

Charlevoix County



A MICHIGAN HISTORICAL SITE

Employee Handbook

**Charlevoix County
2011 Edition**

Your Employee Handbook

Please complete the following (please print):

Name: _____

Position: _____

Date: _____

This Handbook explains an operating philosophy, which is based on fairness and concern for people. Its contents have been designed to help you learn about Charlevoix County and serve as a reference. Please read it carefully.

If you have any questions about the Handbook, please speak with your Department Head or ask Human Resources. After reading this Handbook, please complete the last page, remove it from the book and submit it to Human Resources.

If you have any suggestions on how to improve this Handbook, please speak with your Human Resources representative. Your input is encouraged and appreciated.

Charlevoix County reserves the right to revise this handbook which provides guidelines only and is not a contract of employment.

Nothing in this handbook affects the legal right of the employee or employer to terminate the employment relationship at will.

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Introduction

This handbook is to provide Charlevoix County employees with information about working conditions, employee benefits, and some of the policies affecting their employment. You should read and understand all provisions of the handbook and you must comply with all County policies, rules and regulations.

Elected officials shall use this handbook as a guide unless it is in conflict with any state statute. This handbook applies to appointed Department Heads and regular full or part time employees. This handbook does not preclude department rules which do not conflict with or lower the standards set by the county. Only the Board of Commissioners by resolution has the authority to make changes to this handbook.

Union members are covered by this handbook only to the extent that the provisions of the handbook are not superseded by the applicable collective bargaining agreement.

No handbook can anticipate every circumstance of question about policy, rules, or regulations. Further, as the County needs and/or circumstances change, policies, rules and regulations may also change. The county reserves the right to add to, modify or rescind its policies and rules from time to time as it deems appropriate, in its sole and absolute discretion. Employees will, of course, be notified of such changes as they occur. However, because handbooks are published periodically, not every change in a policy or rule may be in this handbook. Employees may contact Human Resources to determine to status of policies and rules.

Authority

The policies and procedures contained in this handbook are effective immediately upon adoption by the County Board. Human Resources interpret and administer these policies and procedures in accordance with the County Board's direction. County Department Heads must consult with Human Resources before granting any exceptions.

Scope

This handbook applies to all employees of Charlevoix County. Individuals employed by the Courts are considered co- employees with Charlevoix County and the particular Court. The County encourages the Courts, whenever possible, to utilize the policies in this handbook.

Collective Bargaining Agreements

Where provisions of this handbook differ from the provisions of an existing collective bargaining agreement, the provisions of the collective bargaining agreement supersede the provisions of this handbook for bargaining unit personnel.

Elected Department Heads

Elected Department Heads are considered co-employers. This handbook does not affect the statutory powers of elected Department Heads, nor is it indicative of benefits provided to them.

At Will Employment

Employment by the County is at-will. Employees are free to quit at any time, for any reason and with or without notice. Similarly, the County may suspend or terminate the employment relationship at any time, for any reason and with or without notice.

No County employee or individual commissioner has the authority to change the employment relationship or to enter into any agreement as to any term or condition of employment unless the change or the agreement is in writing and adopted as a resolution by the County Commission.

Equal Employment Opportunity

It is the policy of Charlevoix County to provide equal employment opportunity to all individuals regardless of race, creed, color, religion, sex, age, national origin, disabilities, veteran status, sexual orientation, marital status, military status, or any other characteristic protected by state or federal law. The County is strongly committed to this policy, and believes in the concept and spirit of the law.

The County believes in and practices equal opportunity and affirmative action. Human Resources and the County Board of Commissioners have the overall responsibility for ensuring compliance with this policy. All employees are responsible for supporting the concept of equal opportunity and affirmative action and assisting the company in meeting its objectives.

Employee Relations

We believe that when employees deal directly and in a professional manner with Department Heads, the work environment can be excellent, communications can be clear, and attitudes can be positive. We encourage prompt response to employee concerns, taking into account the particular circumstances. If

employees have concerns about their work conditions or compensation, we encourage them to address these concerns with their Department Head.

Employees having a complaint must within five (5) work days of the events giving rise to the complaint, set an appointment to meet with his/her Department Head to discuss the problem. The Department Head shall consider the matter and, if appropriate, investigate the issue. The Department Head then shall propose a response to the complaint.

If the response proposed by the Department Head does not resolve the matter, the employee may within five (5) days, consult with Human Resources and request in writing a review by the Personnel Committee.

Within twenty (20) workdays of the delivery of the written request, the chair of the Personnel Committee may schedule a meeting of the Committee to discuss the complaint with the Department Head, Human Resources and the employee requesting the review.

After this meeting with the Department Head and the employee, the Committee may conduct such additional investigation as it deems appropriate and will within five (5) work days of the conclusion of the investigation, issue a written decision and will provide copies to the Department Head and the employee.

If the matter is still unresolved, within five (5) work days from the date of the Committee's opinion, the employee may deliver the complaint, in writing, to the Board of Commissioners. The employee must contact the Chair of the Board within ten (10) days of delivery of the complaint, for an agenda date and time. The Board of Commissioners will review the entire matter and may conduct such additional investigation as it deems appropriate. The decision of the Board is final and binding on both the Department Head and the employee. Any of the above time periods may be expanded if circumstances require.

