



EMPLOYEE HANDBOOK

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Welcome New Employee!

Welcome to the City of Ypsilanti! We believe that each employee contributes directly to the City's growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with the City.

We hope that your experience here will be challenging, enjoyable and rewarding. We wish you every success!

INTRODUCTORY STATEMENT

This handbook is designed to acquaint you with the City and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the City to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As the City continues to grow, the need may arise and the City reserves the right to change, delete, add to, deviate from, interpret or cancel, in whole or in part, any of the policies set forth in the handbook, in its sole discretion, at any time, with or without prior notice. The policies in this handbook are intended to conform to applicable laws and regulations. If an applicable law or regulation conflicts with one of our policies, that law or regulation will prevail. This handbook supersedes and replaces all previous handbooks, policy manuals, rules, regulations, policies and procedures, with the exception of union contracts. New and current employees are expected to maintain a continuing familiarity with the policies described in the handbook.

This handbook applies to all employees, elected officials, and volunteers where applicable.

Labor agreements and personal contracts supersede this handbook where applicable.

EMPLOYEE ACKNOWLEDGEMENT FORM

I hereby acknowledge receipt of the City of Ypsilanti Employee Handbook by paper copy, electronic copy, and/or internet version and agree to completely familiarize myself with its contents within two weeks.

I understand and agree that this handbook is intended to provide an overview of the City's personnel policies, and that the handbook supersedes and replaces all previous handbooks, policy manuals, rules, regulations, policies and procedures, with the exception of union contracts. I further understand and agree that the City has the right to change, delete, add to, deviate from, interpret or cancel, in whole or in part, any of the policies set forth in the handbook in its sole discretion, at any time, with or without prior notice.

I further acknowledge that this handbook is neither a contract of employment nor a legal document. I understand that I should consult my department head or Human Resources Manager regarding any questions not answered in the handbook.

I understand that no one except the City Manager can enter into any kind of employment relationship or agreement that is contrary to the foregoing. To be enforceable, such relationship shall be in writing and personally signed by the City Manager, myself, and the City Attorney.

The most recent version of the Employee Handbook can always be viewed on the City's website at www.cityofypsilanti.com. At any time, employees may request and obtain a paper copy of the handbook, free of charge, by contacting the Human Resource department.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

EMPLOYMENT

1.01 Nature of Employment

Effective Date: 4/1/1999

Revision Date: 4/1/2015

Employment with the City is for no fixed term and is entered into voluntarily. The employee is free to terminate his/her employment at any time and for any reason, with or without notice. Similarly, the City has the right to terminate the employment relationship at any time, with or without cause, with or without notice, so long as there is no violation of applicable state or federal law.

The "at will" employment relationship described above exists regardless of any other written statement or policies or any other City document or verbal statement to the contrary. No one except the City Manager and union members, as outlined in their respective contracts, can enter into any kind of employment relationship or agreement that is contrary to the foregoing. To be enforceable, such relationship must be in writing and personally signed by the City Manager and the employee, and attested by the City Clerk, or designated in a ratified contract.

1.02 Employee Relations

Effective Date: 4/1/1999

The City believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in other city governments. If employees have concerns about work conditions or compensation, they are strongly encouraged to appropriately voice these concerns openly and directly to their supervisors.

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

1.03 Equal Employment Opportunity

Effective Date: 4/1/1999

Revision Date: 4/1/2011

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the City will be based on merit, qualifications, and abilities. The City does not discriminate in employment opportunities or practices on the basis of race, color, religion, gender, national origin, age, disability, sexual orientation, marital status, or any other characteristic protected by law.



The City will make reasonable accommodations for qualified individuals with known

disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisors or the Human Resources Manager. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Any employee or applicant who believes that he/she has suffered discrimination shall report the incident(s) immediately to the Human Resources Manager. If the complaint is to be brought against the Human Resources Manager, the incident(s) shall be reported to the City Manager, or his/her designee. If the complaint is to be brought against the City Manager, Mayor or member of City Council, the incident(s) shall be reported to the City Attorney. Additionally, if there is a potential for conflict of interest, the complaint will be forwarded to the City Attorney for investigation. Subject to the provisions of this policy, the City of Ypsilanti guarantees that an employee or applicant reporting incident(s) of discrimination will not suffer any form of reprisal.

In determining whether the alleged conduct constitutes discrimination, the totality of the circumstances, the nature of the discrimination and the context in which the alleged incident(s) occurred will be investigated. The Human Resources Manager (or City Manager, or designee, or City Attorney, in the proper circumstances) has the responsibility of investigating and resolving complaints of discrimination.

All complaints will be handled in a timely and, to the extent possible, confidential manner. Investigations will normally include conferring with the parties involved and any named or apparent witnesses. Upon completion of the investigation, the results and any action taken thereon will be reported to the complaining employee or applicant. If the investigation reveals that the complaint is valid, prompt and appropriate remedial action will be taken to stop the discrimination and to prevent its recurrence. Disciplinary action will normally not be shared with the victim.

The City of Ypsilanti considers discrimination in the workplace to be a major offense that will result in disciplinary action against the offender, up to and including suspension or discharge, regardless of the offender's position with the City

1.04 Business Ethics and Conduct

Effective Date: 4/1/1999

Revision Date: 4/1/2011

Revision Date: 4/1/2015

The successful business operation and reputation of the City is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and

excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the City is dependent upon our citizens' trust, and we are dedicated to preserving that trust. Excellent service, fair treatment and professional conduct of employees will merit the continued trust and confidence of the public.

The City will comply with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor for advice and, if necessary, consult with the Human Resources Manager.

Employees may not accept, for personal benefit, any gift with a value in excess of \$25 from any person or company seeking to conduct or currently conducting business with the City. No gift of any value will be accepted if the intent of the gift is to influence a decision of the employee.

Compliance with this policy of business ethics and conduct is the responsibility of every City employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

1.05 Personal Relationships in the Workplace

Effective Date: 4/1/1999

Revision Date: 4/1/2015

Revision Date: 2/1/2016

The employment of relatives, or individuals involved in a dating or domestic relationship, in the same organization may cause serious problems including, but not limited to, charges of favoritism, conflicts of interest, family discord and scheduling conflicts that may work to the disadvantage of both the City and its employees.

For purposes of this policy, a relative is any person who is related by blood, marriage or legal action. The term also includes those in a dating relationship or domestic partners (a person with whom the employee's life is interdependent and who shares a common residence) and children of the employee's domestic partner. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Related employees shall not report to the same supervisor, shall not supervise one

another, shall not assign work to or have similar authority over the other and shall not audit or review the work of the other. No personal employee relationship covered by this policy will be allowed to be maintained, regardless of the positions involved, if it creates a conflict of interest, or is prohibited by any legal or regulatory mandate.

Relatives, as defined above, of a department head or manager shall not be employed in the same department.

If a relative relationship or dating relationship is established between employees after employment, it is the responsibility and obligation of the employees involved to disclose its existence to management. The individuals concerned will be given the opportunity to decide who is to be transferred to another available position. If that decision is not made within 30 calendar days, management will decide who is to be transferred or, if necessary, terminated from employment.

In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship should refrain from public or workplace displays of affection or excessive personal conversation.

This policy must be considered when hiring, promoting or transferring any employee.

1.06 Employee Medical Examinations

Effective Date: 4/1/1999

To help ensure that employees are able to perform their duties safely, medical examinations may be required.

Prior to hiring, each prospective employee must successfully complete a pre-employment drug screen. In addition, prospective employees may be required to undergo a medical examination after an offer of employment has been made and prior to the commencement of employment, and the City may condition the offer of employment and assignment of duties on the results of such examination. Medical examinations will normally be conducted for police officer, fire fighter, and public works maintenance positions. No one may be employed by the City unless the examining physician determines that the applicant is physically able, with or without reasonable accommodation, to perform the essential functions of the job for which he/she has applied, and can perform the job without posing a direct threat to the health and safety of that person or others.

The City may require that employees submit to medical tests and examinations, including tests and examinations concerning the use of drugs and/or alcohol, by an employer-designated physician or medical facility, when such tests or examinations are considered necessary in maintaining a capable work force, employee health and safety, or public safety, or are otherwise job-related and consistent with business necessity.

The City will pay the full cost of any medical tests and examinations it mandates, and such tests and examinations will be scheduled at reasonable times and intervals.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

1.07 Immigration Law Compliance

Effective Date: 4/1/1999

The City is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the City within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Department. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

1.08 Conflicts of Interest

Effective Date: 4/1/1999

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Human Resources Manager for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the City's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of the City as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the City does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the City.

Political Activity

No employee shall seek or attempt to use any political endorsement in connection with any appoint to, or advantage in connection with, a position in the City service.

No employee in the City service shall continue in his or her position after being elected to any public office for the City of Ypsilanti or to other public office where the holding of the public office would involve a conflict of interest.

No employee will utilize city equipment or property to support or endorse a political candidate.

1.10 Outside Employment

Effective Date: 4/1/1999

Employees may hold outside jobs as long as they meet the performance standards of their jobs with the City. Employees may be required to obtain approval for outside employment. All employees will be judged by the same performance standards and will be subject to the City's scheduling demands, regardless of any existing outside work requirements.

If the City determines that an employee's outside work interferes with performance or the ability to meet the requirements of the City as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed by the City.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the City for materials produced or services rendered within City employment or with the use of city owned equipment and resources.

1.11 Employment of Individuals with Felony Convictions

Effective Date: 9/1/2010

The Human Resources Department, through City of Ypsilanti administration, will be held accountable for implementing this policy and governing the process for City staff to follow concerning the hiring of individuals with felony convictions.

General Policies:

- A. The City will revise its employment application to eliminate the box requiring disclosure of past criminal records on applications for employment, except for police and fire department applicants.
- B. The City shall not conduct a background check unless it is required by law for a given position, or if the City has made a good faith determination that the position is of such sensitivity that a background check is warranted. In such cases, the reason a background check is required shall be placed in writing prior to the position being offered, and all applicants seeking the position shall be advised that a background check is required for the position they are seeking.
- C. The City will not conduct any required background checks under this policy until after the applicant, who is the subject of the background check, is determined to be otherwise qualified for the position and has received a conditional offer of employment from the City for that position.
- D. If a background check is required, and an applicant found to have a criminal record that is likely to interfere with that applicant's ability to carry out the responsibilities of the position, the City shall consider all of the following mitigating factors before denying or revoking the conditional offer of employment to the applicant:
 - a. The nature and seriousness of the crime for which the individual was convicted;
 - b. All circumstances relevant to the crime, including mitigating circumstances or social conditions surrounding the commission of the crime;
 - c. The age of the person at the time the crime was committed;
 - d. The length of time that has elapsed since the crime was committed;Any other evidence of rehabilitation and present fitness for the position.
- E. Before the City rescinds or revokes a conditional offer of employment due to the applicant's felony history, the City will notify the applicant of the potential adverse employment action, provide that person with a photocopy of the background report received by the City and inform the applicant of the specific parts of the report that concern the City. The City shall also provide the applicant five (5) business days from the date the photocopy is mailed, e-mailed or faxed to the applicant to discuss the report with the employer, including an opportunity for the applicant to present information rebutting the accuracy and/or relevance of the report. The City will take into account all of the above stated mitigating factors when reviewing any information and documentation presented by the applicant. The City shall document all steps taken to comply with this policy.
- F. Under exigent circumstances, the City may waive the requirements of this policy and shall document the reasons why the waiver was granted. Such waiver shall be granted upon written request to the City Manager.

1.14 Disability Accommodation

Effective Date: 4/1/1999

Revision Date: 7/1/2009

The City is committed to complying fully with the Americans with Disabilities Act of 1990 (ADA) and the ADA Amendments Act of 2008 (ADAAA), ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. Under the Law, a disability is defined as: (1) a physical or mental impairment that substantially limits one or more of the major life activities of an individual, (2) a record of such an impairment; or (3) being regarded as having such an impairment. Specific definitions under the ADA Law are available from the Human Resources Department.

Hiring procedures have been reviewed and provide persons with disabilities employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Post-offer medical examinations are required only for those positions in which there is a bona fide job-related physical requirement. They are given to all persons entering the position only after conditional job offers. Medical records will be kept separate and confidential.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of essential job functions. All employment decisions are 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 in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leaves of all types will be available to all employees on an equal basis.

The City will not discriminate against any employees or qualified applicants because they are related to or associated with a person with a disability. The City is committed to taking any actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

Disabled employees are required to notify the City in writing of their need for accommodation as soon as possible, but no more than 182 days after the employee knew or should have known the accommodation was needed. The following procedure should be followed when requesting an accommodation.

Procedure For Handling Accommodation Requests

Employee: Request accommodation and/or supervisor advises employee of

accommodation policy and assists employee in preparing Form A. Form A is sent to Department Head for consideration.

Department Head: Reviews request and makes one of the following determinations:

Can Make Accommodation: Completes Form B and returns to employee within ten (10) days. Sends copy to the Human Resources Manager.

Cannot Make Accommodation: Completes Form B, sends to Human Resources Manager for review.

Human Resources Manager: Reviews request. Makes determination. Responds within twenty (20) days to department head and employee.

Employee: Accepts or Rejects. If REJECTS: Employee may request the Human Resources Manager to refer request to the City Manager's Office for further consideration.

Human Resources Manager: Submits all pertinent information to City Manager within five (5) working days.

City Manager: Responds with decision within ten (10) working days to Human Resources Manager.

Human Resources Manager: Informs department head and employee of City Manager's final decision.

PLEASE NOTE: If at any time a job applicant expresses a need for accommodation, the applicant must be referred to the Human Resources Department.



Form A - Accommodation Request

To: _____
(Print name of person to whom sent)

From: _____
(Print your name)

I understand I am required under Michigan's Persons with Disabilities Civil Rights Act to notify an employer that I need an accommodation within 182 days after I became aware of the need. This request is to meet that notice requirement.

Accommodation Needed:

Signature of Employee or Job Applicant

Date

Employee or Applicant Copy
(Cut off and save for your files)

Notice sent:

Person to whom sent or given:

Employer:

Accommodation Request:



Form B – Action Taken on Accommodation Request

1. Resolution at Department Head level. Explanation of approval/rejection of accommodation requested and description of resources used for determination.

Department Head Signature:

Date:

Human Resources Manager Signature:

Date:

Acceptance by Employee – Employee Signature

Date:

ATTACH ADDITIONAL PAGES, IF NECESSARY

1.16 Job Posting

Effective Date: 4/1/1999

Revision Date: 9/1/2010

Revision Date: 4/1/2015



The City provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-time, and permanent part-time positions are posted, although the City reserves its discretionary right not to post a particular opening.

Internal job openings will be posted on the employee bulletin board and email. For external job openings, the position is posted on the employee bulletin board, email and on the City's website and any professional publications or newspapers as deemed appropriate. 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 an internally posted job, employees must have successfully completed the probationary period of their current position. Employees who are on probation or suspension are not eligible to apply for posted jobs. Eligible employees can apply only for those posted jobs for which they possess the required skills, competencies and qualifications.

To apply for an open position, employees should submit an internal application to the Human Resources Department listing job-related skills and accomplishments. It should also describe how their current experience with the City and prior work experience and/or education qualifies them for the position.

The City recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors about their career plans. Supervisors are encouraged to support employees' efforts to gain experience and advance within the organization.

An applicant's supervisor may be contacted to verify performance, skills and attendance. Any staffing limitations or other circumstances that might affect a prospective transfer also may be discussed.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Other recruiting sources may be used also to fill open positions in the best interests of the City.

1.17 Residency Requirement

Effective Date: 4/1/1999

Revision Date: 5/1/2006

Revision Date: 4/1/2015

Revision Date: 2/1/2016



It is the purpose and intent of this policy to provide the best possible climate to recruit and retain qualified and capable employees, keeping both the needs of the City and the desires of the employee in mind.

Requirement:

The City Manager is required to reside within 25 miles of the Ypsilanti city limits. Residency shall be required within 90 days of appointment, and the City Manager must remain a resident within the 25 mile radius boundaries throughout his/her term of office. The 25 mile radius is calculated as a straight line between the closest City of Ypsilanti border to the employee's community border.

1.18 Senior Management Positions

Effective Date: 8/5/2016

In order to retain the best talent available, the City will enter into a written individual employment agreement with employees selected for senior management level positions.

Individual employment agreements will be limited to the following senior management positions: City Manager, Assistant City Manager, City Clerk, Director of Fiscal Services, Director of Public Services, Director of Economic Development, Human Resources Manager, Public Safety Director, Police Chief, Deputy Police Chief, Fire Chief, and Deputy Fire Chief.

Employment agreements will not be provided for positions such as technicians, clerks, or area managers. Agreements are intended only for the City's top level management positions, as listed above.

EMPLOYMENT STATUS & RECORDS

2.01 Employment Categories

Effective Date: 4/1/1999

Revision Date: 9/1/2010

Revision Date: 1/1/2011

It is the intent of the City to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at-will at any time is

retained by both the employee and the City.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by the City management.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or probationary status and who are regularly scheduled to work the City's full-time schedule. Generally, they are eligible for the City's benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME employees are those who are not assigned to a temporary, probationary, or casual status and who are regularly scheduled to work less than the full-time work schedule, but at least 25 hours per week. Regular part-time employees are not eligible for benefits sponsored by the City.

PROBATIONARY employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the City is appropriate. Employees who satisfactorily complete the probationary period will be notified of their new employment classification. Generally, they are eligible for the City's benefit package, subject to the terms, conditions, and limitations of each benefit program.

TEMPORARY employees are those who work an irregular schedule of not more than 40 hours per week or are hired as interim replacements, to temporarily supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all City benefit programs.

INTERN employees are those who are currently enrolled in a credited college or university working toward a bachelors or masters degree and wish to work part-time in order to get experience in their field of study. Internships may be paid or unpaid and will last no longer than two years. However, a third-year extension may be approved by the City Manager. It is the intent of the City to provide a learning environment for the intern by assigning hands-on and take-charge assignments. If for any reason the intern is not fulfilling his/her obligation to the City (absenteeism, missing deadlines, etc.), he or she may be replaced with another intern, provided funds are available.

Temporary Upgrades

An employee may be temporarily upgraded to fill a vacancy due to illness, vacation or other absences from work of another employee. To be eligible for a rate-of-pay change, the upgrade must exceed ten (10) working days, and be authorized in writing by the immediate supervisor and the Human Resources Manager. If the upgrade is known from the beginning to exceed ten (10) work days, the employee shall receive the higher rate of pay immediately. If not, and the upgrade exceeds ten (10) working days, the employee shall be paid retroactively for the first ten days.

Employees shall receive a 5% pay increase or the first step of the upgraded position, whichever is greater. Temporary upgrades shall not exceed 90 calendar days, unless authorized by the Human Resources Manager.

In the event of separation during a temporary upgrade, the value of earned vacation, sick time or compensatory time shall be paid at the employee's prior rate.

2.02 Access to Personnel Files

Effective Date: 4/1/1999

The City maintains a personnel file for each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.



Personnel files are the property of the City, and access to the information they contain is restricted. Generally, only supervisors and management personnel of the City who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own files should contact the Human Resources Department. With reasonable advance notice, employees may review their own personnel files in the City's offices and in the presence of an individual appointed by the City to maintain the files, generally **not more than twice per calendar year**.

Normally, the City will not notify an employee of action by the City in transmitting personnel records of an employee's file to a third party in the following instances:

- ❑ When an employee has a signed application with another employer and that application has a waiver provision.
- ❑ The disclosure is ordered as part of a legal action or arbitration.
- ❑ Information is requested from a governmental agency as part of a claim or complaint by an employee.

The City will release the following information without a written release from the employee:

Employment status, dates of employment, position, and confirmation of salary.

All other information will be released only with a signed release from the employee, unless required by state or federal law.

2.03 Employment Reference Checks

Effective Date: 4/1/1999



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 check the employment references of all applicants.

The Human Resources Department 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. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

Departments contacted for references on past employees should direct the individual to the Human Resources Department. The Human Resources Department will determine the appropriateness of the request and the information to be released.

2.04 Personnel Data Changes

Effective Date: 4/11/1999

Revision Date: 4/1/2005

It is the responsibility of each employee to promptly notify the City of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Human Resources Department.

Employees are required to have a valid mailing address and home telephone number on record with the City at all times.

Employees must notify the Human Resources Department within 30 days of the following events:

1. Legal separation;
2. Birth or adoption of a child (or legal guardianship);
3. Marriage;
4. Death of any covered dependents;
5. Ineligibility of any dependents under health benefit contracts.

Failure to notify the Human Resources Department will affect the insurance coverage of

new dependents. Employees will have to wait until the next open enrollment date before adding new dependents. The failure of an employee to respond timely to open enrollment and other benefit verification requests may result in the forfeiture of benefits.

If an employee fails to notify the City of the removal of a spouse and/or dependents within 30 days of the effective date of the change, the employee may be required to reimburse the City for any charges assessed to the City for the spouse and/or dependent coverage. The charges will accrue between the effective date of the change and the date the employee notified the City of the change in status.

2.05 Probationary Period

Effective Date: 4/1/1999

Revision Date: 4/1/2015

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the City may end the employment relationship at will at any time during or after the probationary period, with or without cause or advance notice.

All new and rehired non-union employees work on a probationary basis for the first 180 calendar days after their date of hire. Employees who are promoted or transferred within the City must complete a secondary probationary period with each reassignment. Any significant absence will automatically extend a probationary period by the length of the absence. If the City determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period.

In cases of promotions or transfers within the City, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the secondary probationary period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job for which the employee is qualified, depending on the availability of such positions, the City's needs, and any contractual obligations.

Upon satisfactory completion of the initial probationary period, employees enter the "regular" employment classification.

During the initial probationary period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other City-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefit program for the details on eligibility requirements.

Employment status for benefit purposes is not changed during the secondary probationary period which results from a promotion or transfer within the City.

2.08 Employment Applications

Effective Date: 4/1/1999

The City relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment at any time.

In processing employment applications, the City may obtain a consumer credit report for employment purposes only concerning credit worthiness, credit standing, and credit capacity. If the City takes an adverse employment action based in whole or in part on the consumer credit report, a copy of the report and a summary of your rights under the Fair Credit Reporting Act will be provided, as well as any other documents required by law.

2.09 Performance Evaluation

Effective Date: 4/1/1999

Revision Date: 4/1/2015

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the midpoint, and at the end, of a non-union employee's initial period in any new position. This period, known as the probationary period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

After the initial probationary period, performance evaluations shall be conducted annually.

2.10 Job Descriptions

Effective Date: 4/1/1999

Revision Date: 9/1/2010

The City makes every effort to create and maintain accurate job descriptions for all positions within the organization. Each description includes sections for job information; a job summary (giving a general overview of the job's purpose); essential duties and responsibilities; supervisory responsibilities; qualifications (including 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 job duties and to set standards for employee performance evaluations. Job descriptions are also used to identify the requirements of each position, establish hiring criteria, and establish a basis for making reasonable accommodations for individuals with disabilities.

The Human Resources Manager and the Department Head prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised periodically, in order to ensure that they are current. Job descriptions may also be rewritten to reflect any changes in a position's duties and responsibilities. Employees can also be helpful by making sure that job descriptions accurately reflect the work being performed.

Job descriptions do not necessarily cover every task or duty that might be assigned, and additional responsibilities may be assigned as necessary. Contact the Human Resources Manager with any questions or concerns about job descriptions.

2.12 Salary Administration

Effective Date: 4/1/2005

The salary administration program was created to achieve consistent pay practices, comply with federal and state laws, mirror the City's commitment to Equal Employment Opportunity, and offer competitive salaries within the labor market. Because the City believes that recruiting and retaining talented employees is critical to its success, it is committed to paying employees equitable wages that reflect the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in other city governments in the area.

Compensation for every position is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers. The salary administration program is reviewed periodically and restructured as necessary.

For questions about the pay practices for any department, contact the department supervisor. The Human Resources Manager is also available to answer questions about the City's salary administration program.

2.14 Medical Information Privacy

Effective Date: 4/1/2005

This Medical Information Privacy policy describes how health information may be used and disclosed, and how employees can get access to this information. The City is committed to maintaining and protecting the confidentiality of employees' personal information. The



Human Resources Manager is the designated Privacy Officer for all employee medical information.

This policy of privacy practices applies to the health plans of the City that are covered by privacy regulations; for example, health benefit plans, dental plans, employee assistance plans, and pharmacy benefit programs (collectively referred to as the Benefit Plans). The Benefit Plans are required by federal and state law to protect the privacy of individually identifiable health information and other personal information, and to provide employees with notices about their policies, safeguards, and practices. When the Benefit Plans use or disclose protected health information, the Benefit Plans are bound by the terms of this policy, or any revision of this policy.

