you do not return our property and if the law allows, we may take money from your regular or final paycheck to cover the cost. We may also take legal action to get back our property.

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## HIRING AND PROMOTION PROCEDURE

In general, the City of St. Joseph is an Equal Opportunity Employer. All department heads are responsible for following this hiring/promotional policy within their respective departments. For the purpose of this policy, Supervisor shall mean "City Manager, in the event the vacant position is that of a Department Head; or Department Head, in the event the vacant position is of any lower-ranking position." Internal shall mean "a current City regular full-time or regular part-time employee or something associated with or directed toward such a person", and External shall mean "a person who is not a current City regular full-time or regular part-time employee". Library employees, police and fire reserves, and seasonal or temporary employees shall not be considered City employees, except that St. Joseph fire reserves shall be considered internal applicants only in the event that the vacant position is that of a full-time firefighter.

1. Supervisors will give timely notice to the Personnel Department of any vacancy, whether full-time or part-time, in their respective departments.
2. Applicants for positions which require certifications, licenses, or other easily verifiable qualifications at the time of employment shall provide proof of these qualifications to the Personnel Department before being scheduled for an interview under the panel process. Necessary background and reference checks, standardized tests, or medical examinations may be conducted before or after the panel process, at the Personnel Department's discretion.
3. Where hiring or promotional procedures specified in a collective bargaining agreement conflict with the procedures specified in this policy, the provisions of that agreement shall prevail and shall be applied first. If after applying the procedures specified in the collective bargaining agreement, the job is not filled, the vacancy will be posted in keeping with this policy.

### Internal Applicants

1. The Personnel Department will post any vacancy on bulletin boards outside the City Clerk's Office for not less than five business days. This posting may be concurrent with external advertisements. The posting shall indicate the date the internal posting closes. If more than one similar position is open, that fact may be noted on the posting as an alternative to posting each position separately.
2. An employee who wishes to apply for a posted position shall notify the Personnel Department, in writing, during the period the internal posting is open, and shall provide a resume or other appropriate information if the posting so requests.
3. Once the internal posting has closed, the Personnel Department shall provide the Supervisor with a list of all employees who have applied for the position.
4. In the event the Supervisor feels there are internal applicants for the vacancy of such demonstrated capability or familiarity with the position that it would be in the City's best interests to promote one of these candidates, the internal candidates shall be interviewed by a panel as described below. If the position is then filled by an internal candidate, there

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shall be no need to advertise for the position, although the hiring process will start anew for the position vacated by the successful internal applicant, if appropriate. If the Supervisor feels it would be in the City's best interests to consider external applicants in addition to internal applicants, the Supervisor shall so notify the Personnel Department to advertise for external candidates.

5. In the event the Supervisor determines it is appropriate to seek external applicants, or if a current employee fails to apply during the internal posting period, any employee may apply and be considered with external applicants. The list of internal applicants generated shall be considered with the external applicants, unless an internal applicant requests that the Personnel Department should remove that employee from further consideration.

## External Applicants

1. The Personnel Department shall advertise in a local newspaper all positions not filled by an internal candidate, and may advertise the position in other publications or venues deemed appropriate.
2. The Personnel Department shall submit the names of all applicants who respond in the appropriate time period to the panel process, unless the vacancy or vacancies have in the interim been filled by internal applicants.

## The Panel Process

1. The Personnel Department shall schedule and coordinate the panel process, assisting the Supervisor and Panel Chair as necessary.
2. Panels shall consist of not less than three persons, selected by the appropriate Supervisor.
3. The Supervisor shall designate one panel member the Panel Chair. The Supervisor may serve on the panel, but may not be the Panel Chair.
4. The City Manager must concur with the selection of panel members, if the panel is for a non-Department Head vacancy. The City Commission must concur with the selection of panel members, if the panel is for a position which must be appointed by the Commission.
5. In the event there are more applicants for a position than it is practical to interview, the Panel Chair will work with the Personnel Department to narrow the field to a practical number of the best-qualified applicants.
6. In the event the panel is grading more applicants than there are positions available, the Personnel Department shall provide the Panel Chair with a weighted list of desired qualifications on which to rate each applicant, for each applicant and each panel member. Each individual rating form shall be clearly marked with the name of the applicant and the panel member conducting the rating. Each panel member shall rate each applicant and return the marked forms to the Panel Chair, who shall return the marked forms to the Personnel Department. Once the interview process has concluded, the Personnel Department shall compile a score for each applicant by averaging the scores given by each panel member; however, if the panel consists of five or more members, the Personnel Department shall first discard the highest and lowest aggregate scores given to the applicant by individual panel members, and average the remaining scores. The applicants

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shall then be ranked by their final scores, and the Personnel Department shall forward to the Supervisor, in writing, the names of the candidate and their final scores. The Personnel Department shall make the final scores available to panel members upon request.

7. In the event the panel is not considering more applicants than there are positions available, the panel shall simply consider the applicant against a weighted list of desired qualifications for the position, and determine whether the applicant is suitable or unsuitable for the position. The Panel Chair shall provide the panel determination, in writing, to the Personnel Department, which shall in turn forward that determination to the Supervisor.
8. If the Supervisor concurs with the results of the panel, the Supervisor shall request, in writing, that the City Manager authorize the hiring/promotion and direct the Personnel Department to offer the position(s) to the highest scoring applicant(s). If the Supervisor does not concur with the results of the panel, the City Manager shall meet with the Supervisor, Panel Chair, and Personnel Department to determine whether the highest scoring applicant(s) should be hired. In the event an applicant recommended by the panel shall not be hired, the next highest-scoring applicant(s) shall be considered, sequentially, in accordance with this section.
9. If the Supervisor feels at any point there are no suitable applicants for the position, the Supervisor shall ask the Personnel Department to advertise the position again.
10. If the position is one which must be appointed by the City Commission, the City Manager will recommend to the Commission that the applicant be appointed. The City Commission is not bound by this recommendation, but may appoint any candidate it feels would be in the best interests of the City.

## **Duration of Lists**

1. If there is a vacancy within twelve months of a hiring/promotional panel conducted for the same job classification, a Supervisor may request, in writing, the City Manager's permission to offer the position to qualified candidates from that panel.
2. If permission is granted, the Supervisor shall first consider the highest-rated candidate who was not offered the position.