Guidelines Regarding Employment of Relatives

Charlevoix County values the hard work and dedication of its employees and, where positions are available, encourages employees to refer relatives and/or friends who will demonstrate the same positive attitude and work ethic. However, there are situations where the employment of relatives in the same work area can cause conflicts of interest and/or perception of favoritism.

Accordingly, it is Charlevoix County's policy that relatives of persons currently employed by Charlevoix County may be hired only if they will not be working directly or indirectly in a Department Head / subordinate relationship.

Employees who may marry or become members of the same household may continue employment with Charlevoix County as long as there is not:

- A direct or indirect Department Head/ subordinate relationship between such employees, or
- An actual conflict of interest or the appearance of such a conflict.

Should any of the above situations arise, Charlevoix County will attempt to find a suitable position within Charlevoix County for the affected employee. If Charlevoix County is not able to find such a suitable position, the employees in question and Charlevoix County will decide on an appropriate course of action.

For the purpose of this policy, a "relative" is defined to include spouse, common-law spouse, parent, child, brother, sister, brother-in-law, sister-in-law, parent-in-law, step-parent, step-sibling, stepchildren, aunt, uncle, grandparent, niece and nephew.

Pre-Employment Physical Examinations and Drug Screen

Offers of employment for certain positions may be contingent upon satisfactory completion of medical examination(s). After an offer of employment for one of those positions is made and before beginning work the prospective employee must undergo a pre-employment examination and drug screen at the County's expense.

Conflicts of Interest

Employees must carry out their work responsibilities without an actual or perceived conflict of interest. An actual or perceived conflict of interest occurs when an employee is in a position to make or influence a decision in the course of his/her work which results or may appear to others to result in the employee's personal gain or gain for a relative or friend.

For the purposes of this policy, a relative is any person who is related by adoption, blood or marriage, who resides in the same household or whose relationship with the employee is similar to that of persons who are related. Relatives include parents, children and siblings, including parents-in-law, brothers-in-law and sisters-in-law, as well as all individuals living in the same household as the employees.

Personal gain may result not only in cases where an employee or his/her relative has an ownership interest in another entity with which the County does business but also when the employee or his/her relative receives anything of value or benefit, such as money, or gift as a result of any transaction or business dealings involving the County.

It is imperative that employees disclose to their Department Heads as soon as possible the existence of any actual or perceived conflict of interest so that appropriate decisions can be made. If there is any doubt whatsoever employees are to disclose all relationships, which may cause or appear to be a conflict of interest. If you disclose before there is any transaction involving the County, appropriate decisions can be made. If you wait until after the transaction has been announced or initiated, the untimely disclosure may result in discipline up to and including termination.

Proprietary County Information

The materials, products, designs, plans, systems, ideas, data, and other information of the County are the property of Charlevoix County and are not the property of employees who generate or work on such matters. These materials and information may not be disclosed to an outside person or entity except with proper authorization by the County Board of Commissioners. Freedom of Information Act requests are handled by the Department Head should not be undertaken by any employee of the Department that the information comes from, unless working under the direction of that Department Head. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally benefited by such action, may result in discipline. If you have any question whether such transfer or disclosure is proper, ask your Department Head first.

Outside Employment

If employees desire to engage in other employment, including self-employment, in addition to County employment, they must obtain prior written approval from their Department Head and the Personnel Committee. Employees must first obtain their Department Head's written approval before the Personnel Committee will consider such request.

In considering whether employees will be permitted to engage in additional employment the following will be considered:

- Whether there is a real or perceived conflict of interest, including but not limited to, the use of information available only to County employees.

- Whether the hours of work may conflict with their work hours for the County.
- Whether the additional employment may impair their availability or ability to perform their work for the County.
- Whether the outside employment would occur during a leave of absence.

Even if a request is approved, if subsequently there is a real or perceived conflict of interest or if the additional employment interferes with County work, either the Department Head or the Personnel Committee may rescind its approval.

Residence Requirement

All County employees are encouraged to live in Charlevoix County.

Employment Categories

Positions are either NON-EXEMPT or EXEMPT, depending on their duties, in accordance with federal and state wage and hour laws.

NON-EXEMPT employees are entitled to pay at 1 1/2 times their regular hourly rate for time worked in excess of 40 hours per week. All overtime work must be pre-approved by the Department Head or his/her designee.

EXEMPT employees are paid a salary commensurate with their job responsibilities regardless of the number of hours worked, and therefore are not eligible for overtime pay or compensation.

Employees are further designated upon hiring as follows:

- (a) FULL-TIME - employees who are regularly scheduled to work at least 35 hours per week, or
- (b) PART-TIME - employees are designated as part-time during the hiring process. Their hours are designated by their Department Head, or
- (c) TEMPORARY - employees who work either a full-time or part-time schedule, but who are hired for a particular project or for a specific period of time.

Personal Information

Each employee shall promptly provide to the County Clerk's office any update of employment related personal information including, but not limited to, mailing address, telephone numbers, names and date of birth of spouse and dependents, individual(s) to be contacted in the event of an emergency, and educational and training courses completed.

We are also committed to protecting personal information relating to our employees. Such information will only be collected, used and disclosed for legitimate business purposes and in administering the working relationship, such as administering employee wages and benefits, for discipline purposes or as otherwise required or permitted by applicable law.