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

Treatment - The Benefit Plans may disclose protected health information, or covered dependents' protected health information, to a health care provider or administrator for its provision, coordination, or management of the employees' or dependents' health care and related services. For example, prior to providing a health service, doctors may ask for information concerning whether and when the service was previously provided to the patient. The Benefit Plans may use and disclose your protected health information for treatment activities of a health care provider.

Payment - The Benefit Plans may use and disclose protected health information to facilitate payment of premiums for coverage and to determine and fulfill the City's responsibility to provide medical, dental, and EAP benefits. For example, protected health information may be used to make coverage determinations, administer claims, and coordinate benefits with other coverage the employee may have. The Benefit Plans may also disclose protected health information to a health plan or administrator to determine eligibility for coverage, or for the health care provider to obtain payment for health care services provided.

Health Care Operations - The Benefit Plans may use and disclose protected health information for health care operations, or the health care operations of a third party administrator of the Benefit Plans. For example, the Benefit Plans may use protected health information to conduct quality assessment and improvement activities. Other health care operations may include providing appointment reminders, or sending information about treatment alternatives or other health-related benefits and services.

Also, the Benefit Plans may disclose protected health information to another health plan or provider in order to conduct quality assessment and improvement activities (for example, to perform case management).

Disclosure to Employer or Operating Company - The Benefit Plans may disclose protected health information to the City, or to a company acting on behalf of the City, so that it can monitor, audit, and otherwise administer the employee health benefit

plan. The City and its operating companies are not permitted to use protected health information for any purpose other than administration of health, dental, and EAP benefits. The Benefit Plans will not disclose protected health information to the City for the purposes of employment-related actions or decisions, or in connection with any other benefit or employee benefit plan. The Benefit Plans will identify employees who are authorized to receive and use protected health information.

Disclosure to Health Care Vendors and Accreditation Organizations - The Benefit Plans may disclose protected health information to companies with whom the City contracts, if needed to perform requested services. For example, the Benefit Plan may provide protected health information to vendors who provide important information and guidance to plan members with chronic conditions such as diabetes and asthma. Protected health information may be disclosed to accreditation organizations such as the National Committee for Quality Assurance (NCQA) for quality measurement purposes. When the Benefit Plans enter into these arrangements, the City will obtain a written agreement to protect employee health information.

Public Health Activities - The Benefit Plans may disclose protected health information for the following public health activities and purposes: 1) to report health information to public health authorities who are authorized by law to receive such information for the purpose of controlling disease, injury, or disability; 2) to report child abuse or neglect to a government authority who is authorized by law to receive such reports; 3) to report information about a product or activity that is regulated by the U.S. Food and Drug Administration (FDA) to a person responsible for the quality, safety, or effectiveness of the product or activity; and, 4) to alert a person who may have been exposed to a communicable disease, if the Benefit Plans are authorized by law to give this notice.

Health Oversight Activities - The Benefit Plans may disclose protected health information to a government agency that is legally responsible for oversight of the health care system, or for ensuring compliance with the rules of government benefit programs, such as Medicare or Medicaid, or other regulatory programs that need health information to determine compliance.

For Research - The Benefit Plans may disclose protected health information for medical research purposes, subject to strict legal restrictions.

To Comply with the Law - The Benefit Plans may use and disclose protected health information to comply with the law.

Judicial and Administrative Proceedings - The Benefit Plans may disclose protected health information in a judicial or administrative proceeding or in response to a legal order.

Law Enforcement Officials - The Benefit Plans may disclose protected health information to the police or other law enforcement officials, as required by law or in compliance with a court order or other process authorized by law.

Health or Safety - The Benefit Plans may disclose protected health information to prevent or lessen a serious and imminent threat to employee health or safety, or the health and safety of the general public.

Government Functions - The Benefit Plans may disclose protected health information to various departments of the government, such as the U.S. military or the Department of State.

Workers' Compensation - The Benefit Plans may disclose protected health information when necessary to comply with workers' compensation laws.

Other - The Benefit Plans may disclose protected health information when necessary to file claims with re-insurers or stop-loss carriers, or to obtain coverage with re-insurers or stop-loss carriers. The Benefit Plans may also disclose protected health information to subrogation vendors to recoup payments made by the Benefit Plans that were reimbursed by other insurance arrangements.

Uses and Disclosures with Your Written Authorization - The Benefit Plans will not use or disclose protected health information for any purpose other than the purposes described in this policy without written authorization. For example, the Benefit Plans will not supply protected health information to another company for its marketing purposes or to a potential employer with whom an employee is seeking employment without signed authorization. An employee may revoke an authorization that was previously given by sending a written request to the Human Resources Manager, but not with respect to any actions the Benefit Plans have already taken.

Disclosure to Others Involved in an Employee's Care - The Benefit Plans may disclose protected health information about an employee, relative, friend, the subscriber of employee benefits, or any other person identified by an employee, provided the information is directly relevant to that person's involvement with the employee's health care or payment for that care.

For example, if a family member or a caregiver calls us with knowledge of protected health information, the City may confirm that information or answer questions. Employees have the right to stop or limit this type of disclosure by contacting the Human Resources Manager. If the employee is a minor, he/she may have the right to block parental access to protected health information in certain circumstances, if permitted by state law.

Employees may request restrictions on the use and disclosure of protected health information for the treatment, payment, and health care operations purposes explained

in this policy. While the Benefit Plans will consider all requests for restrictions carefully, the Benefit Plans are not required to agree to a requested restriction.

Employees may ask to receive communications about protected health information from the Benefit Plans by alternative means of communication or at alternative locations. While the Benefit Plans will consider reasonable requests carefully, they are not required to agree to all requests.

Employees may ask to inspect or obtain copies of protected health information that is included in certain records the Benefit Plans maintain. Under limited circumstances, the Benefit Plans may deny access to a portion of employee records. If employees request copies, the Benefit Plans may charge for copying and mailing costs.

Employees have the right to ask the Benefit Plans to amend protected health information that is contained in the Benefit Plans' records. If the Benefit Plans determine that the record is inaccurate, and the law permits the Benefit Plans to amend it, the Benefit Plans will correct it. If a doctor or another person created the information that the employee desires to change, the request should be directed to that person.

Upon request, employees may obtain an accounting of disclosures the Benefit Plans have made. The accounting that the Benefit Plans provide will not include disclosures made before April 14, 2003; disclosures made for treatment, payment, or health care operations; disclosures made earlier than six years before the date of the request; and certain other disclosures that are exempted by law. If more than one request for accounting is made during any 12-month period, the Benefit Plans will charge a reasonable fee for each additional accounting statement

Employees may contact the Human Resources Manager to obtain a paper copy of this policy, even if the employees have previously agreed to receive notices electronically. Also contact the Human Resources Manager to make any of the requests listed above.

If employees desire more information about privacy rights, do not understand privacy rights, are concerned that the Benefit Plans have violated privacy rights, or disagree with a decision that the Benefit Plans have made about access to protected health information, they may contact the Human Resources Manager.

Employees may also file written complaints with the Secretary of the U.S. Department of Health and Human Services. No action will be taken against an employee who files a complaint.

The City may change the terms of this policy at any time. If a change is made, the City may make the new policy terms effective for all protected health information that the Benefit Plans maintain, including any information the Benefit Plans created or received before the City issued the new policy. If any changes are made to the Medical Information Privacy policy, notice of the changes will be provided to employees.

2.16 Social Security Number Policy

Effective Date: 4/1/2005

To protect personal information, the City has a policy prohibiting the use of Social Security numbers for identification purposes, except as allowed by law. The City will not:

- ❑ Publicly post or publicly display in any manner Social Security numbers. "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.
- ❑ Print Social Security numbers on any card required to access products or services provided by the City.
- ❑ Require employees to transmit Social Security numbers over the Internet, unless the connection is secure or the Social Security number is encrypted.
- ❑ Require employees to use Social Security numbers to access an Internet web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet web site.
- ❑ Print Social Security numbers on any materials that are mailed, unless state or federal law requires the Social Security number to be on the document.

However, Social Security numbers may be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process; or to establish, amend, or terminate an account, contract, or policy; or to confirm the accuracy of the Social Security number.

In instances where the City has used Social Security numbers in the past in a manner inconsistent with this policy, the City will continue using that Social Security number, if all of the following conditions are met:

- ❑ The use of the Social Security number is continuous. If the use is stopped for any reason, the conditions listed above will apply.
- ❑ Employees are provided an annual disclosure that informs them of the right to stop the use of Social Security numbers in a manner prohibited by this policy.

A written request to stop the use of a Social Security number in a prohibited manner will be implemented within 30 days of the receipt of the request. There will be no fee or charge for implementing this request. The City will not deny services due to this request.

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 internal verification or administrative purposes. If an employee has questions about this policy or feels that a Social Security number has been used inappropriately by the City, contact the Human Resources Manager.

EMPLOYEE BENEFIT PROGRAMS

3.01 Employee Benefits

Effective Date: 4/1/1999

Revision Date: 4/1/2015

Eligible employees at the City are provided a wide range of benefits, subject to applicable labor agreement contracts. A number of the programs (such as Social Security, Workers' Compensation, and unemployment) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The Human Resources Department can identify the programs for which employees are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following benefits are available to eligible employees:

- Bereavement Leave
- Deferred Compensation Plan
- Dental Insurance
- Employee Assistance Program
- Family Leave
- Flextime Scheduling
- Health Care Savings Account
- Holidays
- Jury Duty Leave
- Legal & Identity Theft Protection
- Life Insurance
- Medical Insurance
- Medical Leave
- Military Leave
- Personal Time Off
- Personal Leave
- Retirement Plan
- Short-Term Disability
- Sick Leave Benefits
- Supplemental Life Insurance
- Uniforms and Uniform Maintenance
- Vacation Benefits
- Vision Care Insurance
- Flexible Spending Account (Basic)
- Wellness Program
- Witness Duty Leave

Some benefit programs require contributions from employees, but many are fully paid by the City. The benefit package for regular full-time employees represents an

additional cost to the City of approximately 19-32 percent of wages (depending on salary and number of dependents).

3.03 Vacation Benefits

Effective Date: 4/1/1999

Revision Date: 9/1/2010

Revision Date: 3/18/2013

Revision Date: 4/1/2015



Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to receive and use vacation time as described in this policy:

- ❑ Regular full-time employees
- ❑ Regular part-time employees (hours prorated based on number of regularly scheduled hours per year)

The amount of paid vacation time employees receive each year increases with the length of employment as shown in the following schedule:

- ❑ After 6 months of eligible service (completion of first probationary period), the employee is entitled to 10 vacation days each year (80 hours).
- ❑ After two years of eligible service, the employee is entitled to 12 vacation days each year (96 hours).
- ❑ After five years of eligible service, the employee is entitled to 15 vacation days each year (120 hours).
- ❑ After seven years of eligible service, the employee is entitled to 16 vacation days each year (128 hours).
- ❑ After 10 years of eligible service, the employee is entitled to 18 vacation days each year (144 hours).
- ❑ After 12 years of eligible service, the employee is entitled to 19 vacation days each year (152 hours).
- ❑ After 15 years of eligible service, the employee is entitled to 21 vacation days each year (168 hours).
- ❑ After 20 years of eligible service, the employee is entitled to 25 vacation days each year (200 hours)

Employees hired on or after January 1, 2013 will have the following vacation schedule upon completion of their first probationary period:

- After 6 months of eligible service (completion of first probationary period), the employee is entitled to 10 vacation days each year (80 hours).
- After 5 years of eligible service, the employee is entitled to 15 vacation days each year (120 hours).
- After 15 years of eligible service, the employee is entitled to 18 vacation days each year (144 hours).
- After 20 years of eligible service, the employee is entitled to 20 vacation days each year (160 hours).

Once employees enter an eligible employment classification, they are granted paid vacation time according to the schedule. Employees will be granted their annual allotment of vacation January 1 of each year. When employees move into a higher allotment level on their anniversary date, they will be credited with the additional days at that time.

Paid vacation time can be used in minimum increments of one-half day. To take vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Employees hired prior to January 1, 2013 may convert 40 hours of vacation leave to cash once per calendar year. Employees should request the cashout of 40 hours on a time-off request form as 40 hours paid vacation leave. Employees hired on or after January 1, 2013 will not be eligible for 40 hours of vacation cash-outs.

Vacation leave requests in excess of two consecutive weeks are subject to approval of the City Manager.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, bonuses, or shift differentials.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation time is not used by the end of the calendar year, employees will be allowed to carry over one year of unused vacation time.

Upon termination of employment, employees are entitled to receive reimbursement for any accumulated, but unused, vacation, except in the following situations:

1. If the employee fails to give at least two (2) weeks' notice of voluntarily terminating employment.
2. If the employee has any absences that are not approved after giving notice of

- termination, and before the actual termination date.
3. If the employee is involuntarily terminated by the City.

3.04 Child Care Benefits

Effective Date: 4/1/1999

The City provides child care assistance to all eligible employees as a benefit of employment. Eligible employee classifications are:



- ❑ Regular full-time employees
- ❑ Regular part-time employees

Given below is a brief description of child care assistance that may be provided when feasible. For more detailed information, please contact the Human Resources Department.

- ❑ FLEXTIME SCHEDULING: Employees may request the opportunity to vary their work schedules (within employer-defined limits) to better accommodate child care responsibilities.
- ❑ FLEXIBLE LEAVE: The employer recognizes that the fulfillment of child care responsibilities can provide a compelling reason for time-off requests. Where feasible, the employee's needs will be accommodated.
- ❑ SICK LEAVE BENEFITS: Employees may use accrued sick leave benefits in the event of the illness of a child. Medical verification may be required.

3.05 Holidays

Effective Date: 4/1/1999

Revision Date: 3/18/2013

Revision Date: 4/1/2015

The City will grant holiday time off to all employees on the holidays listed below:

- ❑ New Year's Day (January 1)
- ❑ Martin Luther King, Jr. Day (third Monday in January)
- ❑ 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 (December 25)
- ❑ Day before or after Christmas Day (as determined by City Manager)
- ❑ Day before or after New Year's Day (as determined by City Manager)

- One (1) Floating Personal Holiday*

*Employees hired on or after January 1, 2013, will not receive a Floating Personal Holiday.

The City will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular full-time employees
- Regular part-time employees
- Probationary employees

To be eligible for holiday pay, employees must work (or be on authorized paid leave) the last scheduled day immediately preceding and the first scheduled day immediately following the holiday.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

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

Paid time off for holidays will be counted as hours worked for the purposes of determining whether overtime pay is owed.

The City Manager may close administrative offices during the Christmas/New Year's holiday period. The City will designate the holidays and the employee must designate the leave days. During this time period only, employees may request the leave days without pay.

*The City recognizes the diversity of today's workforce. Therefore, where employees may wish to observe a religious holiday (or other day of rest) otherwise not observed by the City, they may designate their own "personal" holiday. This day must be requested and approved two weeks in advance. This holiday must be used within the calendar year and cannot be carried over into the next year.

3.06 Workers' Compensation

Effective Date: 4/1/1999

Revision Date: 4/1/2011

Revision Date: 4/1/2015

The City provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisors immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Employees who sustain work-related injuries are eligible for a medical leave for the period of disability (up to one year) in accordance with all applicable laws covering occupational disabilities.

Neither the City nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City.

To assist employees in understanding this program, we have developed this policy statement, along with a procedural process necessary for a person to successfully obtain benefits under this program. In the instances of challenged cases, we have included a policy statement that defines the City's position.

Definitions

Worker's Compensation - Compensation for a disability or death as a result of personal injury suffered in the course and scope of employment or disability or death due to an occupational disease contracted in the course and scope of employment.

Disability - A limitation of an employee's wage earning capacity in the employee's general field of employment, not just the last job.

Reporting An Injury Or Occupational Illness

The employee is responsible for filing an injury report, except in the case of absence, then the supervisor must file the report. Workers' compensation claims must be filed for work-related injuries only. The filing of a personal injury accident report automatically takes all injuries to our insurance administrator. With this necessity, all on-the-job injuries must be reported promptly to the supervisor, and an Employee's Report of Injury Form must be completed (available on City website and Appendix D of this handbook). A supervisor cannot refuse to accept an injury report. Additionally, all

follow-up paperwork related to appointments and treatment must be sent to the Human Resources Department for processing.

In The Case Of Non-Life Threatening Or Not Permanently Disabling Injuries:

- STEP 1: Employee's Report of Injury Form must be completed within 48 hours of the injury.

- STEP 2: Employee must obtain an "authorization for treatment" form through his/her supervisor or the Human Resources Department.

- STEP 3: Employee must receive medical treatment for the condition at a City-sanctioned medical facility.

- STEP 4: Employee must provide a physician's report stating his/her condition.

In The Case Of Life-Threatening Or Permanently Disabling Injury

In these cases, the employee must receive the proper medical treatment immediately. The on-site supervisor may exercise discretion to secure the proper medical treatment for the injured employee. The important emphasis at this stage is placed upon the employee receiving immediate medical treatment. After treatment has been secured, then the appropriate documentation must be completed.

Compensation For Work-Related Injuries

- A. Injury /illness for less than seven days: The City will provide the regular weekly or biweekly paycheck to the individual. This is not deducted from any accrual. An accident report must be filed.

- B. Injury /illness for seven days or more: For our insurance program, an employee must be incapacitated extending seven days or more with the insurance commencing on the eighth (8) day after the injury. If the incapacitation continues over two (2) weeks, compensation shall be computed from the day of the injury.

The actual dollar compensation varies according to state law. However, for all employees, the City will make up the difference between the insurance and employee's base pay at time of injury, for one year. Leave accruals will be suspended for the duration of the leave.

Challenged Cases

In some instances the City, and/or the insurance carrier, will challenge the employee's claim to workers' compensation. The merits of the case will be the primary element in reviewing the City's position. While many factors will be taken into consideration, the City will definitely challenge under any one of the following conditions:

1. There is intentional and/or willful misconduct by the employee that caused the injury.

2. There is intentional and/or willful misconduct by the employee to deceive the City regarding the injury.
3. The injury report is filed significantly late. (Exceptions due to employee's health can be an accepted delay).
4. The employee refuses medical treatment by the City's authorized physicians.
5. When, after investigation, the facts show the injury is not work-related.

In challenged cases where the employee is not working, the employee may request a medical leave of absence to maintain benefits (see Medical Leave 6.01). When the case is resolved through legal action, the settlement shall specifically address all the facts pertaining to all issues. In a challenged case, the employee may elect to use sick or vacation accumulations while off work.

Physical Examination Policy

Following an injury, the department head/supervisor shall follow-up to make sure the employee has visited a doctor. If the employee refuses treatment, this shall be noted. For the first twenty-eight (28) days after an injury, the employee shall visit the City's authorized physician, if a physician's care is necessary. After twenty-eight (28) days, the employee may elect a doctor of his/her choice, but the City must be notified of the doctor's name and address.

Upon written request (signed and dated), the employee shall be furnished a copy of the City-authorized doctor report. Likewise, the employee shall furnish the City a copy of the employee's doctor report after the initial examination and every subsequent examination. At any time, the City has the right to challenge the employee's medical treatment by scheduling an independent medical evaluation. If the employee desires, he/she may have a physician of their own choosing, and at their own expense, attend the examination.

After medical appointments, the employee is required to present his/her department head/supervisor with documentation confirming the disability status and any restrictions to regular duties. This documentation or facsimiles shall be forwarded to the Human Resources Department and then the insurance administrator.

Employees are required to attend all scheduled follow-up examinations and appointments for treatment (including physical therapy) with the City's designated physician or other medical provider. Failure to attend or fully cooperate with any City-required medical examination or appointment for treatment may result in disciplinary action or loss of benefits.

Except as otherwise provided in the Family and Medical Leave Act of 1993, the City's designated physician will make the final determination as to when an employee is able to return to work. Failure to return on the date indicated by the City's designated

physician may result in termination of employment, and/or workers' compensation will be discontinued.

The City or insurance administrator shall pay all eligible physician bills. If the employee does not have required doctor reports submitted, no bills will be paid. All employees visiting a physician under this policy, whenever scheduled, are not to be paid additional compensation by the City. Examples:

1. An employee off work on an approved workers' compensation program and ordered to a physician shall not be paid an overtime rate.
2. An employee off work on a challenged case and ordered to a physician, and the employee is receiving no compensation or is using sick or vacation accruals, shall receive no compensation.
3. An employee scheduled for a City-authorized examination during their work shift shall not have the time deducted from their pay.
4. If an employee is working, but is scheduled for a City-authorized examination during non-duty hours, no compensation is due.

3.07 Sick Leave Benefits

Effective Date: 4/1/1999
Revision Date: 5/1/2006
Revision Date: 3/13/2013
Revision Date: 4/1/2015



The City provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- ❑ Regular full-time employees
- ❑ Regular part-time employees
- ❑ Probationary employees

Eligible employees will accrue sick leave benefits at the rate of 12 days per year (1 day for every full month of service).

Employees hired on or after January 1, 2013, will accrue sick leave benefits at the rate of 6 days per year (1/2 day for every full month of service).

Paid sick leave can be used in minimum increments of one hour. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of a family member who resides in the employee's household.*

Employees who are unable to report to work due to illness or injury should notify their

direct supervisors within one hour of the start of their workday. The direct supervisor must also be contacted on each additional day of absence. If an employee is absent for two or more consecutive days due to illness or injury, a physician's statement may be required to verify the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well, and may be required as a condition for receiving sick leave benefits. Before returning to work from a sick leave absence of five (5) workdays or more, an employee must provide a physician's verification that he or she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation.

Unused sick leave benefits will be allowed to accumulate indefinitely.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment (other than retirement).

Upon death or retirement, the employee or heirs shall be paid for 75% of the employee's accumulated sick leave at the employee's prevailing hourly rate of pay. For example, a retiring employee has accumulated 1250 hours of sick leave. The employee will receive a cash-out check for 937.50 hours ($1250 \times .75 = 937.50$).

Employees hired on or after January 1, 2013, will receive 50% of their accumulated sick time at their prevailing wage.

For employees who are vested in the retirement system and separate from employment at less than the required age (i.e., deferred retirement), the cash-out of accumulated sick leave shall occur if the retiree is over age 50, or upon the date the retiree would have been eligible for full retirement, whichever occurs first.

3.09 Bereavement Leave

Effective Date: 4/1/1999

Revision Date: 8/25/2010

Revision Date: 4/1/2015

Employees who wish to take time off due to the death of an immediate family member should notify their supervisors immediately.

Up to four (4) days of paid bereavement leave will be provided to eligible employees in the following classifications:

- ❑ Regular full-time employees
- ❑ Regular part-time employees
- ❑ Probationary employees

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any available paid leave for additional time off as necessary. Proof of funeral attendance may be required.

Immediate family is defined as: employee's natural mother, father, brother, sister, grandparents, grandchildren, natural or legally adopted daughter, son, step-parents, stepchildren, spouse, father/mother-in-law, spouse's grandparents, brother-in-law, sister-in-law, daughter-in-law, son-in-law, or member of employee's own household not covered by immediate family. Special consideration for one day of paid bereavement leave to attend the funeral will also be given to any other person whose association with the employee was similar to any of the above relationships (i.e., companion, aunts, uncles, same domicile).

The City defines "death" under state law as requiring the issuance of a death certificate.

3.11 Jury Duty

Effective Date: 4/1/1999

The City encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees in an eligible classification may request up to two weeks of paid jury duty leave over any two-year period.



Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

- ❑ Regular full-time employees
- ❑ Regular part-time employees

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid leave (for example, vacation benefits) or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their supervisors as soon as possible, so the supervisors may make arrangements to accommodate their absences. Of course, employees are expected to report for work whenever the court schedule permits.

Either the City or the employee may request an excuse from jury duty if, in the City's judgment, the employee's absence would create serious operational difficulties.

The City will continue to provide health insurance benefits for the full term of the jury duty absence.

Benefit accruals such as vacation, sick leave, personal days or holiday benefits will be suspended during unpaid jury duty leave and will resume upon return to active employment.

3.12 Witness Duty

Effective Date: 4/01/1999

Revision Date: 4/1/2015



The City encourages employees to appear in court for witness duty when subpoenaed to do so.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the City, they will receive paid time off for the entire period of witness duty.