Social Security Number Policy

Confidential employee information, including Social Security numbers, shall not be disclosed to those outside Charlevoix County except as permitted by law or expressly authorized by the employee.

When being utilized by Charlevoix County, documents containing confidential employee information, such as Social Security numbers, shall be covered or secured in such a fashion as to assure that visitors to Charlevoix County offices are not exposed to such information.

Employee Data forms and other documents containing social security numbers shall be treated as confidential employee information and shall be filed or otherwise secured when not being utilized by Charlevoix County personnel.

Only the personnel actively engaged in serving an employee, and support personnel assisting in such service are authorized to access information or documents that contain confidential employee information including that employee's social security number.

Documents that contain confidential employee information including social security numbers shall be disposed of by shredding or burning.

Confidential information regarding Charlevoix County, its employees or officials of Charlevoix County, specifically including Social Security Numbers, shall be subject to the same restrictions as set forth above for employee information.

Employees violating this policy shall be counseled in writing, and may be subjected to additional disciplinary action including termination of employment.

Performance Reviews

It is very important for every employee to know how well he/she is doing on their job.

Charlevoix County has a review system designed to ensure you receive regular feedback about your job performance annually at a minimum. It is Charlevoix County's intention that you be aware of what your Department Head, Supervisor or Manager thinks of your performance and that you receive positive recognition for your contributions to the County.

On the other hand, if any areas for improvement are indicated, they should be taken very seriously because we expect to see improvement.

Our performance review system ensures fair treatment for every employee, and that it is an important step toward improved performance and job satisfaction.

The following areas are considered when reviewing performance:

1. Quality of work
2. Safety and housekeeping
3. Job knowledge
4. Work relationships
5. Attendance
6. Dependability/ reliability
7. Communication
8. Overall performance and productivity
9. Continuous improvement

Safety, Health and You

The Board of Commissioners is committed to the prevention of occupational illnesses and injuries. We can accomplish this through a safe and healthful work environment, which leads to incident prevention and workplace efficiency.

Each employee is responsible to work safely, and to report all unsafe or unhealthy conditions.

Each Department Head is responsible for maintaining safe and healthful working conditions throughout their areas of responsibility.

Charlevoix County believes that a positive attitude towards a safe and healthful workplace will lead to superior performance by all members of Charlevoix County.

Workers Compensation

Any injury or illness thought to be work-related needs to be reported immediately to your Team Leader, Department Head or Manager. This will enable appropriate medical treatment to be administered. Failure to report any work related injury or illness immediately may result in a delay or denial of Workers Compensation benefits and may subject you to corrective action.

Charlevoix County reserves the right to refer an employee to a physician of our choice. Employees seeking treatment on their own without approval from Charlevoix County may be held responsible for payments of their medical bills incurred. If an injury worsens or is detected after work hours, you must contact your Team Leader, Department Head, Manager or the Human Resources Department as soon as possible.

All hospital, doctor and pharmacy bills incurred in conjunction with a worker's compensation injury must be processed through Charlevoix County Human Resources Department.

Employee Benefits

While the County expects to continue sponsoring the employee benefit programs described below, it reserves the right to, at any time, amend or terminate any or all of its benefit programs.

Regular full-time employees are provided benefits, some of which are required by law and some of which are not. By way of example, Social Security, workers' compensation, and unemployment insurance, military leave and FMLA are governed by law.

The following non-statutory benefits are provided in accordance with policy:

- Reimbursement for use of personal vehicle on County business– Reimbursement rates shall be at the IRS available rate. Reimbursement must be submitted on the provided form within 90 days of incurring the expense.
- Bereavement Leave
- Insurance - Medical, Dental, and Hospital – All insured benefits are governed by the Plan documents and are generally described in the Summary Plan Descriptions. The Plan documents control the benefits and all interpretations.
- Health and Dental insurance start on the 1st of the month following 30 days worked.
- Open enrollment is the only time an employee can make changes to their Health or Dental insurance unless there is a qualifying life event.
- Health Insurance Buy Out – This benefit is available only to those employees who have proof of other health insurance. Upon presenting suitable proof the County will pay such eligible employee ½ (50%) of the - monthly premium that the County would be paying on the employee's behalf after January 1, 2005. The 50% buyout is based on the amount that the County pays on the employee's behalf, not for any additional premiums that are the responsibility of the employee, including, but not limited to dependant coverage and family continuation.
- Health Insurance Buy Out will be frozen at the 2010 rates.
- Paid Holidays see below.
- Jury Duty Leave
- Meal Allowances – The maximum daily meal allowance for employment requires regular travel outside of the County is \$40.00 per day. Requests for reimbursement for meals must be supported by actual receipts.
- Pension Plan – All retirement benefits are governed by the Plan documents and are generally described in the Summary Plan Descriptions. The Plan documents control the benefits and all interpretations.
- Paid Sick Leave, see below.

- Paid Vacation, see below.
- Personal Time – 16 hours per year in lieu of 2 Federal Holidays. (Friend of the Court and Circuit Court received 15 hours per year)
- Personal Time must be used by December 31st of each year and the balance is NOT paid out upon termination.
- Unpaid Personal Leave – All unpaid personal leave must be pre-approved by the employee's Department Head and the Personnel Committee. Department Heads may deny unpaid personal leave/time for any legitimate reason, including but not limited to: a determination that the request is excessive, staffing needs, work load requirements, etc.