Employees will be granted a maximum of 16 hours of paid time off per calendar year to appear in court as witnesses at the request of a party other than the City. Employees will be paid at their base rate and are free to use any remaining paid leave benefits (such as vacation benefits) to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena should be shown to the employee's supervisor immediately after it is received so the supervisor may make arrangements to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

3.13 Benefits Continuation (C.O.B.R.A.)

Effective Date: 4/1/1999

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City's group rates, plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employee's rights and obligations.

3.14 Professional Development

Effective Date: 4/1/1999

Revision Date: 7/1/2009

The City recognizes employees are critical to the success of the organization and professional development is critical to the success of employees. In addition, professional development opportunities help the City recruit and retain a highly-skilled workforce reflective of the community. The professional development program encourages employees to take advantage of professional development opportunities in order to maintain and improve job-related skills, or to enhance their ability to compete for reasonably attainable jobs within the City.

The professional development program is intended to provide probationary and regular full-time and part-time employees, as well as appointed and elected officials, with financial assistance to attend professional conferences and workshops rather than tuition reimbursement for college or university courses. However, employees may request tuition reimbursement for a college or university course if the City and employee mutually agree the course is beneficial to both the City and the employee, and no comparable professional development opportunity exists. Tuition will be reimbursed at the same rate as actual registration and material fees described below:

1. The City will fund mandatory training needed to maintain or obtain licenses and certification required to perform job duties.
2. The City will fund actual registration and material fees up to \$200.
3. The City will fund 50% of actual registration and material fees in excess of \$200.

Professional development funding may be applied to registration, travel, lodging, meals, mileage, and any other incidental expenses associated with the professional development opportunity approved by the City Manager. For each professional development opportunity, funding will be provided at the rates listed in Section 5.12 of the Business Travel Expense Policy in the employee handbook.

Professional development opportunities must be related to the employee's current job duties or a reasonably attainable position in the organization. The City has the sole discretion to determine whether a professional development opportunity relates to an employee's current job duties or a reasonably attainable position. While professional development is expected to enhance employees' performance and professional abilities, the City cannot guarantee that professional development will entitle an employee to automatic advancement, a different job assignment, or pay increases.

Each department within the City will budget for professional development annually, subject to Council approval. Each department head is responsible for anticipating the professional development needs of the department and requesting a professional development appropriation during the City's annual budgeting process.

The department head will review applications for professional development financial assistance, with the City Manager making the final determination on each application. The review will take into consideration the following:

1. The availability of funds
2. The relationship of the professional development opportunity to the employee's job classification.
3. The employee's work performance.
4. The amount of professional development financial assistance previously received by the employee.

An employee must remain on the active payroll and perform his or her job satisfactorily through completion of each professional development opportunity to maintain eligibility. At the City's discretion, funding may be provided on a pre-payment or reimbursement basis. Professional development opportunities must be approved in advance according to the following application procedure:

1. The employee completes **Section I** of the attached Professional Development Application & Approval Form no earlier than three months prior to the start date of each class, seminar, conference, etc. The Application & Approval Form is also available from the Human Resources Department.
2. The employee's supervisor is responsible for completing **Section II** of the Application & Approval Form. The supervisor's comments must include a clear statement concerning the job-relatedness of the course.
3. The employee and department head must sign the form.
4. If the employee's position is funded outside of the General Fund, **Section III** must be completed by the person authorized to sign-off on expenditures.
5. The department head should forward the signed Application & Approval Form to the City Manager for approval prior to the start date of the professional development program.
6. The Application & Approval Form will be reviewed, then approved or rejected and returned to the department head.
7. Upon completion of the professional development program, the employee must send documentation to Human Resources that the training was completed.
8. Requests for payment of fees to a vendor should be submitted in the same manner as other invoices with the approved Application & Approval Form attached.
9. Request for reimbursement should be approved by the department head and forwarded to the Payroll Department with receipts attached and copies of the completed Approval Form and Applications and Business Travel Expense Form.
10. Reimbursement will appear on the employee's paycheck in the next available payroll period after receipt of the reimbursement request.

**Professional Development
Application & Approval Form**

Section I

I. Application (Applicant)

Name: _____ Date: _____

Job Title: _____ Department: _____

Professional Development Opportunity:

Program Name: _____ Provider: _____

Location: _____ Dates _____

Briefly describe the subject matter of this class, and provide a statement as to how it relates to your current job.

Section II.

Comments on Job Relatedness & Employee Eligibility (Department Head)

Please circle appropriate status:

Probationary/Regular Full-time/Part-time employee Appointed/Elected official

Employee met job requirements at last performance review. Initials _____

Department Head's Signature: _____ Date: _____

Section III.
Grant, Donation and/or Special Funding

Funding is available at _____%

Account Number: _____

Employee Signature

Date

Department Head Signature

Date

City Manager Signature

Date



3.15 Personal Time-Off (PTO)

Effective Date: 4/1/1999
Revision Date: 3/18/2013
Revision Date: 4/1/2015

Personal Time-Off (PTO) is leave time for eligible employees to use for personal business. Employees in the following employment classifications are eligible to earn and use PTO as described in this policy:

- ❑ Regular full-time employees
- ❑ Regular part-time employees
- ❑ Probationary employees

Once employees enter an eligible employment classification, they are granted PTO according to the schedule below. They can request use of PTO after it is earned.

- ❑ Upon initial eligibility the employee is entitled to 5 PTO days per fiscal year
- ❑ Employees hired on or after January 1, 2013 will be eligible for 3 PTO days per fiscal year

PTO can be used in minimum increments of one hour. Employees who have an unexpected need to be absent from work should notify their direct supervisors before the scheduled start of their workday. The direct supervisor must be contacted on each additional day of unexpected absence, also.

To schedule planned PTO, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

PTO is paid at the employee's base pay rate at the time of absence. It does not include overtime or any special forms of compensation, such as bonuses or shift differentials.

In the event that available PTO is not used by the end of the fiscal year, employees will forfeit the unused PTO.

Upon termination of employment, employees will not be paid for unused PTO.

3.16 Health Insurance

Effective Date: 4/1/1999
Revision Date: 12/15/2010
Revision Date: 3/18/2013
Revision Date: 4/1/2015
Revision Date: 2/1/2016

The City's health insurance plan provides employees and their spouses and dependents access to medical, dental, and vision care benefits. Dependents may receive medical

benefits to age 26, and dental and vision care to age 19. Employees in the following employment classifications are eligible to participate in the health insurance plan effective immediately upon date of hire:

- ❑ Regular full-time employees
- ❑ Probationary employees
- ❑ Regular part-time employees who work consistently over 29 hours per week as required by the Affordable Care Act

Eligibility, coverage and benefits under these insurance/employee benefit plans are subject to the availability of such plans and coverage and the terms and conditions including any waiting period or other time limits, contained in the contracts between the City and the carrier/provider. Any rebates or refunds on premiums paid by the City shall accrue to the City. The City reserves the right to select the carrier/provider, to change carriers/providers, and to become self-insured.

Once per calendar year (generally late fall), the City will provide an Open Enrollment period. During this period, employees may make changes to their coverage.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) policy 3.13 for more information.

Employees who elect health insurance coverage will be covered by a Blue Cross/Blue Shield plan currently. The City may utilize a medical wrap program(s) facilitated by EHIM and/or other provider(s). Subject to the provisions set forth below, the City will continue to pay a portion of the cost of insurance premiums for employees and dependents, including medical, prescription, vision and dental insurance.

Due to Public Act 152, all non-union employees will be required to contribute to the cost of health care. The amount of employee contribution will be determined by City Council each year. Should PA 152 be rendered unenforceable or be repealed, employees will be required to contribute 20% of the City's cost of health care.

All employee contributions will be handled through payroll deduction. Office visit co-pays will be \$30 and prescription drug co-pay will be \$10/\$20. However, any new full-time employees hired on or after July 1, 2010, will have a \$10/\$40 prescription co-pay. In addition, employees hired after January 1, 2016, will have a deductible of \$250 for single and \$500 for two person and family coverage.

All current employees, along with their dependents, will be afforded the benefit of dental and eye care. Any employee hired on or after July 1, 2010, will no longer have vision coverage provided to them or their dependents. However, dental coverage will be provided to those hired on or after July 1,

or family to two-person coverage), any additional payment due (or money due the City) will be prorated based on number of months affected by the change.

Upon termination of employment, the payment will be prorated for the actual months of waiver period. For the purpose of defining a month, a person working on or after the 15th day shall be considered employed for the month.

It is understood that this section does not alter COBRA requirements of the employer and employee.

3.16A "Other Qualified Adult" Benefits

Effective Date: 9/01/2013

The City of Ypsilanti recognizes that health insurance is a benefit of vital importance to its employees. Therefore, the City is implementing a new category of dependent called Other Qualified Adult (OQA).

Eligibility, coverage and benefits for Other Qualified Adult under this policy must meet the following criteria.

- The City of Ypsilanti employee must be eligible for benefits.
- The employee can name only one other adult as an Other Qualified Adult.
- The Other Qualified Adult and employee must share a common residence and have done so for at least the past twelve (12) months, other than as a tenant.
- Neither the employee nor the Other Qualified Adult is married to someone else.
- The Other Qualified Adult is not eligible to inherit from the employee under the laws of intestate succession in the State of Michigan.
- The Other Qualified Adult is not related by blood to a degree of closeness that would prevent legal marriage in Michigan.
- At least one of the following is true:
 - The employee and the Other Qualified Adult have a durable power of attorney for health care for the other; or
 - The employee and the Other Qualified Adult have a durable power of attorney for financial management of the other.
- At least two of the following are true:
 - The employee and the Other Qualified Adult have a common or joint ownership or lease of residence; or
 - The employee and Other Qualified Adult have a common or joint ownership or lease of a motor vehicle; or
 - The employee and Other Qualified Adult have a joint checking or savings account; or
 - The employee and Other Qualified Adult have a joint credit

account.

To remain eligible for coverage, the above criteria must be met continuously. If the above criteria are no longer met, eligibility for coverage will cease at the end of the month. Employees must notify Human Resources immediately of any change in eligibility status.

Benefits Offered

It is the intent of this program to provide insurance coverage to Other Qualified Adults of City employees identical to those provided to spouses of City employees, wherever possible.

Health Care plans offered through **Blue Cross Blue Shield Community Blue PPO or Simply Blue**

Prescription Drugs are through **EHIM**

Dental provided by **Assurant/Fortis**

Optical is provided through **MECA** at the employee's expense

The City may offer alternative Blue Cross Blue Shield products, such as High Deductible Plans or plans from other carriers.

The City reserves the right to change carriers or third party administrator or to move coverage from self-funded to fully insured products.

Obtaining Coverage

Annual Open Enrollment: Each fall the Human Resources Department offers an Open Enrollment period during which employees can change benefits, including adding or deleting persons from their coverage. Any additions made during Open Enrollment will go into effect January 1 of the following calendar year. Employees who fail to respond to an open enrollment notice may result in no benefit coverage.

New Hire: For a newly-hired employee at the City of Ypsilanti, benefits are effective on the first day of the month following new hire status. If an employee desires coverage for his/her Other Qualified Adult, he/she will need to list him or her on the application completed at the time of New Hire Orientation with the Human Resources Department. Both the employee and the Other Qualified Adult will have the same effective date of coverage.

Other Qualifying Events: If an employee's Other Qualified Adult involuntarily loses his/her group health benefits, he/she may be enrolled in the City of Ypsilanti's health care plans. A letter from the Other Qualified Adult's employer is required indicating the date and reason for termination of coverage. This must be done within thirty (30) days of loss of coverage. If notification is provided within 30 days of the qualifying event, coverage shall be effective the date of the qualifying event. If not completed within the first thirty (30) days, the Other Qualified Adult must wait to be added during the annual

Open Enrollment period.

Summary Of Benefits Provided

The City of Ypsilanti provides employees with health care, dental care and life insurance benefits under the terms and conditions of four (4) collective bargaining agreements, as well as by way of City policy. These benefits are also provided to employees in accordance with applicable state and federal laws and regulations.

Fraud

The Sworn Application/Affidavit for Other Qualified Adult Benefits provides acknowledgement by the participants that civil action may be brought against them for any losses or costs due to false statements or failure to notify the City of Ypsilanti in the event of termination of the relationship. The application/affidavit contains a statement certifying that the facts represented are true and correct and that willful falsification of information could lead to disciplinary action, up to and including discharge from employment.

Flexible Spending Accounts (FSA)

Full-time and permanent part-time employees may enroll in the City's Flexible Spending Account during open enrollment. Participation and contribution amounts are subject to applicable IRS rules.

Tax Information

The IRS has ruled that Other Qualified Adults cannot be considered spouses for tax purposes. Employers are required to report and withhold taxes on the fair market value of the Other Qualified Adult coverage. This amount is usually the amount the employer contributes to the health plan to cover the Other Qualified Adult.

Therefore, health insurance benefits provided to an Other Qualified Adult and his/her children will, under federal tax law, generally require taxation of the City of Ypsilanti contribution attributable to the Other Qualified Adult and his/her children. This tax will be deducted from the employee's paycheck.

However, if the employee's Other Qualified Adult meets the IRS definition of a "dependent" under the IRS, such benefits may be considered non-taxable. Internal Revenue Code (IRC) Section 152 defines a dependent as someone who resides in the employee's household and who receives at least half of their support from the employee.

Employees should consult a tax advisor before requesting this exemption to determine whether his/her Other Qualified Adult legally qualifies as a dependent.

3.17 Life Insurance

Effective Date: 4/1/1999
Revision Date: 9/1/2010
Revision Date: 3/18/2013
Revision Date: 4/1/2015

Life insurance offers employees and their families important financial protection. The City provides a basic life insurance plan for eligible employees. Life insurance is rounded to the nearest \$1000 of non-union employees' annual base salary, the maximum being \$75,000. All eligible employees may purchase additional supplemental and/or dependent life insurance coverage at their own expense.

Accidental Death and Dismemberment (AD&D) insurance provides protection in cases of serious injury or death resulting from an accident. AD&D insurance coverage is provided as part of the basic life insurance plan. The insurance will pay double the employee's base life insurance for accidental death.

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

- ❑ Regular full-time employees
- ❑ Probationary full-time employees

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between the City and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Department for more information about life insurance benefits.

3.18 Short-Term Disability

Effective Date: 4/1/1999

The City offers an employee paid short-term disability (STD) benefits plan to eligible employees who are unable to work because of a qualifying disability due to an injury or illness. Employees in the following employment classifications are eligible to participate in the STD plan:

- ❑ Regular full-time employees
- ❑ Probationary employees

Eligible employees may participate in the STD plan subject to all terms and conditions of the agreement between the City and the insurance carrier. Employees pay for the plan through payroll deduction.

Disabilities arising from pregnancy or pregnancy-related illness are treated the same as

any other illness that prevents an employee from working.

Details of the STD benefits plan including benefit amounts, when they are payable, and limitations, restrictions, and other exclusions are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Department for more information about STD benefits.

3.24 Employee Assistance Program

Effective Date: 4/1/1999

Revision Date: 4/1/2005

The City cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees need professional assistance and advice.



Through the Employee Assistance Program (EAP), the City provides confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is available to all employees and their immediate family members offering problem assessment, short-term counseling, and referral to appropriate community and private services.

The EAP is strictly confidential and is designed to safeguard privacy rights. Information given to the EAP counselor may be released only if requested in writing. All counselors are guided by a Professional Code of Ethics.

Personal information concerning employee participation in the EAP is maintained in a confidential manner. No information related to an employee's participation in the program is entered into the personnel file.

There is no cost for employees to consult with an EAP counselor. If further treatment is necessary, the EAP counselor will outline available community and private services. The counselor will inform employees whether costs associated with private services may be covered by their health insurance plans. Costs that are not covered are the responsibility of the employee.

Minor concerns can become major problems if ignored. No issue is too small or too large, and a professional counselor is available to help when needed. Call 800.448.TEAM (8326) to contact an EAP counselor.

3.28 Retirement

Effective Date: 4/1/1999

Revision Date: 3/22/2011

Revision Date: 4/1/2015

The City is a member of the Michigan Municipal Employees Retirement System and Act 345 for Police and Fire Officers. All plans are on a joint contributory basis as approved by the City Council. Detailed information regarding both plans is available from the Human Resources Department.

Non-union employees retiring (or deferring retirement) with ten years of service, but less than 15, shall be eligible for 50% payment of medical, dental and optical coverage for the retiree only. Employees with 15 years of service, but less than 20, shall be eligible for 100% payment of medical, dental and optical coverage for the retiree only. Employees with 20 years of service or more shall be eligible for 100% payment of medical, dental and optical coverage for the retiree, and the City will contribute \$175 per month toward the retiree's spouse/dependent insurance. Employees must be receiving a City of Ypsilanti pension to qualify for any benefits listed above.

Additionally, an employee covered by MERS must be at least 50 years of age at time of separation from City employment to be eligible for any benefits listed in the preceding paragraph. Employees covered by Public Act 345 may retire after 20 years of service, with no minimum age requirement.

All Non-Union employees hired prior to July 1, 2010, upon retirement will have a B-4 Plan, 2.5% multiplier for their pension with the following riders: FAC-3, F50/25 and F55/15. All Non-Union employees hired on or after July 1, 2010, upon retirement will have a 2% multiplier for their pensions. Any employees hired on or after January 1, 2013, will have a FAC-3, F55/25 and a F60/10 with a 2% multiplier. **The employees agree to maintain payroll deductions of five percent (5%) of wages toward retirement.**

Employees desiring to retire shall make their intentions known in writing, including an effective date (month and year), with a thirty (30) day notice; however, a ninety (90) day notice ensures a smooth transition to the MERS retirement payroll.

Retiree Health Insurance

Employees hired on or after July 1, 2007 will be eligible to receive retiree health insurance coverage according to the provisions set forth below:

Employees retiring (or deferring retirement) with less than 20 years of service shall be eligible for 50% payment of medical, dental and optical coverage for the retiree only. There will be no spousal contribution.

Employees retiring with 20 years of service or more shall be eligible for 100% payment of medical, dental and optical coverage for the retiree only. There will be no spousal

contribution. However, upon the death of the retiree, the City will provide the retiree's surviving spouse with the same coverage that the retiree was receiving before his/her death.

Upon retirement, such employees will be covered by the same medical and dental plans provided to current active employees, if available. In no event shall the coverage for such retirees exceed the coverage offered to active employees.

Retirees must be at least age 50 when separating from active employment, and be receiving a MERS pension, to be eligible for the benefits listed above.

Employees hired on or after July 1, 2010, will not be eligible to receive retiree health, dental or vision insurance coverage. However, the City will create a Health Care Savings Account for new hires and will contribute \$150 per month to each account.

The City reserves the right to change insurance plans and carriers or become self-insured in its sole discretion.

Upon eligibility, retirees are required to enroll in Medicare Parts A & B. Medicare benefits will be coordinated with the retiree's medical coverage, and any Medicare costs are the retiree's responsibility. Sworn Fire and Police employees with a hire date prior to June, 1986, did not contribute to Medicare, nor did the City contribute on behalf of those employees. As a result, they are not required to enroll in Medicare Part B.

Retiree Life Insurance

The City will provide a \$1000 life insurance policy for the retiree, who may elect additional coverage in \$1000 increments, to a maximum of \$5000, through an individual payment plan.

3.30 Uniform Allowance

Effective Date: 4/01/1999

Revision Date: 4/01/2015

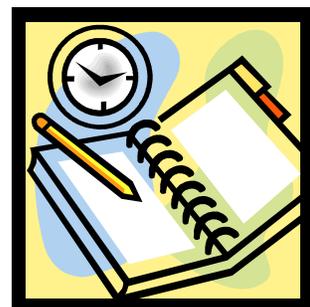
The City of Ypsilanti shall furnish all uniforms and equipment deemed necessary in the performance of job assignments. Non-union employees required to wear uniforms will receive a \$700 allotment each year. This will be paid in the first biweekly paycheck each July.

TIMEKEEPING & PAYROLL

4.01 Timekeeping

Effective Date: 4/1/1999

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require



the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each break period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination.

4.03 Paydays

Effective Date: 4/1/1999

Revision Date: 4/1/2005

Revision Date: 4/1/2015



Pay periods commence at 12:00 a.m. Saturdays and end at 11:59 p.m. on Fridays.

Full-time and regular part-time employees are paid biweekly every other Friday. Each paycheck will include earnings for all work performed through the end of the current payroll period. Some regular part-time employees are paid weekly on Friday, as are all temporary and seasonal employees. Each paycheck will include earnings for all work performed through the end of the previous payroll period. Full-time DPS administrative employees are paid biweekly on Fridays and are paid for all work performed through the end of the previous payroll period. Other full-time DPS employees are paid weekly.

In the event that a regularly scheduled payday falls on a day off, such as a holiday, employees will receive pay on the last scheduled work day before the day off.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to the City. Employees will receive an itemized statement of wages (pay stub) when the City makes direct deposits.

4.04 Administrative Pay Corrections

Effective Date: 4/01/1999

The City takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should bring the discrepancy to the attention of the Finance Department promptly, so that corrections can be made as quickly as possible.

If an employee is overpaid, the City will notify the employee of the error and the schedule for repayment.

4.07 Overtime

Effective Date: 4/1/1999

Revision Date: 4/1/2015

When operating requirements or other needs cannot be met during regular work hours, employees will be given the opportunity to volunteer for overtime work assignments. If there are no volunteers, employees may be required to work overtime. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked in excess of 40 hours per week (see pay period designation in 4.03). Time off on sick leave, vacation leave, or any leave of absence will be considered hours worked for purposes of performing overtime calculations.

Employees will receive time and one-half the employee's regular hourly rate of pay for all hours worked in excess of 40 hours per week. Employees will receive double the employee's regular hourly rate of pay for all hours worked on Sundays and authorized holidays, in excess of 40 hours per week.

Overtime or other premium rates shall not be pyramided, that is, compounded or paid twice for the same hours worked.

Call-Outs

Eligible Public Services employees, who have left work after completing their regular shift and are called back, shall be paid for each hour worked at time and one-half (unless a Sunday or recognized holiday), but in no event shall they receive less than four hours' pay.

Failure to work scheduled overtime, or overtime worked without prior authorization from the supervisor, may result in disciplinary action, up to and including possible termination of employment.

Employees may elect to receive payment for overtime hours or "bank" the hours as compensatory leave. Once compensatory leave is designated in lieu of cash, employees cannot reverse the decision. Employees may not exceed a bank of 80 compensatory leave hours. Employees will not be unreasonably denied the use of compensatory leave when requested.

Employees promoted or transferred to an exempt position will be cashed-out for all

accumulated compensatory leave at their prior non-exempt rate of pay.

4.10 Pay Deductions and Set-offs

Effective Date: 4/1/1999

The law requires that the City make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The City also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base". The City matches the amount of Social Security taxes paid by each employee.

The City offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay set-offs are pay deductions taken by the City, usually to help pay off a debt or obligation to the City or others (e.g., child support, garnishments, etc.).

If employees have questions concerning why deductions were made or how they were calculated, please contact the Finance Department.

WORK CONDITIONS AND HOURS

5.01 Work Schedules

Effective Date: 4/01/1999

Revision Date: 4/1/2015

The normal work schedule for all employees is eight hours per day, five days per week. Supervisors will advise employees of scheduled start and end times. Staffing needs and operational demands may necessitate variations in employee schedules, as well as variations in the total hours that may be scheduled each day and week.



Flexible scheduling, or flextime, is available in some cases to allow employees to vary their start and end times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved. However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult their supervisors to request participation in the flextime program. The supervisor and Human Resources Department must approve the request.

5.05 Smoking

Effective Date: 4/1/1999

Revision Date: 5/1/2003

In keeping with the City's intent to provide a safe and healthful work environment, smoking is prohibited in all enclosed areas within City of Ypsilanti property, without exception.



This includes common work areas, classrooms, conference and meeting rooms, private offices, elevators, hallways, break rooms, kitchens, stairways, restrooms, City-owned or leased vehicles, and all other enclosed facilities.

In addition, smoking is prohibited near entrances, windows and ventilation systems of any public building and/or worksite.

This policy applies equally to all employees, citizens, and visitors.

5.06 Rest and Meal Periods

Effective Date: 4/1/1999

Each workday, full-time non-exempt employees are provided with two rest periods of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All full-time employees are provided with one meal period of 60 minutes in length each workday, except for full-time DPS non-administrative employees whose one meal period is 30 minutes in length. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

5.08 Use of Equipment and Vehicles

Effective Date: 4/1/1999

Revision Date: 9/1/2010

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using City property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and city, state and federal laws.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or if it is in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used 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, can result in disciplinary action, up to and including termination of employment.

Department heads shall be responsible for the administration of this policy for all vehicles assigned to their departments, with the Department of Public Services being responsible for motor pool vehicles.

Since most City vehicles have a City logo on each side, employee driving habits set an example for all citizens. A high degree of personal courtesy with deference to other vehicles and pedestrians shall be observed at all times. When driving City vehicles, employees must have a valid State of Michigan license authorizing them to drive that particular type of vehicle. Employees shall be responsible for obtaining these licenses. Employees who drive City vehicles will have their licenses monitored by the State of Michigan through the Human Resources Department. Employees must obey all local and state traffic and parking laws and ordinances. All fines and citations are the employee's personal responsibility, with continued abuse subject to disciplinary action. The suspension, limiting or revocation of an employee's license may lead to suspension, demotion or termination of employment (see City Work Rules 7.01).

A City vehicle is to be used exclusively for City business and related travel as authorized. Family members and friends should not ride in City vehicles. Auto fleet insurance policies, while covering the employee, authorized personnel, vehicle and accidents, do not cover unauthorized passengers or operators. The patrons of the Parkridge Community Center and Senior Citizens' Center are prohibited from being transported in any City vehicle.

Hitchhikers shall not be allowed under any circumstances.

No employee shall operate any City-owned vehicle, or any privately-owned vehicle on City business, while under the influence of any intoxicating liquor, illegal drug, or any prescription or over-the-counter drug which causes impairment.

Vehicles shall be operated in a safe manner and shall at all times be under the control of the operator.

City vehicles, when left unattended, shall be properly secured with the ignition keys removed and all doors locked and windows secured.

Commercial Driver's License

In accordance with state and federal laws and regulations, all Department of Public Services employees whose job duties require the operation of City vehicles must have and maintain valid commercial driver's licenses, together with any endorsements required by the City as a condition of employment. All employees who are required to have commercial driver's licenses must comply with the single license requirement

imposed under federal regulations. The regulations provide that no person who operates commercial motor vehicles shall at any time have more than one driver's license, and require commercial drivers to surrender any driver's license(s) issued by another state within ten (10) days of the date a driver's license is issued.

In accordance with federal regulations, any employee required to have a commercial driver's license who has his/her driver's license suspended, revoked or canceled, who loses the right to operate a commercial motor vehicle, or who is disqualified from operating a commercial motor vehicle for any period must notify the City of such suspension, revocation, cancellation, lost privilege or disqualification before the end of the business day following the day the employee receives notice of same. In addition, any such employee who violates a state or local law relating to motor vehicle traffic control (other than a parking violation) must notify the City within thirty (30) days after the date the employee has been convicted or found to have committed the violation. This rule requires that violations in commercial motor vehicles, as well as other vehicles, be reported.

Accident Policy

Following an accident involving a City vehicle, employees must:

1. Call the police.
2. Insist that the accident scene be preserved.
3. Assist the police in compiling the traffic accident report.
4. Secure the names and addresses of witnesses.
5. Report the accident to the supervisor as soon as possible, but no later than 24 hours after the incident.
6. Make no statements at the accident scene that are not absolutely necessary. No City employee should admit any guilt or wrongdoing involving an accident.
7. Any accident involving more than \$1500 property damage, or any injury or death, must be reported immediately to the City Manager. Department heads will report all other accidents to the City Manager.
8. Complete a Michigan Municipal League Risk Management accident/incident report and forward it to the Department of Public Services immediately.

Vehicle Maintenance Policy

All City vehicles must be on a regular maintenance schedule where authorized personnel inspect and repair the vehicle. In addition, employees should inspect their vehicles on a daily basis. All departments have internal policies for vehicle inspection. Vehicles from the general motor pool are addressed in the following section. All defects must be reported to the appropriate person for review and scheduling for correction, if necessary. Each department should designate one person to be responsible for ensuring equipment safety and prompt repair.

Employees are expected to keep daily mileage logs. All damage to City vehicles must be reported to the employee's supervisor. Supervisors shall inspect all vehicles in their departments on a regular basis.

Motor Pool Policy

Many City vehicles are owned and operated by a motor pool fund. Employees will sign out authorized vehicles to accomplish their job assignments. An inspection form is available when the vehicle is signed out and must be completed each time. Employees should be conducting inspections for personal safety and to protect against other vehicle abusers.

Vehicles returned to the motor pool should be clean and have a full fuel tank, ready for use by the next person. Gas pumps are available at the Fire Department to fill the fuel tank. Employees must use the gas key card issued to them or to the vehicle. Any observed defects or problems with operating the vehicle should be recorded on the Vehicle Inspection Form and returned to the DPS.

Full-time City employees will have priority over part-time, seasonal or temporary employees when assigning vehicles.

The Department of Public Services is responsible for all formal inspections and maintenance of motor pool vehicles and all related records.

Personal Auto Use

Only after verifying that no City vehicle is available for use may an employee request to use a private vehicle. Before granting permission, the supervisor should weigh the merits of the proposed use to ensure it is suited for the job assignment. Personal vehicles used for City business must be insured for a minimum of \$100,000/\$200,000 insurance. The employee's supervisor is responsible for ascertaining proper insurance prior to any use of private vehicles for City business. Mileage reimbursement is at the IRS rate, established annually. With the approval of their department heads, employees may request to use their private vehicles because of personal preference. The mileage reimbursement rate in this case will be a lesser amount than the rate if no City vehicle was available.

City Vehicle Use Policy For Personally- Assigned Vehicles

The intent of this policy is to clarify the vehicle use program as it relates to City employees who are assigned vehicles on a 24-hour basis. Basic to the need for the City to assign vehicles to specific employees is the requirement for the City to be prepared to respond to emergencies and the maintenance of critical City services.

All City-owned vehicles are to be used exclusively for City-related business and special conditions specifically stated in this policy. Any exception will be established and adopted by the City Manager. For individuals assigned to vehicles under this policy, the vehicle is to be used to travel from the employee residence to the City-assigned duty station, as well any work-related activities.

Other employees can use vehicles assigned to individuals on a 24-hour basis during the former's regular office/duty hours. In this instance the vehicle use must be cleared by the department head, after due courtesy checks with the assigned user. There is not

exclusive use of a vehicle by one employee except the City Manager.

Anyone going on vacation or a leave of absence for over one week must leave the vehicle with his/her department. Vehicles can be reassigned for other use during the employee's absence. Other individuals may be assigned vehicles due to the need of the department to accomplish a mission that is not easily completed during working hours, or when an integral part of the City's or department's mission can only be accomplished after normal City work hours.

SUMMARY OF 24-HOUR VEHICLE ASSIGNMENTS

VEHICLE ASSIGNMENT	# OF VEHICLES?	ASSIGNED TO
City Manager	1	City Manager
Police Department	1	Chief & Captain
Fire Department	1	Chief & Fire Marshal
Building Department	1	Building Official
Department of Public Services	1	Public Services Supervisor
Total	5	

CITY MANAGER: As the chief administrative officer of the City, the Manager is authorized the exclusive use of a vehicle as adopted by resolution of the Council. This vehicle is authorized for all related business and personal use within the State of Michigan.

POLICE CHIEF: The chief law enforcement officer of the City, being responsible for the maintenance of law and order, shall be provided a vehicle for 24-hour use as it relates to City business, including travel to and from home. The vehicle may be used for personal use within the State; however, the employee is to pay for all gasoline when the vehicle is used for personal travel.

FIRE CHIEF: Being the chief fire officer and Civil Defense Director for the City requires the Fire Chief to be prepared to respond to all fire incidents and natural and man-made disasters. The vehicle is to be used for City business and travel to and from home. The vehicle may be used for personal travel within the State; however, the employee is to pay for all gasoline in such instances.

FIRE MARSHAL: The Fire Marshal is provided a vehicle as the second fire officer of the City. The vehicle is to be used for City business and travel to and from home. The vehicle may be used for personal travel within a 50-mile radius of the City of Ypsilanti; however, the employee is to pay for all gasoline in such instances.

BUILDING OFFICIAL: The Building Official is provided a vehicle as the chief individual responsible for the enforcement of building codes and ordinances of the City. The vehicle is to be used for City business and travel to and from home and to respond to emergencies/call-outs as necessary; however, the vehicle is not for personal use.

PUBLIC SERVICES SUPERVISOR: The Public Services General Superintendent shall be permitted to drive a City-owned vehicle to and from his/her place of residence to respond to call-outs and/or emergencies. The superintendent calls out the appropriate DPS employees, responds to assess damages, then goes to the DPS Yard to assign employees and equipment to complete the job. The vehicle shall not be for personal use.

IRS REGULATIONS: (Police Chief, Fire Chief and Fire Marshal are exempted from IRS regulations.)

Supervisors/Department Heads assigned 24-hour take-home vehicles shall comply with the following requirements with respect to the use of such vehicles:

- They are required to commute to and from work in the vehicle.
- All personal use of the vehicle is prohibited; other than commuting and minor and insignificant use (e.g., stop for lunch between appointments, etc.).

SPECIAL AUTO ASSIGNMENT: Upon written approval of the department head, an employee may sign out one of the vehicles from the motor pool and take the vehicle home to specifically accomplish a departmental mission. Examples:

- A City DPS employee is expected to attend an MDOT function in Lansing which will last a full day. The employee may be permitted to sign the vehicle out the previous day, take it home, and return the vehicle to the City the day he/she is expected to report back to the DPS.
- A City police officer is required to attend a week-long training course in another part of the state. The employee may be permitted to use the vehicle the entire week. For out-of-town conferences lasting overnight, the department head may approve the use of a personal vehicle when it is the preference of the employee, at a reduced mileage rate of half the State of Michigan travel policy rate. The mileage reimbursement is limited to traveling from the City of Ypsilanti to the approved destination and back.

5.09 Employee Parking

Effective Date: 4/1/2005

The City requires all employees to register their vehicles with the Human Resources Department and display a City of Ypsilanti employee parking hang tag when parking in any City-owned lot.

The hang tags will be used as official City of Ypsilanti Employee Parking Permits and must be displayed properly (i.e., hung from the rearview mirror). There is no charge for the initial Parking Permit. Lost or stolen permits can be replaced upon payment of \$25.00. Damaged permits will be replaced at no charge upon return of the entire damaged permit to the Human Resources



Department. City of Ypsilanti employee parking hang tags are the sole property of the City of Ypsilanti and may be used only by the registered permit holder and may not be sold or transferred.

A parking hang tag does not guarantee the holder a specific parking space, merely the opportunity to park in an unreserved surface parking space.

An employee parking in front of a meter must deposit the appropriate coins for the length of the stay. Employees are prohibited from using on-street parking beyond the posted time limit.

5.12 Business Travel

Effective Date: 4/1/1999

Revision Date: 7/1/2009

The City will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the Finance Director. Any out-of-state training must have prior approval of the City Manager.

Employees whose travel plans have been budgeted and approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives, will be reimbursed by the City. However, employees are expected to exercise discretion in their mode of travel, hotel accommodations and other costs.

Expenses that generally will be reimbursed include the following:

- ❑ Airfare or train fare for travel in coach or economy class or the lowest available fare.
- ❑ Car rental fees, only for compact or mid-sized cars.
- ❑ Fares for shuttle or airport bus service, where available; costs of public transportation for other ground travel.
- ❑ Taxi fares, only when there is no less expensive alternative.
- ❑ Mileage costs for use of personal cars, with supervisor's approval, and only when less expensive transportation is not available.
- ❑ Cost of standard accommodations in low to mid-priced hotels, motels, or similar lodgings.
- ❑ Cost of meals, based on the per diem rates.
- ❑ Tips not exceeding 20% of the total cost of a meal or 15% of a taxi fare.
- ❑ Charges for telephone calls, fax, and similar services required for business purposes.

Note: Domestic Per Diem Rates will be based on the Government Services

Administration (GSA) for lodging and meals and incidental expenses (M&IE).

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisors. Vehicles owned, leased, or rented by the City may not be used for personal use without prior approval.

Cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved. Employees should submit written requests to their supervisors when travel advances are needed.

With prior approval, a family member or friend may accompany employees on business travel, when the presence of a companion will not interfere with successful completion of business objectives. The City will not pay for any additional costs related to the companion. Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

When travel is completed, employees should submit completed travel expense reports within seven (7) days. Receipts for all individual expenses must accompany reports.

Employees should contact their supervisors for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

Note: The City follows the state of Michigan travel reimbursement rates, generally updated October 1 of each year.

Business Travel Form

Expense	Reimburse Rate	Total Actual Expense	City Expenses	Employee Expenses
Registration and materials	100%	\$	\$	\$
Transportation (actual cost)	100%	\$	\$	\$
Mileage (IRS Standard Mileage Rate)	100%	\$	\$	\$
Lodging (GSA Per Diem Rate)	100%	\$	\$	\$
Meals & Incidental Expenses (GSA Per Diem Rate)	100%	\$	\$	\$
Totals:		\$	\$	\$

Total Actual Expenses	\$
Less Amount of Registration & Materials	\$
Less Non-Reimbursable Expenses Paid by Employee	\$
Amount due Employee	\$

*****NOTE: All expenses must be documented with receipts*****

I hereby state that the above figures are accurate to the best of my knowledge, that I anticipate completing the professional development opportunity in the prescribed time frame, and that it is related to enhancing my performance in my current job, or for a future job with the City. I am completing this professional development opportunity during a period approved by my supervisor or Department Head. I further state that I am not receiving other funds or scholarships in addition to this reimbursement.

Applicant's Signature

Date

Department Head Signature

Date

Finance Director

Date

City Manager (Signature required for out-of-state and
Department Head approval only)

Date

5.14 Workplace Monitoring

Effective Date: 4/1/1999

Revision Date: 4/1/2011

Workplace monitoring may be conducted by the City to ensure quality control, employee safety, security, and customer satisfaction.

Employees who regularly communicate with citizens may have their telephone conversations monitored or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances customers' image of the City, as well as their satisfaction with City services.

Computers furnished to employees are the property of the City. As such, computer usage and files may be monitored or accessed, including internet, IM, email and all other social media and network systems.

The City may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

Employees can request access to information gathered through workplace monitoring that may impact employment decisions. Access will be granted unless there is a legitimate business reason to protect confidentiality or an ongoing investigation.

Because the City is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

5.16 Ergonomics

Effective Date: 4/1/1999

The City has developed an ergonomics program to minimize repetitive motion injuries (RMIs) in the workplace. The primary elements of the ergonomics program include: (1) worksite evaluations, (2) control of exposures that may have caused RMIs, and (3) ergonomics training of employees. The ergonomics program also focuses on educating employees on their personal responsibility to ensure good work habits (such as posture and body mechanics) and adequate fitness for work.

RMIs are musculoskeletal injuries, identified and diagnosed by a licensed physician, which can result from a job, process, or operation where employees perform the same repetitive motion tasks.

When an RMI has been reported to the City that results from a job, process, or operation, a worksite evaluation will be conducted. The evaluation identifies potential exposures that may have caused RMIs and determines the methods the City will use to control or minimize them. Affected employees will be informed of the potential

exposures and trained in the control measures.

Every reasonable effort will be made to correct exposures in a timely manner or, if the exposure cannot be corrected, to minimize it to the extent feasible. In determining how to correct or minimize exposures, the City will consider reasonable, cost-effective engineering or administrative controls.

Employees are provided with training that includes an explanation of the ergonomics program, exposures that have been associated with RMIs, the symptoms and consequences of injuries caused by repetitive motion, the importance of reporting symptoms and injuries, and the methods used to minimize RMIs.

Employees are encouraged to report to the Human Resources Department all suspected RMIs, RMI symptoms, or other ergonomic concerns. All employees are **required** to report to the Human Resources Department all workplace RMIs identified and diagnosed by a licensed physician.

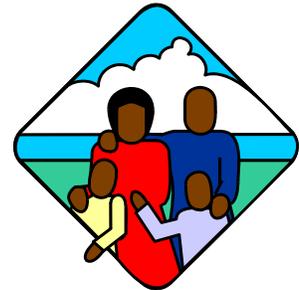
LEAVES OF ABSENCE

6.02 Family and Medical Leave

Effective Date: 4/1/1999

Revision Date: 7/1/2009

Revision Date: 4/1/2015



The City provides family leaves of absence, with or without pay, to eligible employees who wish to take time off from work duties due to a serious health condition that makes the employee unable to perform his or her job; to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; to address certain qualifying exigencies of the employee or a spouse, son, daughter or parent who is in the National Guard or Reserves and is called to active duty; or to care for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

When to Request Leave

Where leaves are foreseeable, the employee should make a request for a leave at least 30 days in advance. Foreseeable leave should be scheduled so that it does not unduly disrupt the City's operations.

Where 30 days' advance notice of the need for a leave is not possible, the employee must provide notice as soon as practicable and generally must comply with normal call-in procedures.

If the circumstances change in the amount of leave required, the employee should provide notice of the change within two (2) business days.

Eligibility

To be eligible for family medical leave, employees must have been employed by the City for at least 12 months, and have worked 1250 hours in the 12 months preceding the leave. Employees in the following employment classifications are eligible to request family medical leave as described in this policy:

- Regular full-time employees
- Regular part-time employees

Employees requesting family medical leave related to the serious health condition of a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for a family leave to provide care, its beginning and expected ending dates, and the estimated time required.

Eligible employees may request a maximum of 12 weeks of family leave within any rolling 12-month period. Any combination of family leave and medical leave shall not exceed this maximum limit. Employees will be required to first use all but 40 hours of accrued paid leave time before taking unpaid family leave. Married employee couples will be restricted to a combined total of 12 weeks leave within any rolling 12-month period for childbirth, adoption, or placement of a foster child; or to care for a child, spouse or parent with a serious health condition.

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves, in support of a contingency operation, may use their 12-week leave entitlement to address certain qualifying exigencies. Those qualifying exigencies are:

1. **Short-notice deployment** – to address issues that arise because a service-member is notified of an impending call or order to active duty seven or fewer calendar days before the date of deployment. Leave taken for this purpose can be used for a period of seven (7) calendar days beginning on the date the service member is notified of an impending call or order to active duty.
2. **Military events** – to attend any official ceremony, program or event sponsored by the military and to attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations or the American Red Cross that are related to the active duty or call to active duty. (This may include arrival and departure ceremonies as an example.)
3. **Childcare and school activities** – to make arrangements for childcare and school activities because the service member is on active duty or called to

active duty in which a change in existing childcare arrangements will have to be addressed.

4. **Financial and legal arrangements** – to make or update financial or legal arrangements to address the service member's absence, such as preparing and executing financial and healthcare powers of attorney, transferring bank account signature authority, preparing or updating a will or living trust, obtaining military identification cards or enrolling in the Defense Enrollment Eligibility Reporting System.
5. **Counseling** – to attend counseling provided by someone other than a health care provider. This counseling could be for the employee, the service-member or a child of the service member provided the counseling is needed due to the call to active duty.
6. **Rest and recuperation** – to spend time with a service member who is on short-term, temporary rest and recuperation leave. Leave taken for this reason may last up to five (5) days for each instance of rest and recuperation.
7. **Post-deployment activities** – to attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to 90 days following the end of active duty. Leave for this reason may also be taken to address issues that arise from the death of a service member, such as meeting and recovering the body and making funeral arrangements.
8. **Other** – to address other events that arise because of the service member's active duty. The City and the employee are to agree to both the timing and duration of the leave.

In addition, an eligible employee may take up to 26 weeks of unpaid leave during any single 12-month period to care for a spouse, son, daughter, parent or next of kin who is a covered military service member and incurred a serious injury or illness in the line of military duty. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves. This injury or illness incurred while on active duty is defined as: the service member is medically unfit to perform his or her duties, for which the service member is undergoing medical treatment, recuperation or therapy; or is in outpatient status; or is on the temporary disability retired list.

Notifications and Certifications

When requesting leave, employees must complete a "Family and Medical Leave Request Form" and return it to the Human Resources Department as soon as possible. The

completed request form must state the reason for the leave, the duration of the leave and the anticipated starting and ending dates of the leave. The employee must provide sufficient information to permit a determination of whether the leave may qualify for FMLA protection.

After requesting a leave or indicating a need for a leave, the employee will be given a "Notice of Eligibility" and a "Rights and Responsibilities" notice explaining eligibility and expectations. Employees may also be required to provide certification supporting the need for a leave. A complete and sufficient certification must be returned to Human Resources within fifteen (15) calendar days.

Upon receiving complete and sufficient certification information to designate the absence as FMLA, the City will provide the employee with a "Designation Notice" that indicates whether the leave qualifies for FMLA and, if so, describes the conditions of the leave and the requirements for returning to work.

The City reserves the right to require a second or third medical opinion at the City's expense. The employee may be required to provide periodic recertification supporting the need for a leave, and may be required to report periodically on the status and intent to return to work.

Intermittent Leave or Leave on a Reduced Leave Schedule

In certain situations, family and medical leave may be taken intermittently or on a reduced leave schedule basis. For the birth or placement of a child, intermittent or reduced schedule leave may be taken only with the City's approval. Intermittent or reduced schedule leave to care for a seriously-ill spouse, child or parent, or because of an employee's own serious health condition, may be taken when medically necessary.

If the need for intermittent or reduced schedule leave is foreseeable, based on planned medical treatment, including recovery from a serious health condition, the employee must attempt to schedule the leave so as not to unduly disrupt the City's operations. The City may also require the employee to temporarily transfer to an available alternative position with equivalent pay and benefits that better accommodates recurring periods of leave.

Pay During Leave

Generally, family and medical leave absences are unpaid. However, an employee may request to use paid leave such as sick leave, vacation, personal or compensatory time while taking FMLA.

Benefits and Protections

During FMLA, 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 the approved family leave. However, any supplemental benefits, for which the employee was making contributions prior to going on leave, will be the employee's responsibility (i.e., short-term disability or vision care). Failure of the employee to pay his or her

share of the premiums may result in loss of coverage.

If the employee fails to return to work after expiration of the leave, he/she will be required to reimburse the City for any premiums paid to maintain coverage under the City's group health plans (medical and dental) during the leave, unless the reason the employee fails to return to work is the continuation, recurrence or onset of a serious health condition that would entitle the employee to family and medical leave, or other circumstances beyond the employee's control.

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

Use and Designation of Leave Time

If family and medical leave is requested and granted because of an employee's serious health condition, or a serious health condition of the employee's spouse, child or parent, the employee must first use all but 40 hours of his/her accrued leave time before going on unpaid status.

If an employee uses paid time off, is granted a leave during a period when disability or workers' compensation benefits are received, or uses unpaid leave under circumstances which would qualify as family and medical leave, such leave will be substituted for (i.e. counted against) the employee's 12-week family and medical leave entitlement, if so designated by the City.

Returning to Work

In order to properly schedule a return to work, the City requires at least two weeks' advance notice of an employee's intent to return from family and medical leave. Unless an employee has been designated as a "key employee", he/she will be reinstated to his/her previous position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee takes a family and medical leave due to his/her own serious health condition, the employee must provide Fitness for Duty certification, signed by a health care provider, stating that he/she is fit for duty and able to resume work.

If an employee has exhausted all available leave and is still unable to return to work, the employee no longer has any job restoration rights under FMLA. However, each situation will be reviewed on a case-by-case basis to determine whether the employee may be eligible for rights and protections under other laws or company policies.

If an employee fails to return to work on the established return date, the absence will be considered a resignation. In addition, when an employee exhausts his/her FMLA leave entitlement, all City obligations under this policy end.

Relationship to Other Laws, Policies and Agreements

The policy set forth above is intended to provide an overview of the general rights, obligations and conditions applicable to family and medical leave under the Family and Medical Leave Act of 1993 with the National Defense Authorization Act of January 2008 incorporated and updating the original FMLA Act of 1993. This policy does not in any way alter or modify any of the City's rights and obligations under FMLA, nor does it affect any policies or practices which are not governed by FMLA. In addition, this policy does not alter or modify any of the City's rights or obligations under any other state or federal laws, or any of the City's rights or obligations under any contracts or agreements to which it is a party.

The City reserves the right to modify or amend this policy and the procedures stated herein, as well as any other policies or practices which could affect the rights and obligations of the City and its employees under FMLA, at any time.

Like all other matters relating to employee benefits, specific questions regarding the City's policies and procedures on family and medical leaves should be directed to the Human Resources Manager.