Eligibility for benefits may vary from benefit to benefit. The Clerk's office and/or Human Resources can assist in identifying the benefits for which employees are eligible. Details can be found elsewhere in this handbook, summary plan descriptions and Plan documents. In the event the terms of this handbook, other policies, rules or summary plan descriptions conflict with terms in the Plan documents, the Plan documents shall control.

Some benefits are fully paid by the County, but some require your contribution. The contribution made by the County may change from time to time.

Accrued vested benefits, which are due, and payable at termination of employment will be paid upon separation. Employees will be notified in writing of benefits, which may be continued after termination of employment and of the terms, conditions, and limitations of such continuance.

Group Health Plan Continuation Coverage - COBRA

If you leave the County for any reason other than termination for gross misconduct on your part, you and your eligible dependants are eligible to continue to be covered by the Charlevoix County health plan. To continue to be covered by the County Health Plan, you will have to pay the entire premium.

In addition, your eligible dependants are eligible to continue coverage under Charlevoix County's health plan if they cease to be covered as your dependent by reason of your death, divorce, legal separation, ageing out of the plan, in the case of children, or because you qualify for Medicare. The qualified person will have to pay the entire premium. Under COBRA, an administrative fee may also be charged.

COBRA Responsibilities

Since you are in the best position to know if there has been a legal separation or divorce; or whether a dependent child is no longer entitled to coverage; the law provides that YOU OR YOUR DEPENDENT NOTIFY THE COUNTY CLERK'S OFFICE WITHIN 60 DAYS OF THE OCCURRENCE of any one of these events.

You or your dependent could lose the right to make a COBRA election for failure to provide timely notice to the Clerk's office.

VACATION

Regular full-time employees hired prior to 12/31/04 are entitled to annual vacation time off as follows:

Length of Service	Available Vacation
0 months thru 12 months	None
after 12 months	5 days
after 24 months	10 days
after 60 months	15 days
after 120 months	20 days
after 132 months	1 additional day for each year of service up to a maximum of 30 days per year

Regular full-time employees hired after December 31, 2004, are entitled to annual vacation time as follows:

Length of Service	Available Vacation
0 months thru 12 months	None
after 12 months	5 days
after 24 months	10 days
after 60 months	15 days
after 120 months	20 days

Vacation time accrues annually on an employee's anniversary date. For example, an employee hired on January 1 in year one does not accrue any vacation time until January 1 of year 2, at which time the employee accrues 5 days of vacation time. The employee does not accrue any additional vacation time until January 1 of year 3, at which time the employee accrues 10 days' vacation time.

Vacation time is paid at the employee's straight-time pay rate in effect at the beginning of the vacation time off for the number of hours (s)he would otherwise have been scheduled to work. Vacation pay does not include shift differentials, incentive pay, bonuses, or other forms of compensation.

Eligible employees shall submit vacation requests to their Department Head in writing, who will evaluate the request based upon various factors, including but not limited to, anticipated operating requirements and staffing considerations.

In the event that an employee has not used all vacation time off within one year from its accrual date, the Department Head on behalf of the employee may request approval from the Personnel Committee to carry over vacation. Approval or disapproval of the request is at the sole discretion of the Personnel Committee.

Employees may not use vacation time in lieu of sick time for personnel illness/injury if they have available sick time accrued.

Upon voluntary termination of employment, employees will be paid for accrued, unused vacation time only. Only resigning employees who provided at least (2) weeks' notice would be eligible for payment of accrued unused vacation time.

HOLIDAYS

The County will grant time off without loss of pay on the holidays listed below:

- New Year's Day (January 1)
- Good Friday (noon to 5:00 p.m.) Friday before Easter
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas Eve Day (December 24)
- Christmas (December 25)

When any of the above holidays fall on Saturday, the preceding Friday shall be recognized as the holiday. When any of the above holidays fall on Sunday, the following Monday shall be recognized as the holiday. In the event that two (2) back to back holidays (e.g. Christmas Eve and Christmas Day) fall on a Friday and Saturday, then Thursday and Friday shall be recognized and, likewise, when the holidays fall on Sunday and Monday, then Monday and Tuesday shall be recognized as the holidays.

In order to be eligible for holiday time off and holiday pay, the employee must

- be a regular full-time employee and
- Must work the scheduled days immediately preceding and following the holiday, unless on authorized leave. Calling in sick the day before or the day after a holiday, the holiday will not be paid.

Holiday pay is at the employee's straight-time pay rate as of the date of the holiday for the number of hours (s)he would otherwise have worked on that day.

If one of the above holidays falls during an eligible employee's paid absence, e.g., vacation, disability leave, it will be treated as a holiday and will not be charged as the leave which otherwise would have applied.

LEAVES OF ABSENCE

Sick Time does not accrue during periods of leave including FMLA, Bereavement, and Military. Also a return to work slip may be requested for sick absences consisting of 3 days or longer.

PAID SICK LEAVE

- Regular full-time employees accrue paid sick leave at the rate of 1.08 days per month. Sick leave accrual may not exceed 25 days (200 hours).
- Employees may sell back 80 hours of sick time per year at a 50% rate.
- Sick leave may be used only for diagnosis, treatment of or recovery from illness/injury for the employee, his or her spouse, parents and children.
- Employees, who will be absent due to an illness, must notify their Department Head before the scheduled start of each workday that they will be absent. Verification by a health care provider satisfactory to the County may be required if (a) the absence is 3 consecutive days or longer (b) the absence is the day before or after a holiday or scheduled paid leave of absence, (c) the employee is

frequently absent, or (d) the County has reason to believe that the employee is not sick. If verification is to be required under (c), the employee may be notified that such verification is required for all absences for a period of time. Failure to provide such verification may be the basis for denial of sick leave pay and/or discipline.

- Before or after returning to work from a sick leave, employees may be required to provide verification by a health care provider satisfactory to the County that (s)he is able to perform the essential elements of his/her job, with or without reasonable accommodation.
- Sick leave pay is paid at no more than the base pay rate as of the beginning of the leave, excluding all other pay (e.g. shift premium, bonuses, overtime, etc.) provided that employees must apply for all available compensation and benefits for which they are eligible. When permissible, sick leave pay may be used to supplement such other compensation and/or benefits for which the employee is eligible, such as workers' compensation. Sick pay will be reduced so that the total of such compensation and/or benefits and sick leave pay does not exceed base pay.
- Upon voluntary termination of employment an employee, who provides at least two weeks advance notice, will be paid 25% of his/her accrued and unused sick leave based upon his/her base pay rate at the time of termination.

UNPAID SICK LEAVE

- The County may approve unpaid leave for regular full-time employees who have no available sick leave and who have no other available paid leave and who are temporarily unable to work. Employees must request approval for this unpaid leave in writing to the employee's Department Head. (FMLA leave is exempted from these requirements.)
- Such leave will not exceed thirty (30) calendar days each calendar year. If thirty (30) days is insufficient, consideration will be given to a written request for a single extension of not more than 15 additional days.
- Employees seeking and returning from unpaid sick leave must meet the same conditions as employees seeking or returning from paid sick leave.
- Premiums for the continuation of insurance benefits will be paid until the end of the month in which the unpaid leave begins. Subsequently, the employee must pay the full cost to continue insurance benefits. The continuation of insurance during an unpaid leave of absence is subject to the insurance carrier's policies and rule and is not guaranteed. The County will resume the payment of premiums for insurance benefits, according to the insurance carrier's policies and rules after the employee returns to active employment.
- Benefits such as vacation, sick leave, or holiday benefits do not accrue while an employee is on unpaid leave or extended paid leave (such as FLMA leave).

BEREAVEMENT LEAVE

- Provided that an employee has available paid sick leave, full-time employees may use a maximum of:
 - three days of paid leave will be provided for the death of (1) your current spouse, parent, child, sibling; (2) current spouse's parent, child, or sibling; or (3) child's spouse, grandparents or grandchildren, and
 - One (1) day of paid leave will be provided for the death of a relative not identified above.
- With your Department Head's approval, you may use other available paid leave for additional time off.

- A request for bereavement leave must be made to the Department Head in writing, if possible. Requests will be granted unless operating requirements require attendance.
- Bereavement pay is the base pay rate as of the beginning of the leave of absence and will be charged against sick leave.

MILITARY LEAVE

Leaves of absence without pay for military duty are granted to full-time and part-time employees. If you are called to active military duty or to reserve or National Guard training, or if you volunteer for the same you should notify your Department Head and submit copies of your military orders to him or her as soon as is practicable. You will be granted a military leave of absence without pay for the period of military service, in accordance with applicable federal and state laws. If you are a reservist or a member of the National Guard, you are granted time off without pay for required military training. Your eligibility for reinstatement after your military duty or training is completed is determined in accordance with applicable federal and state laws.

Family and Medical Leave Act (FMLA)

Charlevoix County conforms with the terms of the Family and Medical Leave Act of 1993 (FMLA). Employees may also be entitled to leave under state law. When an employee qualifies for leave under both federal and the state leave law, time off on leave will be counted under both State and FMLA Leave entitlements.

Definitions

For purposes of this policy, the following definitions apply:

1. "Common Ailment" means, for example, the common cold, flu, earache, upset stomach, minor ulcer, headache (other than migraine), routine dental or orthodontia, periodontal disease, cosmetic treatment for acne, plastic surgery, etc.
2. "Eligible Employee" means an individual who has been employed by Charlevoix County for at least 12 months, has worked at least 1,250 hours during the 12-month period immediately preceding the commencement of leave, and is employed at a worksite with at least 50 employees within 75 miles of that worksite. For purposes of the 12-month requirement, time worked before a break in service of at least seven years will not count, unless the break is for military service. Military service is the only form of leave time that counts both toward the 12 months and the 1250-hour requirement.
3. "FMLA Leave" means leave which qualifies under the Family and Medical Leave Act of 1993 and is designated by the County as so qualifying.
4. "Leave Year" means the rolling twelve (12) month period measured backward from the date each employee's leave commenced (except in the case of Military Caregiver Leave - see Appendix A).
5. "Military Family Leave" means leave taken in the form of Qualifying Exigency Leave or Military Caregiver Leave, as described more fully in Appendix A to this policy.
6. "Qualifying Family Member" means a son, daughter, parent or spouse. *Son or daughter* means a biological, adopted, or foster child, a step-child, a child an employee has legal custody for, or a child of a person standing in loco parentis. The child must be either under age 18, or older if the child is incapable of self-care because of mental or physical disability (except in the case of Military Family Leave where no age requirement is applicable). *Spouse* means a husband or wife as defined or recognized under applicable state law for the purposes of marriage. *Parent* means

a biological or adoptive parent of the employee or an individual who stands or stood in loco parentis to an employee when the employee was a child under 18 or incapable of self-care. Parent does not include "parents in law."