6.03 Personal Leave

Effective Date: 4/1/1999

Revision Date: 4/1/2015

The City provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classifications are eligible to request personal leave as described in this policy:

- Regular full-time employees
- Regular part-time employees

As soon as an eligible employee becomes aware of the need for a personal leave of absence, the employee should request a leave from his/her supervisor. Personal leave may be granted for up to 30 calendar days every 3 years. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 30 calendar days. With the supervisor's approval, an employee may take any available vacation, personal or compensatory leave as part of the approved period of leave.

Requests for personal leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

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 the approved personal leave.

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

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, the City cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, the City will assume the employee has resigned.

6.05 Military Leave

Effective Date: 4/1/1999

Revision Date: 7/1/2009

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). Advance notice of military service is required (see attached Absence Notification Letter to Employer), unless military necessity prevents such notice, or it is otherwise impossible or unreasonable.

The leave will be unpaid; however, employees may use any accrued compensatory, sick, personal or vacation time for the absence.

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 the employee is otherwise eligible.

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.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time.

Employees on military leave for 31 days or more but less than 180 days must apply for reemployment with Human Resources no later than 14 days following the completion of service in accordance with USERRA and all applicable state laws (see attached Return Notification Letter to Employer).

Employees on military leave for over 180 days are required to apply for reemployment with Human Resources no later than 90 days following the completion of service in accordance with USERRA and all applicable state laws (see attached Return Notification Letter to Employer).

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed, or a comparable one, depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Human Resources Department for more information or questions about military leave.



Employee's Active Duty Absence Notification Letter to Employer

_____ (Employee's Home Address)

_____ (City, State and Zip Code)

_____ (Date)

City of Ypsilanti
Attn: Human Resources
One S. Huron Street
Ypsilanti, MI 48197

Dear Human Resources:

I will perform service with the _____ (branch of service) beginning on _____ (date) and ending on _____ (date). My absence from work for this period of military service is protected by the Uniformed Services Employment and Reemployment Rights Act, Title 38, United States Code Section 4301-33.

My last day at work before I begin my military service will be _____ (date).

During my absence, I can be reached at:

Street Address: _____

City, State & Zip Code: _____

Telephone Number: _____

During my absence, _____(name), at

() _____ (telephone number), will know how to reach me.

I {do} {do not} desire to take _____ days of paid time-off {vacation, comp. time, personal, etc.} before my service begins. Please be advised that I may not be required to use vacation pay or time for military absence from my workplace, per Title 38, United States Code Section 4316(d).

I {do} {do not} desire to continue my health care insurance, per Title 38, United States Code Section 4317.

If you have any questions about the provisions of the Uniformed Services Employment and Reemployment Rights Act, the National Committee for Employer Support of the Guard and Reserve will be happy to answer them. They can be reached toll-free at 1-800-336-4590.

Sincerely,

(Signature)



Employee's Active Duty Return Notification Letter to Employer

(Employee's Home Address)
(City, State and Zip Code)

_____ (Date)

City of Ypsilanti
Attn: Human Resources
One S. Huron Street
Ypsilanti, MI 48197

Dear Human Resources:

On _____ (date), I entered active duty with the _____ (Branch of Service). On _____ (date), I was honorably released from active duty.

Please accept this letter as a formal request to be reinstated in my former job. With your permission, I plan to report to work on _____ (date). Please call me at the number listed below if this date is not convenient. Pursuant to the Uniformed Services Employment and Reemployment Rights Act, Title 38, United States Code Sections 4301-4335, I am entitled to be reinstated as soon as possible in my former position.

In the Department of Defense, there is an organization known as "Employer Support of the Guard and Reserve" (ESGR). ESGR's mission is to gain and maintain employer support for Guard and Reserve service by recognizing outstanding support, increasing awareness of the law, and resolving conflicts through mediation. If you have any questions about USERRA or employer support, you can find information on ESGR's website at www.esgr.mil. You also can call the ESGR, toll-free, at 1-800-336-4590, or contact ESGR via email at USERRA@osd.mil.

Should you need to contact me, I can be reached at the following number _____ or by email at _____.

Sincerely,

(Signature)

CONDUCT & DISCIPLINARY ACTION

7.01 Employee Conduct and Work Rules

Effective Date: 4/1/1999

Revision Date: 4/1/2005

Revision Date: 4/1/2015



Employees of the City of Ypsilanti work and provide services for the public. It is extremely important that they conduct themselves at all times in a manner that will reflect credit upon themselves and the City, provide for the protection and well-being of all City employees and the public, and ensure an orderly, efficient and productive workplace. The following rules and regulations are provided so that employees will know what is expected of them. Employees should read this document carefully. If there are any questions, do not hesitate to ask for clarification from a supervisor or the Human Resources Department.

No list of work rules could cover all possible acts of improper behavior; therefore, each employee must exercise good judgment for proper and mature behavior. Any employee who engages in any job-related misconduct, although the conduct is not specifically named in the work rules, may be disciplined or discharged. Because each person is a public employee and occupies a special status in the work force, arrest or conviction for conduct occurring outside working hours, or any other off-duty involvement in inappropriate or unprofessional conduct or behavior which could reflect negatively on the City or its reputation in the community, may result in suspension and/or disciplinary action, depending upon the nature of the conduct and whether the sanctions imposed, if any, interfere with the ability to perform assigned duties.

Because each instance can differ, the City retains the right to treat each occurrence of misconduct on an individual basis, without creating a precedent for the treatment of any other case that may arise in the future. The City retains the right to suspend the operation of any disciplinary action that it may take, during good behavior for a specified term, at its exclusive discretion. Examples given in any rule do not limit the generality of the rules. As further explained below, these rules and regulations are not to be construed as a limitation upon the retained rights of the City, but are merely a guide.

The rules set forth in this section of the handbook apply for specific offenses. These rules are not intended to impose a rigid limitation upon management when dealing with disciplinary matters, nor are the intent to discipline any employee when a particular violation is minor or is an isolated incident in an otherwise good work record. A more severe penalty may be imposed than that prescribed below if it is deemed necessary due to the seriousness and nature of the offense, the record of the employee or other applicable factors. Likewise, supervisors with authority to review and impose penalties may impose less than the maximum penalties for violations of the rules set forth in the handbook when extenuating circumstances are found to exist.

Offenses

The following is not intended to be a complete list of every offense or act for which disciplinary action may be necessary. In addition, individual departments (especially Fire and Police) establish rules and regulations which may call for disciplinary action not listed herein. If there is a conflict, the stricter policy/rule will prevail.

Class I Offenses

- A. Absence from duty without prior permission from the supervisor, except for cause beyond the control of the employee which prevents obtaining prior approval. When advance notice cannot be given, employees are expected to notify their supervisors or department heads of the reasons for their absences and the expected time of their return.
- B. Failure to commence work at the beginning of the duty period or leaving work prior to the end of the duty period. All employees are expected to work, excluding authorized breaks, from the beginning to the end of the duty period and neither arrive late nor leave early.
- C. Violation of the Attendance and Punctuality Policy (see 7.05), including failure to provide advance notice of absence from work or late arrival.
- D. Excessive personal telephone calls, whether sent or received.
- E. Unsatisfactory work and/or failure to maintain required standards of performance, including failure to complete regularly assigned duties.
- F. Poor hygiene or failure to follow the Personal Appearance Policy (see 7.06) or applicable departmental uniform policy or dress code. In addition to being subject to disciplinary action, employees who arrive at work, or are found working while inappropriately dressed, will not be permitted to begin or continue work, whichever is applicable, until such time as they are properly attired, nor will they be compensated for the time lost obtaining their uniforms.
- G. Violation of the Solicitation Policy (see 7.11).
- H. Deliberate neglect or carelessness in observance of departmental rules, official safety rules, or disregard of common safety practices.
- I. Improper use of work hours: loitering, loafing, and horseplay, disregarding job duties by neglect of work or reading for pleasure during working hours.

Class II Offenses

- A. Negligent or careless misuse, abuse, waste, damage to or destruction of public or private property, while in capacity of City employment.
- B. Unauthorized use of City tools, equipment or materials at any time for personal needs.
- C. Use of derogatory or profane language toward co-workers or the public. (See 7.04 Anti-Harassment Policy)
- D. Incidents of sleeping during scheduled work hours or inattention to work.
- E. Unauthorized use of City vehicles.
- F. Participation in gambling on the City's time or premises.
- G. Failure to report, within 24 hours, accidents involving City equipment, excluding motor vehicles. (See Class III Offenses for motor vehicles)

- H. Failure to report, within 48 hours, personal injuries, or injuries of co-workers, to the City.
- I. Failure to report for overtime work without cause, after being scheduled according to departmental overtime policy.

Class III Offenses

- A. Insubordination by the refusal to perform work assigned, refusal to comply with supervisor's written or verbal instructions, or receiving directions or instructions in an insolent or defiant manner. Any employee who feels the supervisor's directions are improper will be expected to comply with the directions, but may utilize the grievance procedure.
- B. Use of abusive, coercive or threatening language, including the threat of physical violence, toward subordinates, members of the supervisory force, co-workers or the public.
- C. Repeated violation of work or safety rules.
- D. Failure to report, without cause, accidents involving motor vehicles within 24 hours when damage is caused to public, private or City property, including City cars, trucks, buildings, equipment, etc.
- E. Violation of single licensing requirement or CDL regulations regarding notification of convictions.
- F. Any use of another employee's time card; any unauthorized alteration of another employee's time card, an assigned time card, or a required time or production record.
- G. Horseplay or scuffling where there is injury or property damage.
- H. Public criticism or making false or malicious statements regarding City officials and/or City employees.
- I. Misuse or removal of confidential City records or information of any nature (subject to any exceptions provided in state or federal laws), or revealing such information without proper written authority from the department head/supervisor (or reviewed by the City Attorney).

Class IV Offenses

- A. Possession of alcoholic beverages, narcotics, firearms (or other lethal weapon), concealed or otherwise, on City premises, even if employee possesses a concealed weapons permit. Only sworn police officers and the Fire Chief are permitted to carry concealed weapons on City property. Please note: City property includes City parking lots. Concealing alcoholic beverages, narcotics or firearms/weapons in your personal vehicles on City property is a violation of this rule.
- B. Any intentional misrepresentation or falsification of City records, time reports, leave of absence requests, bereavement leaves or any other City document(s) or record(s) pertaining to an employee's job responsibilities or employment with the City. Making false claims or misrepresentations in an attempt to obtain disability, Workers' Compensation, or unemployment compensation benefits or payments. Falsifying testimony when accidents are being investigated or falsifying or assisting in falsifying personnel or other records, including production or work

performance reports; or giving false information or withholding pertinent information called for in making application for employment.

- C. Violation of the City's Drug-Free Workplace Policy (see 7.03).
- D. Dishonesty or any dishonest action. Examples of "dishonesty" and "dishonest actions" are: theft, pilfering, making false statements to influence an official action by the City, and making false statements to secure an excused absence.
- E. Work performed for another employer or other person(s) during scheduled City employment without the express written permission of the department head.
- F. Work of any kind for personal monetary gain while on sick leave or leave of absence, unless authorized by the City Manager.
- G. Altercations or any other form of physical violence in the context of City employment.
- H. Immoral or indecent acts on City premises while functioning as a City employee.
- I. Damage to or destruction of City property, tools, equipment, motor vehicles, or the property of City employees or others.
- J. Failure to report an accident, leaving the scene of an accident, or violation of CDL regulations regarding notification of license suspension, revocation, cancellation, etc. (The requirement to report license suspension/revocation applies to all employees who are required to possess a valid driver's license for employment.)
- K. Instigation of or participation in any walkout, strike, sit-down, stand-in, slowdown, refusal to return to work at the scheduled time for the scheduled shift, or other curtailment or restriction of production or interference with work in or about the City's work stations, whether individually or with others.
- L. Sexual or other prohibited harassment of employees, visitors or members of the public. (See 7.04 Anti-Harassment Policy)
- M. Conviction of a felony.
- N. Unexcused absence of three consecutive workdays, or failure to return from a leave of absence.

Penalties For Offenses

Before an employee receives a disciplinary suspension or is discharged for violation of the City of Ypsilanti work rules, the employee will be given written or oral notice of the basis for the proposed disciplinary action, and an opportunity to present his or her position. The City may place an employee on an immediate or investigatory suspension pending a final determination of the charges. This action is not a disciplinary suspension unless it is subsequently stated as such. If the investigation establishes the employee's innocence of the charges, he/she will be returned to work and paid for all lost time. If an employee is disciplined for violating the City of Ypsilanti work rules, he/she may use the grievance procedure provided by City policies. A violation of these rules will result in disciplinary action, as indicated. Discipline ranges from a verbal reprimand to discharge, depending upon whether it is a first violation or a recurrence, and the seriousness of the violation. A combination of violations will be dealt with according to the circumstances of each individual case.

When imposing any discipline as a result of a current incident, the City will not take into

account Class I Offenses which occurred more than one (1) year prior to a current incident, Class II or III Offenses which occurred more than two (2) years prior, or Class IV infractions that did not result in discharge which occurred more than four (4) years prior, unless such offenses continue to have force and effect as part of progressive discipline as a result of subsequent disciplinary action instituted prior to the expiration of application time-limits set forth herein.

Class I Offenses - The penalty for a Class I Offense, or a combination of those offenses, shall be a verbal reprimand for the first offense, a written reprimand for the second violation of the rules, a three-day suspension without pay for a third violation, a five-day suspension without pay for a fourth violation and termination for a fifth offense.

Class II Offenses - The penalty for a Class II Offense, or a combination of those offenses, shall be a three-day suspension without pay for the first offense, a five-day suspension without pay for a second violation of the rules and termination for a third violation.

Class III Offenses - The penalty for a Class III Offense shall be a five-day suspension without pay for the first offense and termination for a second violation.

Class IV Offenses - Subject to discharge.

Note: An employee who has already received a three-day suspension for a previous offense, or combination of offenses, shall receive a five-day suspension without pay for either a Class I or Class II Offense and shall be subject to discharge for a subsequent violation of the rules, regardless of the classification of the offense.

An employee who has already received a three-day suspension shall be subject to discharge for a Class III or Class IV Offense. Likewise, an employee who has already received a five-day suspension for a previous offense, or combination of offenses, shall be subject to discharge for any further violation of the rules, regardless of classification.

7.02 Progressive Discipline

Effective Date: 4/1/1999

Revision Date: 4/1/2015

The purpose of this policy is to state the City's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The City's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with the City is based on mutual consent and both the employee 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.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and still another offense may then lead to termination of employment. If more than 12 months (for minor infractions) or 24 months (for major infractions) have passed since the last disciplinary action, the process will normally start over.

The City recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy (7.01) includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

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



7.03 Drug-Free Workplace Policy

Effective Date: 4/1/1999

Revision Date: 4/1/2011

Revision Date: 4/1/2015

The City of Ypsilanti has a vital interest in providing for the safety and well-being of all employees and the public, and maintaining efficiency and productivity in all of its operations. In fulfillment of its responsibilities, the City is committed to the maintenance of a drug- and alcohol-free workplace. In addition, the City and certain employees who drive commercial motor vehicles are subject to the Omnibus Transportation Employee Testing Act of 1991, and implementing regulations issued by the Federal Highway Administration (FHWA) of the U.S. Department of Transportation, 49 CFR Part 382, which require covered employers to promulgate a policy on the misuse of alcohol and use of

controlled substances. A list of the employee classifications currently covered by 49 CFR Part 382 is attached.

In furtherance of its commitment to maintain a drug- and alcohol-free workplace and the requirements of the above law and regulations, the City has adopted the following Drug-Free Workplace Policy.

Policy Statement

- (1) All employees must be free from the effects of drugs and alcohol during scheduled work hours as a condition of employment. Drinking alcoholic beverages or using drugs while on duty, on City property, in City vehicles, during breaks or at lunch, or working or reporting for work when impaired by or under the influence of alcohol, or when drugs and/or drug metabolites are present in the employee's system, is strictly prohibited and grounds for disciplinary action, up to and including immediate discharge.

In addition, employees are subject to disciplinary action, up to and including immediate discharge, for the unlawful manufacture, distribution, dispensation, possession, concealment or sale of alcohol or drugs while on duty, on City property, in City vehicles, during breaks or at lunch.

- (2) Subject to the provisions of Section D below, the City reserves the right to require employees to submit to urine drug testing and Breathalyzer alcohol testing to determine usage of drugs and/or alcohol as provided below. Employees must submit to all required tests. Any employee who refuses to submit to any required test (including refusal to execute any required consent forms, refusal to cooperate regarding the collection of samples, or submission or attempted submission of an adulterated or substituted urine sample) will be subject to immediate discharge. Any employee who tests positive for drugs and/or has an alcohol concentration at or above the prescribed limits will be subject to disciplinary action as outlined below. Such employees will also be subject to the established procedures regarding evaluation and treatment and return-to-duty and follow-up testing.
- (3) The City also reserves the right to require return-to-duty and follow-up testing as a condition of reinstatement or continued employment in conjunction with, or following completion of, an approved drug and/or alcohol treatment, counseling or rehabilitation program.

A. Drug-Free Awareness Program/Education and Training

Pursuant to the provisions of the Drug-Free Workplace Act of 1988 and the education and training requirements of 49 CFR Part 382, the City will establish a Drug-Free Awareness Program to assist employees to understand and avoid the perils of drug and alcohol abuse. The City will use this program in an ongoing educational effort to prevent and eliminate drug and alcohol abuse that may affect the workplace.

The City's Drug-Free Awareness Program will inform employees about: (1) the dangers of drug and alcohol abuse in the workplace; (2) the City's policy of maintaining a drug- and alcohol-free workplace; (3) the availability of drug and alcohol treatment, counseling and rehabilitation programs; and (4) the penalties that may be imposed upon employees for drug and alcohol abuse violations.

As part of the Drug-Free Awareness Program, the City shall provide educational materials that explain the requirements of 49 CFR Part 382 and the City's policies and procedures with respect to meeting these requirements. Covered and non-covered employees shall be provided with information concerning the effects of alcohol and drug use on an individual's health, work and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected, including confrontation and/or referral to management.

In accordance with the provisions of 49 CFR Part 382, supervisors who may be asked to determine whether reasonable suspicion exists to require an employee to undergo drug and/or alcohol testing shall receive at least 60 minutes of training on alcohol misuse and 60 minutes of training on drug use. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use.

B. Prohibited Substances/Legal Drugs/Unauthorized Items/Searches

Prohibited Substances: Alcoholic beverages and drugs are prohibited substances in the workplace. For purposes of this policy, the term "drugs" includes controlled substances (as identified in Schedules I through V of Section 202 of the Controlled Substances Act, 21 USC Section 812, and the regulations promulgated thereunder), including synthetic narcotics, designer drugs, prescription drugs (with the exception of prescription drugs approved by and used in accordance with the directions of the employee's physician), and the five (5) drugs listed below.

As outlined in 49 CFR Part 382, the following drugs are prohibited: marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

Legal Drugs: The appropriate use of prescription drugs and over-the-counter medications is not prohibited; however, the following guidelines must be observed. All prescription drugs must be in the original container and in the employee's name. Any employee using a prescription drug should consult with his/her physician regarding the effects of the drug, then provide written approval for the use of any drug during work hours which could affect the employee's ability to safely operate a motor vehicle or perform his/her normal job duties. Employees should read all labels carefully. On-duty employees shall inform their supervisors when using any over-the-counter medications that could cause drowsiness. Employees covered by 49 CFR Part 382 may be required to inform the City of any therapeutic drug use.

Unauthorized Items: Employees may not have any unauthorized items in their possession or in any area used by them or under their control. Unauthorized items include alcoholic beverage containers and drug paraphernalia.

Searches: When the City Management has reasonable suspicion that the use, unlawful manufacture, distribution, dispensation, possession, concealment or sale of drugs or alcohol is taking place while an employee is on duty, on City premises, in City vehicles, during breaks or at lunch, the City reserves the right to perform reasonable searches or inspections of the employee's work area, locker, desk, tool box, vehicle and/or personal effects (pockets, purse, shoes, coat, packages, tote bags, etc.) to determine whether the employee is engaged in prohibited conduct. Alcohol that is properly stored, unopened, in the trunk of an employee's vehicle will be considered a violation of this policy.

When a search is necessary, the employee will be required to cooperate. Any employee who refuses to cooperate will not be forcibly searched, but will be advised that submission to such a search is a condition of employment and that failure to cooperate will result in termination of employment. If the employee again refuses, he/she will be terminated.

Prior to conducting a search of an employee or his/her personal effects, the City will meet with the employee to discuss the facts which form the basis for the reasonable suspicion, and to give the employee an opportunity to provide an explanation. All searches will be conducted by a sworn Ypsilanti Police Officer.

C. Use of Alcohol and Drugs/Prohibited Conduct

In accordance with 49 CFR Part 382, covered employees are subject to the following prohibitions regarding the use of alcohol and drugs (controlled substances):

- (1) Employees shall not report for duty or remain on duty while having an alcohol concentration of 0.04 or greater.
- (2) Employees shall not use alcohol while on duty.
- (3) Employees shall not use alcohol within 4 hours of reporting for duty.
- (4) Employees required to undergo post-accident testing shall not use alcohol for 8 hours following the accident, or until they undergo a post-accident alcohol test.
- (5) Employees shall submit to all authorized drug or alcohol tests.
- (6) Employees shall not report for duty or remain on duty when they use any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial motor vehicle or perform his/her normal job duties.

In addition, subject to disciplinary rules set forth below, covered employees who are found to have an alcohol concentration of 0.02 or greater, but less than 0.04, in any authorized alcohol test shall be removed from duty, and may not return to duty until the start of the employee's next regularly scheduled shift, but not less than 24 hours following administration of the test.

The foregoing rules shall apply to covered employees during periods when they are on breaks or at lunch, or not performing safety-sensitive functions. *These rules shall also apply to employees who are not covered by 49 CFR Part 382.*

D. When Drug and Alcohol Testing May Be Required

Pursuant to 49 CFR Part 382, covered employees (and applicants) shall be required to submit to urine testing for use of prohibited drugs and/or Breathalyzer alcohol testing in the following circumstances:

- (1) Prior to employment or performing any safety-sensitive functions for the City.

The employee (or applicant) must have a verified negative drug test. However, pre-employment alcohol testing shall not be required.

- (2) When the City has reasonable suspicion that a covered employee has violated any of the above prohibitions regarding use of alcohol or drugs.

For purposes of this rule, reasonable suspicion shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, and speech or body odors of the employee. The required observations must be made by two (2) supervisors who are trained in detecting the signs and symptoms of misuse of alcohol and/or drugs.

- (3) When a covered employee is involved in an accident involving a commercial motor vehicle on a public road, and testing is required under applicable federal regulations.

Testing is required when a covered employee is involved in an accident which results in a fatality; or is involved in a non-fatal accident (a) which results in bodily injury requiring treatment away from the scene of the accident, or (b) where one or more vehicles incurs disabling damage requiring towing from the scene, and the employee receives a citation under state or local law for a moving traffic violation arising from the accident.

The employee shall be tested as soon as practicable following the accident, not to exceed 8 hours for alcohol testing and 32 hours for drug testing. An employee required to undergo post-accident testing shall refrain from

alcohol use for 8 hours following the accident, or until he/she undergoes a post-accident alcohol test. Any employee who fails to remain readily available for post-accident testing (up to 8 hours) may be deemed to have refused to submit to such testing. The employee will continue to be paid when post-accident testing is pending or being conducted.

- (4) As part of a random testing program for covered employees implemented under applicable federal regulations.

The City shall meet the requirements of these regulations with respect to minimum annual percentage rates for random testing, the selection of employees for random testing, and the timing of random tests.

Currently, the minimum annual percentage rates are 50% of the total number of covered employees for drug testing and 25% of the total number of covered employees for alcohol testing.

- (5) As part of a return-to-duty testing program for covered employees implemented under applicable federal regulations.

Return-to-duty testing is required after an employee has engaged in any of the above prohibitions concerning use of alcohol or drugs. In order to return to duty, the employee must have a verified negative drug test and/or an alcohol test indicating an alcohol concentration of less than 0.02. The employee must also be evaluated and released by the City's Substance Abuse Professional (SAP), who will determine the type of return-to-duty testing to be conducted.

- (6) As part of a follow-up testing program for covered employees implemented under applicable federal regulations.

After returning-to-duty, an employee who has been identified as needing assistance in resolving problems associated with use of drugs and/or misuse of alcohol shall be subject to unannounced follow-up drug and/or alcohol testing. The number and frequency of such tests shall be as directed by the SAP, and shall consist of at least 6 tests in the first 12 months following the employee's return to duty.