7. "Serious Health Condition" means an illness, injury, impairment or physical or mental condition that involves either inpatient care or a period of incapacity needing continuing treatment by a health care provider. It also includes a period of incapacity due to pregnancy or prenatal care, a chronic health condition, a permanent or long term health condition, or restorative or preventative treatment. Ordinarily, common ailments are not Serious Health Conditions because, absent complications, they do not fit into one or more categories of the definition, and/or they do not render the employee incapable of performing one or more of the essential functions of the job.

Absence and Treatment: One of the more common categories of Serious Health Condition involves a period of incapacity and continuing treatment by a health care provider. To qualify, the incapacity must last more than three consecutive calendar days, as well as any subsequent treatment or period of incapacity relating to the same condition. It also must involve treatment two or more times by a health care provider, or treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment. The initial treatment must occur within seven calendar days of the first day of incapacity, and, where two treatments are rendered, they both must occur within thirty calendar days of the first day of incapacity. All treatments must be in-person with the health care provider, and must be scheduled at the health care provider's discretion (not by the employee).

Chronic Conditions: For a condition to qualify as a chronic condition, it requires periodic visits for treatment by a health care provider, continuing over an extended period of time, and may cause episodic rather than a continuing period of incapacity. It also requires at least two treatments within one year.

8. "Work week" means the employee's regularly scheduled hours over a consecutive seven-day period. When an employee misses the entire week of work, he/she has used one FMLA work week. When an employee misses part of a week, he/she has used a fraction of an FMLA work week based on the proportion of regularly scheduled hours not worked.

Entitlement to leave

An Eligible Employee is entitled to a total of 12 work weeks of job-protected leave during each Leave Year in the event of one or more of the following:

1. The birth, adoption or placement for foster care of a Son or Daughter of the employee and to care for such child. Leave must be taken during the 12-month period following the birth. In the case of spouses employed by Charlevoix County, the spouses will be entitled to a combined total of 12 weeks leave.
2. In the case of spouses employed by Charlevoix County, the spouses will be entitled to a combined total of 12 weeks leave to care for their respective Parents with Serious Health Conditions.
3. A Serious Health Condition of the employee that makes the employee unable to perform one or more of the essential functions of his/her job.
4. Military Family Leave -- Military Caregiver Leave carries a 26-week leave entitlement, whereas Qualifying Exigency Leave carries a 12-week leave entitlement, as more fully described in Appendix A.

Any leave taken under one or more of these circumstances will be counted against the employee's total FMLA entitlement for that Leave Year.

Employees are not permitted to engage in outside employment during the employee's regularly scheduled working hours while on FMLA Leave.

Concurrent use of other leave time

If an Eligible Employee also is eligible for any other form of leave time, paid or unpaid, for illness (e.g., Short Term Disability), for County injury (e.g., Workers' Compensation) or for pregnancy, the other form of leave time will be used and will run concurrently with FMLA Leave. Upon notice to his/her Department Head and the Human Resources Department, an employee may opt to use accrued leave under a paid-time-off program (e.g., vacation) during unpaid FMLA Leave. The County may also require an employee to use any and all paid time off concurrently with FMLA in instances when the need for FMLA is a qualifying event and the employee is not receiving Short Term Disability or Worker's Compensation benefits.

Eligibility for any paid leave benefit will be determined under Charlevoix County normal policies and practices governing the use of such leave time.

While on leave that qualifies both as FMLA Leave and as illness, County injury or pregnancy, employees who are offered a light duty position will have the option of: (1) remaining on FMLA Leave and foregoing the light duty position and additional disability wage replacement benefits, or (2) terminating the FMLA Leave to accept the light duty position.

Intermittent or reduced schedule leave

Leave due to the birth, placement for foster care or adoption of a Son or Daughter may not be taken intermittently or on a reduced work schedule basis. Leave due to a Serious Health Condition may be taken intermittently or on a reduced work schedule basis when medically necessary, in which case Charlevoix County may require the employee to transfer temporarily to an available alternative position with an equivalent pay rate and benefits, including a part-time position, to better accommodate recurring periods of leave due to foreseeable medical treatment. In addition, employees will be required to make a reasonable effort to schedule treatments, if medically appropriate, so as not to unduly disrupt Charlevoix County operations.

Notice

Employees are required to provide Charlevoix County with acceptable notice of the need to use FMLA Leave. Acceptable notice consists of:

1. The need for leave time; and
2. The FMLA-qualifying reason for the leave; and
3. The anticipated timing and duration of the leave, including the reason for such leave and the treatment schedule if intermittent or reduced schedule leave is requested.

If the need for leave is foreseeable, the employee is required to provide such notice to Charlevoix County personnel designated at your facility at least 30 calendar days before the commencement of the leave, unless impractical to do so under the circumstances, in which case notice must be given as soon as practicable and promptly.