Follow-up testing may include drug and/or alcohol testing based on the SAP's recommendations. However, the follow-up testing period shall not exceed 24 months following the employee's return to duty.

In addition to the testing described above, employees and applicants may be required to submit to urine drug testing and/or Breathalyzer alcohol testing under the City's independent authority in the following circumstances:

- (7) As part of a pre-employment physical examination, a fitness-for-duty physical examination, or any other periodic physical examination.
- (8) When the City management has a reasonable suspicion, based upon an employee's attendance or performance record, observations or verified information submitted to the City, that the employee is currently using, impaired by or under the influence of drugs or alcohol.
- (9) When an employee suffers an on-the-job injury, or following a serious or potentially serious accident or incident in which safety precautions were violated, equipment or property was damaged, an employee or other person was injured, or careless acts were performed by the employee.
- (10) As part of a return-to-duty or follow-up drug and/or alcohol test required under an agreement allowing an employee to return to duty following disciplinary action for a positive drug and/or alcohol test, or as the result of a condition of continued employment or reinstatement in conjunction with or following completion of an approved drug and/or alcohol treatment, counseling or rehabilitation program.

In order to return to duty, an employee who has a positive drug or alcohol test (i.e. a verified positive drug test or an alcohol test indicating an alcohol concentration of 0.04 or greater) must have a verified negative drug test and/or an alcohol test indicating an alcohol concentration of less than 0.02, and be evaluated and released by the SAP. In addition, the employee shall be subject to follow-up testing for a period not to exceed 24 months from the date of the employee's return to duty, in accordance with the SAP's recommendations. (The City also reserves the right to require return-to-duty and follow-up testing of an employee who has an alcohol test indicating an alcohol concentration of 0.02 or greater, but less than 0.04, based on the SAP's recommendations.)

- (11) When any prohibited substance, including an alcoholic beverage, or any unauthorized item is found in an employee's possession.
- (12) When the laboratory values in any authorized drug test indicate the need for additional testing, as determined by the City's Medical Review Officer (MRO), or where any authorized drug test must be canceled due to a collection, chain of custody or other procedural problem.

E. Procedures Prior to Testing

The demand for a drug or alcohol test under subsections D(2), D(3), D(8), D(9) or D(11) above shall be made only on the express authority of the City Human Resources Manager, or her/his designee. In such cases, the employee's manager/supervisor will contact the

Human Resources Department and, after obtaining approval from the Human Resources Manager or designee, shall direct the employee to undergo testing.

In addition, prior to administering a test under subsection D(2) or D(8) above, the Human Resources Manager and/or other designated management representative(s) shall meet with the employee and disclose the facts which form the basis for testing, and the employee shall at the same time be given an opportunity to provide an explanation for his/her behavior, action and/or appearance.

F. Drug and Alcohol Testing Procedures

The following procedures shall govern the administration of drug and/or alcohol tests:

- (1) Drug and alcohol testing of covered and non-covered employees (and applicants) shall be conducted in a manner designed to protect employees and the integrity of the testing process, safeguard the validity of test results, and ensure that those results are attributed to the correct employee.

Except as provided below, all drug and alcohol testing shall be conducted in accordance with the procedures set forth in 49 CFR Part 40.

- (2) When drug testing is being administered pursuant to 49 CFR Part 382, two (2) separate urine samples shall be taken if the City elects to test for any drugs and/or their metabolites other than the five (5) prohibited drugs listed above.
- (3) Urine samples for drug testing shall be collected in private at the collection site designated by the City, using the split sample collection method. If medical personnel at the collection site have reason to believe that an adulterated or substituted sample has been provided (or that the employee may alter or substitute the sample), the employee will be required to submit a second sample (or the original sample) under the direct observation of same gender collection site personnel.
- (4) An approved chain-of-custody procedure shall be followed in the administration of all drug tests. Urine samples shall be sealed and initialed by the employee and a witness. The drug testing custody and control form (see p. 125) shall be completed in the manner specified in 49 CFR Part 40.
- (5) Urine samples shall be sent promptly to and tested by a laboratory that is certified to perform drug tests by the Department of Health and Human Services (DHHS), in accordance with the procedures set forth in 49 CFR Part 40.
- (6) Urine samples, including the primary specimen and the split specimen, shall be stored in accordance with the requirements of 49 CFR Part 40. Any

specimens which test positive for drugs shall be retained in long-term frozen storage by the laboratory conducting the analysis for a minimum of one year.

- (7) Initial drug screening shall be conducted using an accepted immunoassay method. All positive tests shall be confirmed using the Gas Chromatography/Mass Spectrometry (GC/MS) drug testing method.
- (8) Breathalyzer alcohol tests shall be conducted in private at the collection site designated by the City. All of the procedures regarding such tests set forth in 49 CFR Part 40, including procedures relating to completion of the breath alcohol testing form, shall be followed.
- (9) Alcohol tests shall be conducted using a National Highway Traffic Safety Administration (NHTSA)-approved evidential breath-testing device (EBT) operated by a trained breath alcohol technician (BAT). If the initial test indicates an alcohol concentration of 0.02 or greater, a second test shall be performed to confirm the results of the initial test.

- (10) Any employee (or applicant) required to submit to a drug and/or alcohol test must promptly execute a consent to the collection of samples, their analysis to determine the presence of designated controlled substances and/or their metabolites, or alcohol, and the release of test results to the Human Resources Manager or his/her designee.
- (11) Upon request, the City shall promptly make legible copies of the results of all drug and alcohol tests available to the employee.
- (12) All information collected in the process of conducting a drug and/or alcohol test shall be treated as confidential information.
- (13) An employee required to submit to a drug and/or alcohol test shall cooperate fully in the collection process and complete all required forms and documents.

G. Positive Alcohol and Drug Tests

Alcohol Tests: A Breathalyzer alcohol test shall be considered to be positive if an employee has an alcohol concentration of 0.04 or greater.

In addition, an employee found to have an alcohol concentration of 0.02 or greater, but less than 0.04, in any authorized alcohol test shall be removed from duty and shall be subject to disciplinary action in accordance with applicable federal regulations and the provisions of this policy.

Drug Cut-off Limits: The cut-off limits established under 49 CFR Part 40 shall be used to determine whether drug test results are positive for the prohibited drugs (and/or their metabolites) listed in Section B of this policy.

If drug testing is conducted for any other drug classes, the cut-off limits recommended by the manufacturer or recognized by the testing laboratory shall be used to determine whether drug test results are positive.

In the event that the cut-off limits established under 49 CFR Part 40 are revised, and/or the U.S. Department of Health and Human Services or another agency of the federal government establishes cut-off limits for any additional drugs and/or their metabolites, the City will recognize such new or revised cut-off limits.

Medical Review Officer: In accordance with the provisions of 49 CFR Part 382 and Part 40, the City shall have a designated Medical Review Officer (MRO). The MRO shall be a licensed physician with knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate an individual's positive drug test result together with his/her individual medical history and any other relevant biochemical information. The

medical review officer shall be responsible for receiving, reviewing and analyzing all drug test results and reporting any verified positive drug test results to the Human Resources Manager or his/her designee. Also, the MRO shall be responsible for directing the analysis of the split specimen in appropriate cases.

Prescription Drugs: When a positive drug test may be the result of use of a prescribed drug, the employee will be required to submit proof of the prescription within forty-eight (48) hours of the request, together with a written statement from his/her physician approving the use of the drug during working hours. If the prescription and/or physician's statement is not submitted within the specified time limit, the employee will be subject to disciplinary action under this policy.

H. Substance Abuse Professional

In accordance with the provisions of 49 CFR Part 382 and Part 40, the City shall have a designated Substance Abuse Professional (SAP). The SAP shall be a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor, with knowledge of and clinical experience in the diagnosis and treatment of drug- and alcohol-related disorders. The duties of the SAP shall be as follows:

- (1) The SAP shall evaluate each employee who has engaged in prohibited conduct regarding use of drugs or alcohol to determine what assistance, if any, the employee needs in resolving problems associated with use of drugs or misuse of alcohol; and whether the employee has properly followed any prescribed rehabilitation program.
- (2) The SAP may recommend that an employee undergo return-to-duty and follow-up testing for both drugs and alcohol, if the SAP determines that such testing is necessary for that particular employee.
- (3) Subject to the other provisions of this policy, the SAP shall determine the frequency and duration of the follow-up testing to be administered following an employee's return to duty, and may terminate the requirement for follow-up testing at any time after the first six (6) tests have been administered, if the SAP determines that such testing is no longer necessary.

In addition, each employee who has engaged in prohibited conduct regarding use of drugs or alcohol shall be advised by the City of the resources available to the employee in evaluating and resolving problems associated with drug use and misuse of alcohol, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

I. Retesting

Pursuant to 49 CFR Part 40, any covered or non-covered employee who has a confirmed positive drug test, which is verified positive by the MRO, may request an analysis of the split specimen, in accordance with the following guidelines:

- (1) The employee must make the request to the MRO within 72 hours after the employee has been informed of a verified positive test result. Requests made after 72 hours may be accepted if the MRO concludes that there was a legitimate explanation for the employee's failure to contact the MRO within 72 hours.
- (2) The MRO shall direct the original laboratory, in writing, to provide the split specimen to another DHHS-certified laboratory for analysis.
- (3) The original laboratory shall follow approved chain-of-custody procedures when transferring the split specimen to the second laboratory.
- (4) The second laboratory shall analyze the split specimen by GC/MS to confirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen. Such GC/MS confirmation shall be conducted without regard to the cut-off limits specified in 49 CFR Part 40.
- (5) If the analysis of the split specimen is negative, or if the split specimen is unavailable, inadequate for testing or untestable, the MRO shall cancel the test and report the cancellation to the City and the employee.
- (6) The employee must reimburse the City for the total cost of the additional analysis and all costs associated with the transfer of the split specimen to the second DHHS laboratory, including shipping and handling, if the retest is positive.
- (7) The results of the retest will be binding on the City and the employee.

If the retest is negative, any discipline the employee has received as a result of the initial test will be voided, the employee will be made whole for any lost wages, and no further disciplinary action will be taken against the employee. If the retest is positive, or if no retest is requested, the test result cannot be challenged in any forum.

J. Disciplinary Action

Employees will be subject to disciplinary action, up to and including discharge, for any of the following infractions:

- (1) Refusal to submit to an authorized drug or alcohol test.

Refusal to submit to testing means the employee fails to provide an adequate urine or breath sample for testing, without a valid medical explanation, after he/she has received notice of the requirement to be tested, or engages in conduct that clearly obstructs the testing process. Refusal to submit to testing includes, but is not limited to, refusal to execute any required consent forms, refusal to cooperate regarding the collection of samples, and/or submission or attempted submission of an adulterated or substituted urine sample.

- (2) Drinking alcoholic beverages or using drugs while on duty, on City property, in City vehicles, during breaks or at lunch.
- (3) Unlawful manufacture, distribution, dispensation, possession, concealment or sale of any prohibited substance, including an alcoholic beverage, while on duty, on City property, in City vehicles, during breaks or at lunch.
- (4) Any criminal drug statute conviction and/or failure to notify the City of such conviction within five (5) days.
- (5) Refusal to cooperate in a search.

Although the foregoing infractions will ordinarily result in discharge regardless of the employee's position, the City reserves the right to consider extenuating circumstances and impose lesser discipline when such action is deemed appropriate.

In the following circumstances, employees shall receive a disciplinary suspension of not more than thirty (30) days for the first offense; however, if an employee violates another work rule in conjunction with a violation of this policy, the City shall have the right to take stricter disciplinary action, up to and including discharge, based on the severity of the incident and/or the employee's past record:

- (6) Having an alcohol concentration of .04% or greater in any authorized alcohol test.
- (7) Testing positive for drugs and/or their metabolites in any authorized drug test.

In order to be reinstated following completion of a suspension for a positive drug or alcohol test, the employee must undergo and pass a return-to-duty drug and/or alcohol test, and be evaluated and released by the SAP, in accordance with subsections D(5) or D(10) above.

The City will schedule the return-to-duty drug and/or alcohol test and the evaluation by the SAP to avoid any lost work time beyond the period of the suspension. The employee will remain on disciplinary suspension, without pay, until the City has received written

notice that the employee has passed the return-to-duty drug test (and/or notice from the collection site that the employee had an alcohol concentration of less than 0.02 in the return-to-duty alcohol test) and written notice from the SAP that the employee has been released to return to duty. However, the employee may use accumulated leave time between the end of the original suspension and being released to return to work.

If the employee tests positive for any drug or has an alcohol concentration of 0.02 or greater in any subsequent test, he/she shall be subject to discharge.

An employee who has an alcohol concentration of 0.02 or greater, but less than 0.04, in any authorized alcohol test, and is not otherwise subject to more serious discipline, shall receive the following disciplinary action:

First offense--suspension of not more than five (5) days.

Second offense--suspension of not more than thirty (30) days.

Third offense--subject to discharge.

Rehabilitation and Additional Testing

In cases where an employee receives disciplinary action other than discharge for a drug- and/or alcohol-related infraction, the following procedures shall also apply:

- (1) The City may require the employee to participate in an approved treatment, counseling or rehabilitation program for drug and/or alcohol abuse at the time discipline is imposed, based on the recommendations of the SAP.
- (2) If the employee is required to enroll in such a program, his/her reinstatement or continued employment shall be contingent upon successful completion of the program and remaining drug- and alcohol-free for its duration.

The employee must submit to any drug and/or alcohol testing administered as part of the program and provide the City with the results of such tests. The employee must also provide the City with progress reports from his/her therapist, or the agency administering the program, on at least a monthly basis. (Failure to provide such reports or the results of such tests will result in the employee being placed on suspension without pay.)

- (3) In accordance with subsections D(6) and D(10) above, an employee who has been identified as needing assistance in resolving problems associated with use of drugs and/or misuse of alcohol may be administered unannounced follow-up drug and/or alcohol tests for a period of up to 24 months.

Employment Status Pending Receipt of Test Results

In addition to appropriate disciplinary measures, including suspension, which may be taken in response to the incident or conduct which gave rise to the test, the City reserves the right to decide whether the incident or conduct prompting the test is of such a nature that the employee should not be returned to work until the test results are received. If such a decision is made, the employee will be suspended without pay. Where the test result is negative, the employee will be reinstated with back pay, provided the employee has not been given an appropriate disciplinary suspension for violation of another work rule which also covers the time missed waiting for the test results.

K. Voluntary Drug and Alcohol Rehabilitation

If an employee who is not otherwise subject to disciplinary action for use of drugs and/or alcohol voluntarily admits that he/she has a drug and/or alcohol abuse problem, the Human Resources Manager (or his/her designee) will meet with the employee to discuss the various treatment, counseling and rehabilitation options that are available.

These options may include allowing the employee to continue working while receiving outpatient treatment, counseling or rehabilitation in an approved drug and/or alcohol abuse program, or placing the employee on a medical leave of absence while he/she is receiving treatment, counseling or rehabilitation in an approved inpatient or outpatient drug- and/or alcohol-abuse program.

When an employee voluntarily admits that he/she has a drug and/or alcohol abuse problem, the City shall have the right to require the employee to be evaluated by the SAP and/or submit to drug and/or alcohol testing prior to deciding what action is appropriate. No disciplinary action will be taken by the City against an employee who voluntarily admits that he/she has a drug and/or alcohol abuse problem in the situation described above, or tests positive for drug and/or alcohol in a test as described above. However, the City shall have the following rights in such a situation:

- (1) The employee may be required to enroll in and successfully complete an approved inpatient or outpatient drug- and/or alcohol-abuse program, and remain drug- and alcohol-free for its duration as a condition of reinstatement or continued employment.
- (2) If the employee is required to enroll in such a program, he/she must submit to any drug and/or alcohol tests administered as part of the program, and provide the City with the results of such tests. The employee must also provide the City with progress reports from his/her therapist, or the agency administering the program, on at least a monthly basis. (Failure to provide such reports or the results of such tests will result in the employee being placed on suspension without pay.)

- (3) The employee shall be required to agree to unannounced follow-up drug and/or alcohol tests, at the City's discretion, for a period of up to 24 months.
- (4) If the employee tests positive for drugs or alcohol in a follow-up alcohol or drug test administered during this period, he/she shall be given one last opportunity for rehabilitation under the procedure described above. However, the employee will be subject to discipline at the first step of the applicable disciplinary procedure set forth in Section J above.
- (5) If the employee voluntarily admits that he/she has experienced a reoccurrence of his/her drug and/or alcohol abuse problem at any time following completion of a treatment, counseling or rehabilitation program, and the employee is not otherwise subject to disciplinary action, he/she shall be given one last opportunity for rehabilitation and no discipline will be imposed.

L. Policy Content and Additional Information

Any questions regarding the contents of this policy or other matters related to the City's policies on use of drugs or misuse of alcohol should contact the Human Resources Manager, located at One South Huron Street, Ypsilanti, MI 48197, telephone number 734-483-1242.

Covered Employee Classifications

The following employee classifications are currently subject to the requirements of 49 CFR Part 382:

Equipment Operator
Heavy Equipment Operator
Mechanic
Parks Maintenance Worker
Sign Specialist
General Superintendent
General Foreman

7.04 Anti-Harassment

Effective Date: 4/1/1999
Revision Date: 7/1/2008
Revision Date: 2/13/2012
Revision Date: 4/1/2015

The City of Ypsilanti is committed to maintaining a work environment in which all individuals are treated with dignity and respect. Each individual has the right to work in a professional atmosphere that is free of bias, promotes equal employment

opportunities and prohibits discriminatory practices, including, but not limited to, various forms of prohibited harassment.

In keeping with this policy, the City will not condone or tolerate sexual harassment, or harassment based on sexual orientation or any characteristic protected by federal, state or local law, by or against any of its employees, vendors, contractors, applicants, visitors or members of the public. This policy applies to all employment practices including recruiting, hiring, pay rates, training and development, promotions and other terms and conditions of employment and termination. The City provides ongoing training to ensure employees the opportunity to work in an environment free of such harassment.

Unwelcome sexual advances, requests for sexual favors, or any other verbal or physical conduct or communications of a sexual nature constitute sexual harassment when:

1. Submission to the conduct or communication is made a term or condition, either explicitly or implicitly, to obtain or maintain employment;
2. Submission to or rejection of the conduct or communication is used as a factor in decisions affecting the harassed individual's employment; or
3. The conduct or communication has the purpose or effect of substantially interfering with the harassed individual's employment or creating an intimidating, hostile or offensive employment environment.

In reviewing this definition employees should understand that sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. Rather, it refers to behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers morale and that, therefore, interferes with work effectiveness. If an individual feels that any conduct or communication is inappropriate, the best policy is to immediately inform the person involved and request that he/she cease such behavior.

Sexual harassment includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. One specific form is the demand for sexual favors. Other forms of sexual harassment include, *but are not limited to*:

- **Verbal**: Sexual jokes and innuendo, suggestive comments, catcalls, verbal abuse of a sexual nature, commentary about an individual's body, sexual prowess or sexual deficiencies, sexual propositions, threats.
- **Non-Verbal**: Suggestive or insulting sounds, leering, whistling, insulting or obscene gestures, display or circulation in the workplace of sexually

suggestive objects or pictures (including through email, texting or social media). (See Policy 9.07)

- **Physical:** Unwanted physical contact, including touching, pinching, brushing the body, impeding or blocking movements, coerced sexual intercourse, assault.

Sexual harassment may be overt or subtle. However, whatever form it takes, sexual harassment is insulting and demeaning to the recipient and cannot, and will not, be tolerated in the workplace. The work environment can include off-site locations and encompass hours outside the normal workday when the off-duty conduct has a relationship to City employment. It may include comments made in social media settings when related to City employment (See Policy 9.07).

Harassment based on sexual orientation or other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her sexual orientation, race, color, religion, sex, age, height, weight, national origin, disability, veteran status, marital status, pregnancy or other characteristic protected by federal, state or local law. Harassment includes denigration of the characteristics of the individual's relatives, friends or associates, which: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

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

Workplace Bullying

Bullying is another form of harassment. The City of Ypsilanti defines bullying as "repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, in the workplace or in the course of employment." Such behavior violates the City's Business Ethics and Conduct Policy (1.04), which clearly states that all employees will be treated with dignity and respect.

Bullying may be intentional or unintentional. The City considers the following types of behavior examples of bullying:

- **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.

- **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.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.
- **Electronic bullying:** Sending or posting discriminatory, offensive or threatening messages or images, or attempting to defame or slander other individuals electronically, whether at work or any other location.

Violence in the Workplace

Employees are expected to refrain from conduct that may be dangerous to others. Conduct that threatens intimidates or coerces another employee, applicants, visitors or members of the public will not be tolerated. City resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. The City treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, the Ypsilanti Police Department (YPD), Human Resources or the City Manager's office. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Human Resources Manager of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. The City will not retaliate against employees making good faith reports. The City is committed to supporting victims of intimate partner violence by providing referrals to the employee assistance program (EAP) and community resources for help related to intimate partner violence.

The YPD will promptly and thoroughly investigate all reports of threats of violence, incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. The City will not retaliate against employees making good faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, the City may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats, violence or other conduct that is in violation of these guidelines, will be subject to prompt disciplinary action, up to and including termination of employment.

The City encourages employees to bring their disputes to the attention of their supervisors or Human Resources before situations escalate. The City will not discipline employees for raising such concerns.

Retaliation Is Prohibited

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

Complaint Procedure

The procedure outlined below will be used to investigate any complaint of harassment made against a City employee, regardless of whether the complainant is an employee, applicant, visitor or member of the public.

If an employee experiences or witnesses sexual or other prohibited harassment in the workplace, the employee must immediately report the matter to his/her department head. If the department head is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Human Resources Manager. Also, any supervisor or manager who becomes aware of possible sexual or other harassment should promptly advise the Human Resources Manager. If a complaint is to be brought against the Human Resources Manager, the incident(s) shall be reported to the City Manager or his/her designee. If the complaint is to be brought against the City Manager, Mayor or member of City Council, the incident(s) shall be reported to City Attorney and the City's Labor Attorney. In all cases, the City will do its best to ensure that an employee reporting an incident(s) will not suffer any form of reprisal or retaliation.

In determining whether the alleged conduct constitutes sexual or other prohibited harassment, the totality of the circumstances, the nature of the harassment and the context in which the incident(s) occurred will be investigated. The Human Resources Manager (or, when appropriate, the City Manager or designee) has the responsibility of investigating and resolving complaints of harassment.

All complaints will be handled in a timely and, to the extent possible, confidential manner. Investigations will normally include conferring with all parties involved and any named or apparent witnesses. Upon completion of the investigation, the results and any action taken thereon will be reported to the complaining employee, applicant or other party. If the investigation reveals that the complaint is valid, prompt and appropriate

remedial action will be taken to stop the harassment and prevent its recurrence.

The City considers sexual harassment, bullying, and harassment based on any protected characteristic or classification in the workplace to be a major offense that will result in disciplinary action being taken against the offender, up to and including suspension or discharge, regardless of the offender's position with the City.

7.05 Attendance and Punctuality

Effective Date: 4/1/1999

The City provides many services, both to its employees and to the citizens of the community. In order to deliver those services in a tradition of high quality, departments must be fully staffed. As absenteeism and/or tardiness detract from City services and cause an undue burden for those employees who must fill in for absent coworkers, employees are expected to:



1. Maintain acceptable personal health standards, which will allow them to be regular in their attendance at work.
2. Avoid letting minor indispositions keep them from performing their jobs, while at the same time exercising good judgment with respect to contagious ailments which might have an adverse effect on other employees.
3. Attend to personal affairs during non-working hours whenever possible.
4. Plan and seek timely approval of vacation and personal days, well in advance of their use.

In order to realize its standard of delivering high quality services in a timely, orderly and efficient manner, the City has adopted policy guidelines for absenteeism and/or tardiness. The following procedures are intended to outline the course of action to be taken by the City regarding absenteeism and/or tardiness. While every department is responsible for recording and disciplining its employees on any occurrence, all such incidents and reports shall be forwarded to the Human Resources Department. Department heads shall administer disciplinary action according to City and/or departmental work rules.

Long-Term Or Frequent Absence And/Or Tardiness Beyond An Employee's Own Control

The City does not consider discipline the appropriate vehicle for addressing long-term or frequent incidents of absence and/or tardiness that are the result of illness, injury or other reasons which are beyond the employee's control; however, such unpreventable absences and/or tardiness may result in the termination of individuals if the City determines that their continued employment would be disruptive to its orderly and efficient operation and inconsistent with provisions and applicability of the Family and Medical Leave Act (see Family and/or Medical Leave Policy 6.01 & 6.02). Such instances will be considered, based on the facts and circumstances of each case.

In order to translate attendance/tardiness standards into an effective working policy, the City has adopted the following standards.

Absences

Lost time from regularly-scheduled work

An employee shall be deemed excessively absent if his/her absence from work cannot be covered by accrued sick time. If any absence results in the loss of pay (lost time - without pay) for hours an employee is regularly scheduled to work, he/she shall be subject to disciplinary action.

Note: Lost time suffered because of disciplinary suspension shall not be counted for the purpose of determining excessive absenteeism. Accrued vacation time must be approved in advance by the City and cannot be used retroactively to cover lost-time absences.

Pattern Absences

An employee shall be deemed excessively absent if his/her absences from work exhibit a specific pattern, such as missed days immediately before or after holidays or weekends, continuing same day-of-the-week absences, absences after scheduled or ordered overtime, sick time before scheduled vacations, leaving early or coming in late on a regular basis, using leave time as quickly as it is earned, etc., even if such absences might be covered by accrued sick time. Pattern absences will only be excused if the employee provides explicit, verifiable medical documentation of the need for all such absences.

Tardiness/Late Arrivals To Work

For disciplinary purposes, an employee shall be deemed late to work if he/she has not reported for work at shift starting time. Additionally, employees have the responsibility to notify their supervisors in advance of absences and expected tardiness. Failure to do so will result in the employee being considered absent without pay and also subject the employee to disciplinary action. An employee will be deemed excessively tardy if he/she is late to work more than two (2) times in a calendar month. Note: Failure to punch a time card at start-up time, or report to supervisor, shall be considered a tardy/late arrival.

Employees' pay will be docked in major segments of 1/10 of an hour for tardiness. For example, if an employee paid \$12.00/hour is six minutes late, the employee would be docked \$1.20; 12 minutes late \$2.40; 24 minutes late \$4.80; 36 minutes late \$7.20; 48 minutes late \$9.60 and one hour late \$12.00.

Penalties For Excessive Absenteeism Or Tardiness

The purpose of the City's Attendance Policy is to encourage regular and timely work arrival. The City believes that it is counter-productive to issue additional time-off through disciplinary suspension to employees experiencing attendance difficulties;

therefore, in assessing penalties for excessive absenteeism or tardiness, the following disciplinary procedures will be applied to such offenses (see Work Rules 7.01 for Class I offenses).

In those instances where an employee is subject to disciplinary suspension for excessive absenteeism or tardiness, the appropriate penalty (three- or five-day suspension) shall be entered on his/her record; however, the employee will not actually receive time off through disciplinary suspension. This applies only to disciplinary actions for excessive absenteeism or tardiness. All other violations of City and/or departmental rules will be dealt with in accordance with the penalties set forth in City/departmental policies and the progressive discipline chain.

Employees shall be subject to discharge for three consecutive unexcused absences (i.e., no show/no call).

Progressive Disciplinary Policy Procedure For Absenteeism Combined With Other Offenses

Disciplinary actions assessed employees for excessive absenteeism or late arrivals to work are not treated separately from other offenses as a basis for determining appropriate penalties; therefore, penalties in these areas will be determined by other disciplinary actions on the employee's record. For example, an employee subject to a three-day suspension for excessive absenteeism because of an earlier related or unrelated offense (i.e., two previous Class I offenses within the past year) shall have the suspension entered on his/her record but will not receive time off. Any further violation of City/departmental policies for other than absenteeism, except those requiring automatic termination, will result in a five-day suspension, both as a matter of record and as five (5) days without pay for the employee.

Leaves Of Absence As An Alternative To Excessive Absenteeism Or Tardiness

The City recognizes the possibility that an employee may suffer an unusual number of instances of illness, injury, or may encounter personal problems that he/she feels require absences or late arrivals to work. Employees are reminded that City policies provide for personal and/or sick leaves of absence with or without pay (see Family and/or Medical Leave Policy 6.01 & 6.02) which may offer employees the time necessary for recuperation or to attend to personal matters, while at the same time allowing the City the opportunity to ensure that services are not unnecessarily interrupted or diminished. Employees with health or personal problems which may prevent their regular attendance and/or timely arrival to work are required to discuss the facts of their particular situation with the supervisor prior to their exceeding allowable limits of tardiness/absenteeism, in order for options other than discipline or termination to be explored. If such advance consultation with the supervisor does not take place and an employee is deemed excessively absent or tardy, he/she shall be subject to disciplinary actions.

7.06 Personal Appearance

Effective Date: 4/011/1999

Revision Date: 7/01/2011

Revision Date: 4/1/2015



Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the City presents to citizens and visitors.

During business hours or when representing the City, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with citizens or visitors in person. Below are some guidelines but are not all-inclusive:

- ❑ Khaki style pants or any other type of dress pants/slacks
- ❑ Business Suits/Pant Suits
- ❑ Sweaters, shirts, polo shirts, blouses/shells
- ❑ Vests
- ❑ Dresses, jumpers, skorts, skirts (no shorter than 3" above the knee cap)
- ❑ Any type of business shoes (heels, flats, etc.)

Employees are expected to keep their hair clean, combed and neatly trimmed. Clothing attire should be properly cleaned, mended and pressed and non-revealing.

Employees who are provided uniforms are required to wear them at all times.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance. When necessary, reasonable accommodations may be made for a person with a disability.

Employees are expected to maintain an acceptable standard of hygiene. Perfume, cologne and aftershave lotion should be used moderately, as some individuals may be sensitive to strong fragrances.

Without unduly restricting individual tastes, the following personal appearance guidelines should be followed:

- ❑ Tank tops, tube or halter tops may not be worn under any circumstances.
- ❑ Facial hair must be clean, well trimmed, and neat.
- ❑ Hairstyles are expected to be in good taste.
- ❑ Unnaturally colored hair and extreme hairstyles, such as spiked hair, do not

- present an appropriate professional appearance.
- ❑ Excessive makeup is not permitted.
 - ❑ Offensive body odor and poor personal hygiene is not professionally acceptable.
 - ❑ Jewelry should not be functionally restrictive, dangerous to job performance, or excessive.
 - ❑ Facial jewelry, such as eyebrow rings, nose rings, lip rings, and tongue studs, is not professionally appropriate and must not be worn during working 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 working hours.
 - ❑ Visible undergarments are not acceptable.

7.07 Casual Days

Effective Date: 4/1/1999

Revision Date: 7/1/2011

The following information is intended to serve as a guide to help define appropriate casual business wear for all employees during designated casual days at the City. Every Friday will be a designated casual day at City Hall. Other worksites may designate a casual day as appropriate. Other days, such as certain holidays or days preceding holidays, may be designated as casual days with prior notification from your immediate supervisor.

Our primary objective is to have employees project a professional image while taking advantage of more casual and relaxed fashions. Casual dress offers a welcome alternative to the formality of typical business attire.

However, not all casual clothing is appropriate for the office. Casual business wear means clean, neat, professional clothing. It is never appropriate to wear stained, wrinkled, frayed, or revealing clothing to the workplace. If you are considering wearing something and you are not sure if it is acceptable, choose something else or inquire first.

Listed below is a general overview of acceptable casual business wear, as well as a listing of some of the more common items that are not appropriate for the office. Obviously, neither group is intended to be all-inclusive. Rather, these items should help set the general parameters for proper casual business wear and allow you to make intelligent judgments about items that are not specifically addressed.

Examples of acceptable casual business wear include:

- ❑ jeans (no holes)
- ❑ khaki-style pants
- ❑ golf shirts
- ❑ sweatshirts

- ❑ athletic shoes

Examples of inappropriate clothing items that should not be worn on casual days include:

- ❑ jeans that are excessively worn or faded
- ❑ shorts
- ❑ sweatpants
- ❑ warm-up or jogging suits
- ❑ spandex or other form-fitting pants
- ❑ spaghetti-strap dresses
- ❑ flannel shirts
- ❑ t-shirts
- ❑ shoes that are excessively dirty or worn

For some, traditional business attire may simply remain a more favored option on casual days. The choice will be yours. We hope and fully expect that casual days will help make our workplace more enjoyable and productive.

See Also Personal Appearance (7.06)

7.08 Workplace Etiquette

Effective Date: 3/1/2005

The City strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues can arise when employees are unaware that their behavior at work is disruptive or annoying to others. Very often you can address these day-to-day issues by politely talking with your co-worker to bring the perceived problem to his or her attention.

In most cases, common sense will dictate an appropriate resolution. The City encourages all employees to keep an open mind and graciously accept constructive feedback, or another employee's request for you to change your behavior, because it may be affecting that person's ability to concentrate and be productive.

The following are some workplace etiquette guidelines and suggestions to help you be more conscientious and considerate of your co-workers and the work environment. These are not necessarily intended to be hard and fast work rules with disciplinary consequences. If you have comments, concerns, or suggestions about workplace etiquette, contact the Human Resources Department.

- ❑ 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 neat and orderly.

- ❑ 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.
- ❑ Refrain from using inappropriate language (swearing) that others may overhear.
- ❑ Avoid discussions of your personal life/issues in public conversations that can be overheard.
- ❑ Monitor the volume when listening to music, voice mail, or a speaker phone that others can hear.
- ❑ Clean up after yourself and do not leave behind waste or discarded papers.

7.09 Return of Property

Effective Date: 4/1/1999

Employees are responsible for all City property, materials, or written information issued to them or in their possession or control. Employees must return all City property immediately upon request or upon termination of employment. Where permitted by applicable laws, the City may withhold from the employee's pay (or final paycheck) the cost of any items that are not returned when required. The City may also take all action deemed appropriate to recover or protect its property.

7.11 Solicitation

Effective Date: 4/1/1999

In an effort to ensure a productive and harmonious work environment, persons not employed by the City may not solicit or distribute literature in the workplace at any time for any purpose.

The City recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during work hours. (Work hours do not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

Examples of impermissible forms of solicitation include:

- ❑ The circulation of petitions
- ❑ The distribution of literature not approved by the employer

In addition, the posting of written solicitations on company bulletin boards is restricted.

These bulletin boards display important information, and employees should consult them frequently for:

- ❑ Affirmative Action statement
- ❑ Employee announcements
- ❑ Internal memoranda
- ❑ Job openings
- ❑ Organization announcements
- ❑ Workers' Compensation insurance information
- ❑ State disability insurance/unemployment insurance information

If employees have a message of interest to the workplace, they may submit it to the Human Resources Manager for approval. The Human Resources Manager will post all approved messages.

7.12 Employee Performance

Effective Date: 4/1/1999

Revision Date: 4/1/2015

There may be instances when an employee's job performance continues to be substandard, even after corrective action by management. This situation is problematic for both the employee and the City. The employee most likely experiences frustration, and management experiences disappointment and frustration with the employee. Considerable time and resources will be wasted by continuing this work relationship.

An employee who is not performing at a level commensurate with the job classification will be terminated. This section covers situations that do not warrant discipline (under 7.01), but involves those times when an employee's regular job performance is unacceptable.

7.18 Problem Resolution

Effective Date: 4/1/1999

Revision Date: 4/1/2005

Revision Date: 12/18/2014

The City is committed to providing the best possible working conditions for its employees and to ensure fair and honest treatment for all. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from City supervisors and management.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure set forth below. The problem-solving procedure can also be used if a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable. No employee will be penalized, formally or informally, for voicing a

complaint with the City in a reasonable, business-like manner, or for using the problem resolution procedure.

Procedure:

1. Employee presents problem to immediate supervisor within seven (7) work days after incident occurs. If supervisor is unavailable, or employee believes it would be inappropriate to contact that person, employee may present problem to Human Resources Manager, in which case the process moves directly to step 4.
2. Supervisor responds to problem during discussion with employee within seven (7) work days after employee presents problem. The supervisor may consult with appropriate management when necessary. Supervisor documents discussion.
3. Employee presents problem to Human Resources Manager within seven (7) work days, if problem is unresolved.
4. Human Resources Manager counsels and advises employee, assists in putting problem in writing, visits with employee's manager(s), if necessary, and directs employee to City Manager for review of problem.
5. Employee presents problem to City Manager in writing.
6. Employee presents problem to immediate supervisor within seven (7) work days after incident occurs. If supervisor is unavailable, or employee believes it would be inappropriate to contact that person, employee may present problem to Human Resources Manager, in which case the process moves directly to step 4.
7. Supervisor responds to problem during discussion with employee within seven (7) work days after employee presents problem. The supervisor may consult with appropriate management when necessary. Supervisor documents discussion.
8. Employee presents problem to Human Resources Manager within seven (7) work days, if problem is unresolved.
9. Human Resources Manager counsels and advises employee, assists in putting problem in writing, visits with employee's manager(s), if necessary, and directs employee to City Manager for review of problem.
10. Employee presents problem to City Manager in writing.
11. City Manager reviews and considers problem. City Manager informs employee of decision within seven (7) work days and forwards copy of written response

to Human Resources Manager for employee's file. The City Manager has full authority to make any adjustment deemed appropriate to resolve the problem. The City Manager's decision is final and binding and may not be appealed in any forum.

12. If the employee's complaint directly concerns the City Manager, the employee may take the complaint to the City Attorney. The employee will have seven (7) work days to present the problem to the City Attorney. The City Attorney will have seven (7) work days to try to resolve the problem and report back to the employee. If the problem resolution of the City Attorney is not satisfactory, the employee may then take the problem to the Mayor within seven (7) work days. The Mayor will have ten (10) work days to try to resolve the problem. The Mayor has full authority to make any adjustment deemed appropriate to resolve the problem. The Mayor's decision is final and binding, and may not be appealed in any forum.

13. In cases involving the termination of employees, the employee may request a hearing before City Council by filing a written request for review with the City Clerk's Office within twenty (20) days of the date the employee receives written notice of the reason for his/her removal from the City. The procedures set forth in Appendix "C" – Guidelines for Review of Removal Actions by City Council - will be followed in such cases. The decision of the City Council shall be final and binding and may not be appealed in any forum.

In all cases, The City will do its best to ensure that an employee reporting a problem or incident, or using the problem resolution procedure, will not suffer any form of reprisal or retaliation. If retaliation does incur the City will follow all procedures deemed necessary to ensure it does not happen again.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment.

7.20 Resignation

Effective Date: 4/1/1999

Revised Date: 2/1/2016

Resignation is a voluntary act initiated by the employee to terminate employment with the City. Although advance notice is not required, the City requests at least 2 weeks' written notice of resignation from non-exempt employees and 4 weeks' notice from exempt employees.



The City reserves the right to provide resigning employees pay in lieu of notice.

Prior to an employee's departure, an exit interview will be scheduled to discuss the

reasons for resignation and the effect of the resignation on benefits.

If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

Once an employee's resignation has been accepted by the Human Resource Department, the employee may not rescind his or her resignation. The employee may however reapply for his or her job or other openings and will be considered with all other applicants.

7.22 Employment Termination

Effective Date: 4/1/1999

Revision Date: 4/1/2011

Revision Date: 4/1/2015

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- ❑ 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.

The City will generally schedule exit interviews at the time of employment termination, if time allows. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the City, or return of City-owned property. Suggestions, complaints, and questions can be voiced also.

Since employment with the City is based on mutual consent, both the employee and the City have the right to terminate employment at will, with or without cause, at any time. Employees will receive their final pay in accordance with applicable state law.

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

In the event the City in its discretion determines that a layoff is necessary, such layoff will be from classifications selected by the City and in numbers determined by the City. Employees selected for layoff will be given as much notice as is required by law or as

much as is reasonable under the circumstances.

Factors to be applicable in any layoff include skills, abilities and work record, as well as the operational and staffing needs of the departments affected. A department, when notified of a layoff, shall review each employee's work record, skills and abilities, and recommend to the City Manager a departmental layoff.

SAFETY & SECURITY

8.01 Safety

Effective Date: 4/1/1999

Revision Date: 4/1/2011

Revision Date: 4/1/2015



To assist in providing a safe and healthful work environment for employees, customers, and visitors, the City has established a workplace safety program. This program is a top priority for the City. The Human Resources Department has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

The City provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications. The Safety Committee meets quarterly to assist in these activities and to facilitate effective communication between employees and management about workplace safety and health issues.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to share them with their supervisors, or with another supervisor or manager, or bring them to the attention of a member of the Safety Committee or Human Resources Manager. Reports and concerns about workplace safety issues may be made anonymously, if the employee wishes. All reports can be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must report any unsafe condition immediately to the appropriate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should notify the Human Resources Department or the appropriate supervisor immediately. An "Accident Injury Report" must be completed within 48 hours and submitted to the Human Resources Department. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

8.03 Employee Identification Badge

Effective Date: 1/1/2008

It is the intent of The City of Ypsilanti to provide a safe working environment for all employees and visitors. Proper identification of individuals on city property provides a safe and secure environment for all. All city employees will be issued a name badge with picture ID and position upon employment. This badge serves to identify City of Ypsilanti employees.

The following guidelines have been established regarding employee identification badge usage and placement:

- Employees who work in an office environment are to wear their ID badges at all times while at work. Badges must be worn in a location that can be easily viewed by others. You may choose to use a lanyard or vinyl clip, depending on your personal preference.
- Employees who work in the field (i.e. Police, Fire, DPS, Building, etc.) may, for safety reasons, wish to keep their ID badges in their purses or wallets. However, they must be able to produce their ID badges upon request.
- No pins, stickers, or markings are allowed to be displayed on the ID badges.
- If any ID badge is lost or stolen, it is the responsibility of the employee to report this to Human Resources as soon as possible. After a second occurrence of a lost badge, there will be a \$5.00 fee for a replacement.
- Badges must be returned to Human Resources upon resignation or termination of employment.

8.05 Trespassing Policy

Effective Date: 4/1/2011

It is the intent of the City of Ypsilanti to provide a safe working environment for all employees and visitors. Understanding when a person can or cannot be on City property will help to provide a safe and secure environment for all. This policy will not take precedence over any federal, state or local laws, but is meant to establish

guidelines for our employees when dealing with trespassing issues on City- owned property.

The following guidelines are to clarify where the public may be on City-owned property and what rights employees have when discharging persons from City property.

- All City-owned properties are deeded to the City of Ypsilanti, thus making them privately owned.
- The City has established public areas within the City-owned properties for the public to conduct business.
- The City has also established areas within the City-owned properties for employee access only.
- There are also areas that are employee-access only, but the public may be permitted to enter. For example, in circumstances where there is no lobby area, the public would be allowed access to an employee's desk.
- Employees of the City of Ypsilanti have the right to discharge a person from City property when the work environment is being disrupted, when degrading or disparaging remarks are being made, when harassing behavior exists, and when the threat or perception of violence exists. The employee has the right to contact the Police Department if a person refuses to leave upon the employee's request.

8.07 Emergency Closings

Effective Date: 4/1/1999

Revision Date: 7/1/2009

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

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time, such as unused vacation benefits.

Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

8.10 Life-Threatening Illnesses in the Workplace

Effective Date: 4/1/1999



Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their conditions. The City supports these endeavors, provided employees are able to meet acceptable performance standards. As in the case of other disabilities, the City will make reasonable accommodations, in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

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

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the Human Resources Department or the City's Employee Assistance Program for information and referral to appropriate services and resources.

8.12 Workplace Violence Prevention

Effective Date: 4/1/1999

The City is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the City has adopted the following guidelines to deal with intimidation, harassment, and threats or acts of violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay", or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of the City without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats or acts of violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as

specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

The City will promptly and thoroughly investigate all reports of threats or acts of violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the City may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats or acts of violence, or other conduct that is in violation of these guidelines, will be subject to prompt disciplinary action up to and including termination of employment.

The City encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Department before the situation escalates into potential violence. The City is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

8.14 Security Inspections

Effective Date: 4/1/1999

The City wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the City prohibits the possession, transfer, sale, or use of such materials on its premises. The City requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees, but remain the sole property of the City. Accordingly, any agent or representative of the City can inspect them, as well as any articles found within them, at any time, either with or without prior notice.

The City likewise wishes to discourage theft or unauthorized possession of the property of employees, the City, visitors, and customers. To facilitate enforcement of this policy, the City or its representative may inspect not only desks and lockers but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the City's premises.

TECHNOLOGY

9.01 Telephone and Mail Usage

Effective Date: 4/1/1999

Revision Date: 4/1/2011



It is important that employees realize they are representing the City each time they utilize the phone system. To ensure effective telephone communications, employees should always use an appropriate greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so. Always try to help a caller by transferring the call and notifying the employee of the caller's concerns. Avoid blindly transferring calls when unsure of the caller's question.

Employees may be required to reimburse the City for any charges resulting from their personal use of the telephone. Personal calls should be limited. The City reserves the right to monitor and review telephone calls and stored voice mails. Employees may be disciplined for excessive personal telephone use.

All voice mail recordings should state the name of the employee and the department/division. Employees must check for messages at least twice per working day. In addition, employees should record a temporary greeting when they will be out of the office for longer than one business day. The automated answering system is not to be used to avoid answering the telephone.

In addition, the use of the City-paid postage for personal correspondence is not permitted.

9.03 Mobile Phone Usage

Effective Date: 4/1/2005

Revision Date: 5/22/2011

Revision Date: 4/1/2015



Each Department Director (Deputy Director, City Clerk, City Manager, Finance Director, Fire Chief, Police Chief, Economic Development Director and Public Services Director) will be provided by the City with a mobile phone for business purposes. Department Directors may request mobile phones for employees who attend meetings or work outside the office regularly, and whose work will benefit from the ability to have phone contact with colleagues, clients or customers from outside locations. Mobile phones may also be offered to enhance the safety of employees whose work requires regular travel away from the office. An authorization form must be submitted to the Finance Department for each phone requested.

Departments may allow employees to receive a reimbursement if the employee prefers to use his/her personal mobile phone for business purposes rather than being provided

with a mobile phone by the City. An employee electing this option will receive a \$40 monthly reimbursement. The monthly reimbursement will be added to the employee's paycheck and is taxable income. An authorization form must be submitted to Finance.

Mobile phones provided by the City shall be used for conducting City business and emergency situations. The use of City mobile phones for personal calls is allowed, within the parameters of the individual service package. The department selects the service package, which includes the allotted minutes, texts and data usage for each phone. The expectation is the department will monitor the mobile phone usage for each employee through the detailed bills received monthly. It is not the intention of this policy to force employees to carry two mobile phones, one for personal and one for work purposes, but rather to ensure the proper monitoring of mobile phone usage.

Any charges above the service package agreement are the responsibility of the employee. At the time invoices are received, employees must pay any overages at the Treasurer's Office before submitting the invoices to the Finance Department. The Treasurer's Office will stamp the payment directly on the invoice. **Payroll deduction is not an option.** As invoice payments are due on receipt, overages must be paid immediately to prevent late payments and fees. If late fees are incurred, these will be passed on to the offending employee.

As the need arises to update mobile phones, it is the City's intent to provide our authorized employees with the most functional equipment while maintaining costs. Employees may accept whatever is free. **If another phone is chosen, employees will need to pay the difference in cost between the promotional model and the upgraded phone.** Department heads must approve the upgrade and submit an authorization form to Finance, along with a copy of the employee's proof of payment.

Personal mobile phones should not be used for business or personal purposes during work hours, except in an emergency. Personal mobile phones should be turned off, kept on vibrate, or set to a ring-tone that will not disrupt others. However, employees receiving reimbursement for personal mobile phone usage may use their phones for business purposes during work hours, while still observing proper etiquette.

City-provided mobile phones and software are the property of the City. **Employees may not install any software without the written consent of the City.** The City may access mobile phones, software and information at any time. For that reason, business and personal information need to be kept separate. Do not use a City-owned mobile phone to conduct personal business or to store personal photos or information.

Upon termination of employment (retirement, discharge, or resignation), the phone and all equipment will be returned to the City. However, if the employee chooses to pay the trade-in market value of the phone to the City, they may keep the equipment upon termination. The employee is free then to set up a personal account with the service provider.

Responsibilities of City Mobile Phone Users and their Management

- Each employee issued a phone is expected to carry the phone with them during all work hours. Failure to carry the phone may result in disciplinary action.
- It shall be the responsibility of each supervisor, manager, and/or department head to ensure that all employees understand and comply with this policy.
- It is the manager's responsibility to ensure the return of mobile phones and related equipment when no longer needed, or upon an employee's separation from the City. If the equipment is not returned upon an employee's separation from the City, the actual replacement cost of the phone and accessories shall be deducted from any amounts owed the separating employee.
- It is each employee's responsibility to understand and comply with this policy.