In all cases, employees are required to comply with Charlevoix County usual and customary notice requirements for absences, absent an emergency, which means following Charlevoix County Call-In Procedure. When calling in, give notice that you are requesting FMLA Leave and, if the leave is for a previously-certified FMLA reason, state this fact.

Failure to provide timely notice will result in the delay or denial of FMLA Leave.

Employees are required to give additional notice as soon as practical whenever there is a change in the dates of scheduled leave. Charlevoix County periodically may require the employee to report on his/her status and intent to return to work.

Charlevoix County will respond to requests for FMLA Leave in writing. The response will notify the employee concerning his/her eligibility for leave and the employee's rights and obligations regarding the leave. Employees are required to cooperate in providing all information needed for Charlevoix County to determine if a leave is FMLA-qualifying.

Medical Certification

In order to take leave due to a Serious Health Condition, an employee is required to provide Charlevoix County with a complete and sufficient Medical Certification Form completed by the health care provider of the employee or his/her qualifying family member, as the case may be. The employee is required to make a diligent, good faith effort to return the completed certification within fifteen (15) calendar days of Charlevoix County request for this information. A certification will be deemed complete and sufficient only if it is not vague, incomplete, illegible or non-responsive.

Charlevoix County has the right to contact the employee's health care provider to obtain clarification and authentication of the certification form. Also, at Charlevoix County option, an employee must cooperate in obtaining an independent medical review of the certification form through a health care provider designated by Charlevoix County. Charlevoix County may also require that the employee submit recertification on a periodic basis, including whenever there is a questionable pattern of absences or FMLA usage.

If a completed form has not been returned within fifteen (15) days, the request for FMLA leave may be denied. In that case, the employee will be subject to Charlevoix County other policies regarding absence from work, including attendance and discipline/discharge policies.

When the leave involves a qualifying family member, employees also are required to provide reasonable documentation to confirm the family relationship.

Benefit Continuation and Seniority Accrual

During a period of FMLA Leave:

1. Group Health Benefits. Charlevoix County will maintain the employee's coverage under a group health plan during the period of FMLA Leave under the same terms and conditions as though the employee was actively at work.
2. Other Benefits and Seniority. Seniority accrual and benefit coverage (other than group health) will be determined in accordance with the form of leave, if any, running concurrently with FMLA Leave and the terms of any applicable benefit plan. Employees who are not on another form of leave concurrent with FMLA Leave will not accrue seniority or service credit except as required by any applicable plan.
3. Premium Contributions. During FMLA Leave, the employee will be required to continue to make any required premium payments. Employees on unpaid leave are responsible for contacting the Clerk's Office to make satisfactory arrangements for submission of premium payments during the leave period. Failure to make timely premium payments will result in loss of coverage. If an employee fails to return to work following the expiration of FMLA Leave for a reason other than a Serious Health Condition or circumstances beyond the employee's control, Charlevoix County will be entitled to the repayment by the employee of any premiums paid by Charlevoix County to continue coverage during the leave.

Return to work

Consistent with Charlevoix County policy or practice with respect to other medical leaves, before returning

to work following FMLA Leave for the employee's own Serious Health Condition, the employee may be required to report for a fitness-for-duty clearance, including a statement of the employee's ability to perform the essential functions of the job. Failure to submit the fitness for duty certification may delay return to work.

Charlevoix County also may require a periodic fitness for duty certification from an employee using intermittent or reduced work schedule leave when reasonable safety concerns exist.

If the date on which an employee is scheduled to return to work from an FMLA Leave changes, the employee is required to give notice of the change, if foreseeable, to Charlevoix County within two business days of the change.

An employee returning from FMLA Leave will be restored to the position of employment held when the leave commenced or to an equivalent position unless conditions unrelated to the FMLA Leave have resulted in the elimination of the employee's position.

Questions

Employees with questions about this policy or eligibility for FMLA Leave should contact the Human Resources Department. Human Resources can provide employees with a form for requesting FMLA Leave.

Appendix A

Military Family Leave Policy under the Family and Medical Leave Act

The following policy addendum to Charlevoix County Family and Medical Leave Policy implements the Military Family Leave provisions for Qualifying Exigency Leave and for Military Caregiver Leave under the Family and Medical Leave Act ("FMLA"). Employees who otherwise meet the eligibility terms for non-military FMLA leave are eligible for Military Family Leave.

A. Qualifying Exigency Leave

1. **Leave Entitlement.** An eligible employee may take Military Family Leave because of any Qualifying Exigency arising out of the fact that the employee's Qualifying Family Member (spouse, son, daughter, or parent) is a Covered Military Member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.

The entitlement for Qualifying Exigency Leave is the same 12 workweeks per leave year as for non-military FMLA leave, which may be taken on a continuous, intermittent or reduced work schedule basis. The leave year is defined in the same way as non-military FMLA leave, measured backwards from the date of the employee's first use of leave. Any leave taken for a qualifying exigency also counts toward the 12 workweeks of non-military FMLA leave.

The definitions of Qualifying Family Members (son, daughter, parent and spouse) are the same as for non-military FMLA leave, except that in the case of a son or daughter there is no age 18 limitation.