Standard Equipment and Accessories

The only accessories provided by the City are those which come standard with the mobile phone. Any others must be purchased by the employee, who absorbs the cost and is responsible for the maintenance.

Service

To report problems with a City-provided mobile phone, or to request replacement batteries, contact the person who issued the phone.

Excessive Costs, Loss, Damages

- Costs that exceed the service package agreement will be sent to departments for review of appropriateness of the additional charges. Employees will be accountable for all charges incurred beyond the agreed-upon business use of the phone.
- In the event the mobile phone is lost, immediate steps must be taken to have the service suspended. Notify the person who issued the phone during normal business hours, or if out of hours, contact the service provider directly.
- If a mobile phone is in need of repair, notify the person who issued the phone. The telephone will be taken to a local office for troubleshooting and/or repair. The phone will then be returned, or a replacement phone will be secured.
- If a determination is made that an employee is responsible for the loss or destruction of a phone, the actual replacement cost of the phone, as determined by the existing contract with the equipment provider, shall be paid to the City within four weeks of the determination of responsibility. If the employee does not make this payment to the City, the City may deduct such amount from the employee's paycheck. This determination shall be made by the mobile phone user's management and shall be based upon review of all available information.

Mobile Phone Charges

- Departments are responsible for the cost of mobile phones and phone bills.
- To access phone numbers, employees should use the internet to prevent additional usage charges.
- Management will have access to review each employee's mobile phone bill to confirm the use of the phone is in compliance with this policy.
- If questions are warranted after reviewing the bill, the employee's manager/supervisor

will be notified.

Restrictions on Mobile Phone Usage

- Some public and/or private facilities such as libraries, hospitals, schools, etc., ban the use of mobile phones on the premises or restrict their usage to certain areas. It is the mobile phone user's responsibility to know the rules and restrictions regarding mobile phone usage.
- Employees are not allowed to use City-provided mobile phones in an illegal, illicit or offensive manner. See the Business Ethics & Conduct Policy (1.04) and Anti-Harassment Policy (7.04)
- Employees should use a City-provided mobile phone only when a less costly alternative does not exist (landline phone, email, etc.).
- Employees must adhere to all federal, state, or local rules and regulations regarding the use of mobile phones. Accordingly, employees must not use mobile phones if such conduct is prohibited by law, regulations, or other ordinances. It is the employees' responsibility to know and obey the applicable laws when traveling for the City.
- The use of a mobile phone while driving may present a hazard to the driver, other employees, and the public. Employees must avoid using mobile phones while driving. This requirement is meant to ensure the safe operation of City and private vehicles while an employee is on duty and/or conducting City business.

MOBILE PHONE AUTHORIZATION FORM

Procedure for Acquiring a City Mobile Phone

- Requests for mobile phones should be directed to the Department Head.
- Requests must have management approval **prior** to being processed.
- Employee must sign Discipline section below.

Department _____ Date: _____

Department Head (print): _____

Department Head Signature: _____

Procedure for Receiving Personal Mobile Phone Reimbursement

- Reimbursement requests must have management approval **prior** to being processed.
- Employee must sign Discipline section below.

Department _____ Date: _____

Account Number: 101 – 7 – (four-digit dept. number) _____ - 853-00

Department Head (print): _____

Department Head Signature: _____

Procedure for Acquiring an Upgraded Phone

- Requests must have management approval **prior** to being processed.
- Copy of payment receipt for upgraded phone must be attached to this form when submitted to Finance.
- Employee must sign Discipline section below.

Department _____ Date: _____

Department Head (print): _____

Department Head Signature: _____

Discipline for Non-Compliance with Mobile Phone Policy

Violation of this policy will subject an employee to disciplinary action. I have read, understand, and will comply with this Mobile Phone Policy.

Employee Name (print): _____

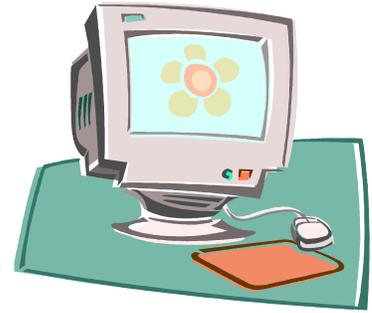
Employee Signature: _____

9.05 Computer Usage

Effective Date: 4/1/1999

Revision Date: 4/1/2011

Revision Date: 4/1/2015



Computers and internet access to global electronic information resources are provided by the City to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive internet usage. While internet and social networking usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All data that is composed, transmitted or received via City computer communications systems is considered to be part of the official records of the City and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure the business information contained in email messages and other transmissions is accurate, appropriate, ethical and lawful. Please refer to the City's Business Ethics and Conduct Policy (1.04) and Anti-Harassment Policy (7.04).

The equipment, services and technology provided to access the internet remain at all times the property of the City. As such, the City reserves the right to monitor activity, retrieve and read any data composed, sent or received through City online connections and stored in the City computer systems. Employees should have no expectation of personal privacy when using City-owned systems. Communications will be monitored periodically to ensure that the technology is being used appropriately and in accordance with City policies. The City may review stored email and computer files for inappropriate content, as well as monitor websites accessed by employees. Some electronic communications, such as email, social networking sites, instant messaging and computer files may exist on back-up systems long after the employee deletes them from his/her computer.

To ensure the efficient exchange of information, employees must check for email messages at least twice per day. Should an employee's email box become full and messages are being rejected, the City maintains the right to take necessary steps to correct this action. This will include allowing Washtenaw County to authorize the employee's supervisor to read, delete and respond to messages on the employee's email.

Email and social networking systems may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, non-business matters, gambling or any illegal activities.

Unless granted permission, personnel are not to post any text, photographs, audio, video or any other multimedia file that is related to any occurrence within the City of Ypsilanti.

The unauthorized use, installation, copying or distribution of copyrighted, trademarked or patented material on the internet is expressly prohibited. As a general rule, if any

employee did not create material, does not own rights to it, or has not gotten authorization for its use, it should not be put on the internet. Employees are responsible also for ensuring that the person sending any material over the internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any file.

Abuse of the internet access provided by the City in violation of law or City policies will result in disciplinary action, up to and including termination of employment. Also, employees may be held personally liable for any violations of this policy. **The following behaviors are examples of actions and activities that are prohibited and can result in disciplinary action:**

- ❑ Sending or posting discriminatory, harassing, or threatening messages or images
- ❑ Using the City'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
- ❑ Sending or posting confidential material, internal reports, or proprietary information outside the City
- ❑ Violating copyright law
- ❑ Failing to observe licensing agreements
- ❑ Engaging in unauthorized transactions that may incur a cost to the City or initiate unwanted internet services and transmissions
- ❑ Sending or posting messages or material that could damage the City'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
- ❑ Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- ❑ Jeopardizing the security of the City's electronic communications systems
- ❑ Passing off personal views as representing those of City management or other employees
- ❑ Engaging in any other illegal activities

9.07 Social Media Policy

Effective Date: 4/1/2015

The City of Ypsilanti understands that social media can be a fun and rewarding way for employees to share their lives and opinions with family, friends and co-workers. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about the use of social media, the following guidelines have been established.

Guidelines

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the internet, including to one's own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the City, as well as any other form of electronic communication. Ultimately, each person is solely responsible for what he/she posts online. Before creating online content, consider some of the risks involved. Keep in mind that any conduct which adversely affects one's job performance, the performance of fellow employees or otherwise adversely affects the Mayor, City Manager, City Council, citizens, suppliers, people who work on behalf of the City or the City's business interests, may result in disciplinary action, up to and including termination.



Know And Follow The Rules

Carefully read these guidelines, the City's Business Ethics and Conduct Policy (1.04), the Anti-Harassment Policy (7.04) and the Technology policies (9.01, 9.03, and 9.05) and ensure all postings are consistent with these policies. **Inappropriate postings that may include discriminatory remarks, harassment, threats of violence or similar inappropriate or unlawful conduct, will not be tolerated and may subject an employee to disciplinary action, up to and including termination.**

Be Respectful

Always be fair and courteous to fellow employees, supervisors, citizens, suppliers or people who work on behalf of the City. Also, keep in mind that work-related complaints are more likely to be resolved by speaking directly with co-workers or the Human Resources Manager than by posting complaints to a social media outlet. Nevertheless, if complaints or criticisms are posted, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages employees, the Mayor, City Manager, City Council, citizens

or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

Be Honest And Accurate

Always be honest and accurate when posting information or news, and, if a mistake is made, correct it quickly. Be open about any previous posts that were altered. Remember the internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that are known to be false about the City, its employees, the Mayor, City Manager, City Council, citizens, suppliers or people working on behalf of the City.

Post Only Appropriate And Respectful Content

- Maintain the confidentiality of the City and private or confidential information. Do not post internal reports, policies, procedures or other confidential communications. Do not post financial, sensitive or proprietary information about other employees, the Mayor, City Manager, City Council, citizens, suppliers, people working on behalf of the City or applicants.
- Do not create a link from a blog, website or other social networking site to the City website without identifying yourself as a City employee.
- Express only personal opinions. Never represent yourself as a spokesperson for the City. If the City is a subject of the content being created, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of fellow employees or anyone connected to the City. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the City of Ypsilanti".

Using Social Media At Work

Refrain from using social media during work hours or on City-owned equipment, unless it is work-related as authorized by a supervisor or department head. Do not use City email addresses to register on social networks, blogs or other online tools utilized for personal use.

Media Contacts

Employees should not speak to the media on the City's behalf without contacting the City Manager's office. All media inquiries should be directed to the City Manager.

MISCELLANEOUS

10.01 Recycling

Effective Date: 4/1/1999

Revision Date: 4/1/2015



The City supports environmental awareness by encouraging recycling and

waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the environment.

Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at the City:

- ❑ computer paper
- ❑ mixed or colored paper
- ❑ newspaper
- ❑ plastic bottles
- ❑ cans

In addition, items such as electronic equipment may be collected within departments and dropped off by employees at the Recycling Center at 651 Rice St., Thursday through Saturday, from 9 a.m. to 3 p.m. (See website for the complete list.)

The simple act of placing a piece of paper, can, or bottle in a recycling container is the first step in reducing demand on the earth's limited resources. Success of this program depends on active participation by all. Employees are encouraged to make a commitment to recycle and be a part of this solution.

The City encourages reducing and, when possible, eliminating the use of disposable products. Source reduction decreases the consumption of valuable resources through such workplace practices as:

- ❑ communication through computer networks with email
- ❑ posting memos for all employees
- ❑ computerized business forms
- ❑ routing slips for reports
- ❑ reusing paper clips, folders, and binders
- ❑ turning off lights when not in use

Whenever possible, City employees are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Buying recycled products supports recycling and increases the markets for recyclable materials.

By recycling, the City is helping to solve trash disposal and control problems facing the nation today. If employees have any questions or new ideas and suggestions for the recycling program, they may contact the Department of Public Services.

APPENDICES

Note: Due to current finances, the City is unable to offer tuition reimbursement.

APPENDIX A

TUITION REIMBURSEMENT
APPLICATION & APPROVAL FORM

I. Application

Name _____ Department/Division _____

Employee ID _____ Date of Hire _____

Job Title _____ Full-time or Part-Time (circle one)

College/School/Organization _____

Requested Reimbursement (One Class Only):

Course # & Program Name	Level (Undergrad, Grade or Other)	Class Dates Beginning/End	Credits	Full Cost of Tuition & Fees
				\$

Briefly describe the subject matter of this class, and provide a statement as to how it relates to your current job.

I hereby state that the above figures are accurate to the best of my knowledge, that I anticipate completing this class in the prescribed timeframe, and that this class is related to enhancing my performance in my current job, or for a future job with the City. I am completing this class during non-scheduled work hours or periods of approved leave, or as approved by my department head. I further state that I am not receiving funds in addition to this reimbursement from any other tax-supported source (i.e., Pell Grants).

Signed _____ Date _____ Daytime Phone _____

APPENDIX B

GUIDELINES FOR REVIEW OF REMOVAL ACTIONS BY CITY COUNCIL UNDER YPSILANTI CITY CHARTER, SECTION 4.04

I. Introduction

Pursuant to Section 4.04 of the Ypsilanti City Charter, employees not covered by a collective bargaining agreement who are removed from their employment by the City Manager (or his/her designee) have the right to have a hearing before the City Council to review that decision.

The Guidelines set forth below outline the procedures that will be followed with regard to hearings conducted under the above Charter provision.

Eligibility. Subject to the conditions set forth below, non-union employees in the following employment categories are eligible to request such hearings: regular full-time, regular part-time and probationary employees. Temporary, casual and contract employees, and employees covered by a collective bargaining agreement, are excluded.

II. Requesting and Scheduling the Hearing

- (a) The request for a hearing to review a removal action must be made within twenty (20) days of the date the employee receives written notice of the reason for his/her removal from the City. The request should be filed with the City Clerk.
- (b) Upon receipt of a timely request, a hearing will be scheduled before City Council. Whenever possible, the hearing will be held not less than seven (7) nor more than thirty-five (35) days after the request is received.
- (c) In accordance with the Open Meetings Act, a closed hearing will be held upon the employee's request. Such a request should be made in the request for review of the removal action, but may be rescinded at any time.

III. Hearing Procedures: Participants

- (a) The Chairperson of the hearing will be the Mayor, or his/her designee.
- (b) The parties to the hearing will be the City and the employee. Ordinarily, the City will be represented at the hearing by the City Manager and/or Human Resources Manager. At his/her option, the employee may be represented at

- (c) the hearing by another employee. Neither party may be represented by an attorney or other outside party (i.e. any person not employed by the City).
- (d) The City Attorney, or other legal representative, will attend the hearing for the purpose of advising the City Council regarding procedural matters and any other legal issues that may arise during the course of the hearing.

IV. Hearing Procedures: Pre-Hearing Position Statements and Other Evidence

- (a) Prior to the hearing, the employee may submit a written position statement setting forth the reasons for his/her request for review, together with copies of any other documents the employees wishes the City Council to consider. Such documents should be filed with the City Clerk at least two (2) days prior to the hearing. Copies of these documents will be provided to representatives of the City and the members of the City Council.
- (b) The City Clerk will also provide the members of the City Council with copies of the employee's removal notice, and any additional documents the City wishes the City Council to consider prior to the hearing. Copies of such additional documents will also be made available to the employee.

V. Hearing Procedures: Presentation of Request for Review

- (a) At the hearing, the parties will present their respective positions on the request for review as follows:
 - Step 1. The employee (and/or his/her representative) will begin the hearing by presenting a summary of the reasons and grounds for the request for review, and the action being requested.
 - Step 2. The City's representative(s) will then provide an explanation of the basis for the action taken, including a review of the employee's work record and any other relevant information.
 - (i) In cases involving probationary employees, the City representative(s) will review the employee's capabilities, work habits and overall performance, and any other factors that were considered in the termination decision.
 - (ii) In cases involving regular full-time and part-time employees, the City's representative(s) will review the conduct and/or performance issues that led to the employee's termination, and any steps taken to try to correct/improve the employee's performance and/or behavior.

Step 3. Employee Rebuttal. The employee (and/or his/her representative) will then be given an opportunity to present his/her position regarding the matters raised by the City during Step 2, as well as any other information that the employee wishes the City Council to consider in reviewing the removal decision.

Step 4. City Response. The City's representative(s) will then be given an opportunity to present a closing statement to respond to the employee's rebuttal during Step 3, and to present any concluding information and/or arguments that the City feels the City Council should consider in reviewing the removal decision.

- (b) To ensure that hearings are conducted and completed in an expeditious manner and without unnecessary repetition, the following time limits will generally be observed.

Step 1. 20 minutes.

Step 2. 20 minutes.

Step 3. 10 minutes.

Step 4. 10 minutes.

Provided, however, that the above time limits may be extended by the City Council in its discretion.

- (c) No witnesses may be called to testify during the hearing, nor shall either party or their representative(s) be subject to cross-examination. However, if either party wishes to present the testimony of any witness, it may be presented in written form. All witness statements must be signed and notarized.
- (e) Questioning by City Council members. During the respective presentations of the parties, City Council members shall be free to ask questions of the employee, his/her representative (if any) and the City's representative(s). City Council members may also ask additional questions at the close of the hearing.
- (f) Following the presentation of the request for review and the conclusion of any additional questioning by the members of the City Council, the record of the hearing shall be closed. The members of the City Council shall then deliberate, and a decision shall be issued either verbally or in writing, within ten (10) days.

The decision shall state: (1) the disposition of the request for review, and (2) any appropriate action directed by the City Council regarding the matter.

- (g) Miscellaneous.
 - (1) Requests to postpone or change the date and time of the hearing may be granted by the City Council, the Mayor or the person designated as the Chairperson for a given case. Such requests may be granted for good cause as determined by the City Council, Mayor and/or Chairperson, in their sole discretion. Requests of this nature made prior to the hearing shall be in writing and filed with the City Clerk, with a copy to the other party.
 - (2) In order to pursue a request for review, the employee must personally sign the request and appear at the hearing. If the employee does not sign the request or if a request for postponement of a scheduled hearing has not been made and granted, and the employee fails to appear at the hearing, his/her request for review shall be dismissed.

VI. Scope of Review and Finality of Decision

- (a) *Probationary employees.* All new and rehired employees work on probationary basis for the first 180 calendar days after their date of hire. The probationary period is intended to give new (and rehired) employees the opportunity to demonstrate a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this period to evaluate employee capabilities, work habits and overall performance. Either the employee or the City may end the employment relationship at any time during or after the probationary period, with or without cause or advance notice. See City of Ypsilanti, Nonunion Employees' Handbook, Section 2.05.
- (b) *Regular full-time and part-time employees.* Regular City employees are subject to a variety of rules, regulations, policies and procedures, including a policy calling for the use of progressive discipline at the City's discretion. However, these rules, regulations, policies and procedures are not to be construed as a limitation upon the retained rights of the City, but merely as a guide. Accordingly, since employment with the City is based upon mutual consent, both the employee and the City have the right to terminate employment at will, with or without cause or advance notice. See City of Ypsilanti, Nonunion Employees' Handbook, Sections 1.01, 7.01 and 7.02.
- (c) These Guidelines are not intended to change the employment at will status of the City's regular full-time, regular part-time and probationary, non-union employees, but rather to provide such employees with a final opportunity for review of the City's decision when their employment has been terminated.
- (d) The decision of the City Council on a request for review shall be final and binding. Said decision may not be appealed in any forum.

Appendix C
Employee's Report of Injury Form

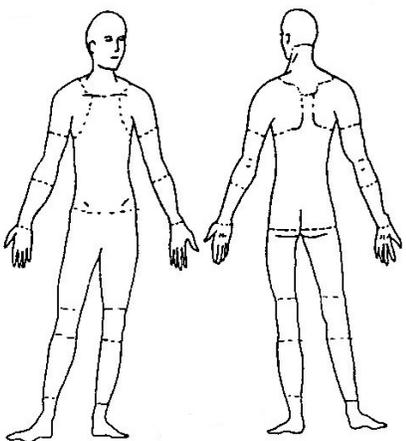
Instructions: Employees shall use this form to report **all** work related injuries, illnesses, or "near miss" events (which could have caused an injury or illness) – *no matter how minor*. This form shall be completed by employees and given to a supervisor for further action. **This form must be forwarded to Human Resources no later than 48 hours after the incident.**

I am reporting a work-related <input type="checkbox"/> Injury <input type="checkbox"/> Illness <input type="checkbox"/> Near miss	
Your Name:	Job title:
Date of Birth _____	Telephone _____
Number _____	
Address _____	
(Circle one) Male Female	
Have you told your supervisor about this injury/near miss? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Date of injury/near miss:	Time of injury/near miss:
Names of witnesses (if any):	
Where, exactly, did it happen?	
What were you doing at the time?	
Describe step by step what led up to the injury/near miss. (continue on the another sheet of paper if necessary):	
What could have been done to prevent this injury/near miss?	
What parts of your body were injured? If a near miss, how could you have been hurt?	
Did you see a doctor about this injury/illness? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, whom did you see?	Doctor's phone number:
Date:	Time:
Has this part of your body been injured before? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, when?	Supervisor:
Your signature:	Date:

Appendix D Supervisor Incident Investigation Report

Instructions: Complete this form after an incident that results in serious injury or illness.

This is a report of a: <input type="checkbox"/> Death <input type="checkbox"/> Lost Time <input type="checkbox"/> Dr. Visit Only <input type="checkbox"/> First Aid Only <input type="checkbox"/> Near Miss	
Date of incident:	This report is made by: <input type="checkbox"/> Employee <input type="checkbox"/> Supervisor <input type="checkbox"/> Team <input type="checkbox"/> Other

Step 1: Injured employee (complete this part for each injured employee)		
Name:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Age:
Department:	Job title at time of incident:	
Part of body affected: (shade all that apply) 	Nature of injury: (most serious one) <input type="checkbox"/> Abrasion, scrapes <input type="checkbox"/> Amputation <input type="checkbox"/> Broken bone <input type="checkbox"/> Bruise <input type="checkbox"/> Burn (heat) <input type="checkbox"/> Burn (chemical) <input type="checkbox"/> Concussion (to the head) <input type="checkbox"/> Crushing Injury <input type="checkbox"/> Cut, laceration, puncture <input type="checkbox"/> Hernia <input type="checkbox"/> Illness <input type="checkbox"/> Sprain, strain <input type="checkbox"/> Damage to a body system: <input type="checkbox"/> _____ Other	This employee works: <input type="checkbox"/> Regular full time <input type="checkbox"/> Regular part time <input type="checkbox"/> Seasonal <input type="checkbox"/> Temporary
		Months with this employer
		Months doing this job:

Step 2: Describe the incident	
Exact location of the incident:	Exact time:
What part of employee's workday? work activities	<input type="checkbox"/> Entering or leaving work <input type="checkbox"/> Doing normal

Names of witnesses (if any):

Number of	Written witness statements:	Photographs:	Maps / drawings:
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What personal protective equipment was being used (if any)?

Describe, step-by-step, the events that led up to the injury. Include names of any machines, parts, objects, tools, materials and other important details.

Step 3: Why did the incident happen?

<p>Unsafe workplace conditions: (Check all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Inadequate guard <input type="checkbox"/> Unguarded hazard <input type="checkbox"/> Safety device is defective <input type="checkbox"/> Tool or equipment defective <input type="checkbox"/> Workstation layout is hazardous <input type="checkbox"/> Unsafe lighting <input type="checkbox"/> Unsafe ventilation <input type="checkbox"/> Lack of needed personal protective equipment <input type="checkbox"/> Lack of appropriate equipment / tools <input type="checkbox"/> Unsafe clothing <input type="checkbox"/> No training or insufficient training <input type="checkbox"/> Other: _____ 	<p>Unsafe acts by people: (Check all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Operating without permission <input type="checkbox"/> Operating at unsafe speed <input type="checkbox"/> Servicing equipment that has power to it <input type="checkbox"/> Making a safety device inoperative <input type="checkbox"/> Using defective equipment <input type="checkbox"/> Using equipment in an unapproved way <input type="checkbox"/> Unsafe lifting <input type="checkbox"/> Taking an unsafe position or posture <input type="checkbox"/> Distraction, teasing, horseplay <input type="checkbox"/> Failure to wear personal protective equipment <input type="checkbox"/> Failure to use the available equipment / tools <input type="checkbox"/> Other: _____
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Why did the unsafe conditions exist?

Why did the unsafe acts occur?

Is there a reward (such as "the job can be done more quickly" or "the product is less likely to be damaged") that may have encouraged the unsafe conditions or acts?

Yes No

If yes, describe:

Were the unsafe acts or conditions reported prior to the incident?

Yes No

Have there been similar incidents or near misses prior to this one?

Yes No

Step 4: How can future incidents be prevented?

What changes do you suggest to prevent this incident/near miss from happening again?

Stop this activity Guard the hazard Train the employee(s) Train the supervisor(s)

Redesign task steps Redesign work station Write a new policy/rule Enforce existing policy

Routinely inspect for the hazard Personal Protective Equipment Other:

What should be (or has been) done to carry out the suggestion(s) checked above?

Description continued on attached sheets:

Supervisor responsible for Corrective Activity: _____ Date Completed:

Step 5: Who completed and reviewed this form? (Please Print)

Written by: _____
(signature)

Title: _____

Printed Name: _____

Phone #: _____

Department: _____

Date: _____

Names of investigation team members:

Reviewed by: _____
(signature)

Title: _____

Printed Name: _____

Date: _____

Phone #: _____