2. **Covered Military Member.** A covered military member is an individual called to active duty in support of a contingency operation under federal military law. The member must be *called to active duty* (such as National Guard and Reserves or retired Armed Services), and does not apply to those serving in the Regular Armed Services (*i.e.*, career military). Call to duty refers only to Federal activation, not state or local activation unless under order of the President of the United States. A military operation qualifies

as a contingency operation if it is designated by the Secretary of Defense as such, or if it results in the call or order to active duty of military members under designated provisions of federal military law.

3. Qualifying Exigencies. To constitute a qualifying exigency, the activity in question must fall into one of eight categories, as follows:

(1) *Short-Notice Deployment:* leave taken when a covered military member gets seven calendar days' notice or less of a call to duty. This leave may be taken for a period limited to seven calendar days from the date of notice and without regard to whether any other exigency exists.

(2) *Military Events and Related Activities:* to attend any official ceremony, program or event sponsored by the military related to the active duty of a covered military member, including family support or assistance programs and information briefings.

(3) *Childcare and School Activities:* to arrange for alternative childcare when the active duty necessitates a change; to provide for childcare on an urgent, immediate need basis (e.g., child's sickness during school); to enroll in or transfer a child to a new school or daycare facility; or to attend meetings with school or daycare staff when such meetings are necessary due to circumstances arising from the active duty of a covered military member. This form of leave is not available for routine, regular or everyday childcare events that occur for all parents.

(4) *Financial and Legal Arrangements:* to make or update financial or legal arrangements to address the covered military member's absence, such as executing powers of attorney or transferring bank account signature authority; or to act as the covered military member's representative in legal affairs during active duty and for a period of ninety (90) days following termination of active duty.

(5) *Counseling:* to attend counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the military member, the need for which arises from the active duty, e.g., military chaplain or military service organization.

(6) *Rest and Recuperation:* to spend time with a covered military member who is on short-term, temporary, rest and recuperation during the period of deployment, limited to five days of such leave per instance of rest and recuperation.

(7) *Post-Deployment Activities:* to attend arrival ceremonies, reintegration briefings and events and other official military ceremonies and programs; and to address issues arising from the death of a covered military member. This leave is available during the ninety (90) days following the covered service member's return from active duty.

(8) *Additional Activities:* to address other events which arise out of the covered military member's active duty, provided that Charlevoix County and the employee agree that such events qualify as an exigency and agree as to the timing and duration.

4. Notice and Certification Requirements. Employees seeking to use Qualifying Exigency Leave are subject to the same notice requirements as non-military FMLA leave, including the need to give foreseeable notice when practical. Also, such employees will be required to certify the need for leave, including producing a copy of the covered military member's active military orders and dates of service upon request. In addition, a Qualifying Exigency Certification form will be required.

B. Military Caregiver Leave

1. **Leave Entitlement.** An eligible employee can take Military Family Leave when needed to care for a Covered Service member with a Serious Injury or Illness if the employee is the Qualifying Family Member (spouse, son, daughter, parent or next of kin) of the service member.

The entitlement for Military Caregiver Leave is **26 workweeks** in a single 12-month period. The 12-month period or “leave year” for this type of leave begins on the first day the eligible employee takes Military Family Leave to care for a Covered Service member and ends twelve (12) months after that date. If an eligible employee does not take the entire 26 workweeks in the 12-month period, the balance is forfeited. The 26-workweek leave is not a yearly entitlement that renews each year, like non-military FMLA leave. This leave is calculated on a per-service member, per-injury basis.

A husband and wife employed by Charlevoix County who both are eligible for FMLA leave to care for a Covered Service member with a Serious Illness or Injury, are limited to a combined 26-workweek entitlement.

The definitions of Qualifying Family Members (son, daughter, parent and spouse) are the same as for non-military FMLA leave, except that in the case of a son or daughter there is no age 18 limitation. The term “next of kin” means the nearest blood relative other than the Covered Service member’s spouse, parent, son or daughter.

2. **Interaction of Military Caregiver Leave with Other FMLA Leaves.** During the single 12-month period applicable to this leave, an employee is entitled to no more than 26 workweeks of FMLA leave, including both Military Family Leave and non-military leave, and the employee’s use of non-military leave cannot exceed 12 workweeks. For example, an employee could take 16 weeks of Military Caregiver Leave and 10 weeks of childcare leave; but the employee could not take 10 weeks of Military Caregiver Leave and 16 weeks of childcare leave.

3. **Covered Service member.** A Covered Service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is on the temporary disability retired list, for a Serious Injury or Illness incurred in the line of duty on active duty. A Covered Service member does not include discharged or retired service members, or those who have been deemed permanently disabled by the military.

4. **Serious Illness or Injury.** A Serious Illness or Injury is one incurred in the line of duty on active duty that may render the Covered Service member medically unfit to perform the duties of his or her office, grade, rank or rating.

5. **Notice and Certification Requirements.** *Employees seeking to use Military Caregiver Leave are subject to the same notice requirements as non-military FMLA leave, including the need to give foreseeable notice when practical. Also, such employees will be required to certify the need for leave, including Medical Certification from an approved military health care provider, e.g., a Department of Defense or Department of Veterans Affairs provider or a provider approved by one of those entities. Alternatively, an employee may provide Charlevoix County with invitational travel orders (ITO) or invitational travel authorizations (ITA) issued to any family member to join an injured or ill service member at his or her bedside.*

Work Schedules and Pay

WORK SCHEDULES

The normal work schedule for full-time employees is eight hours a day, five days a week, except that employees working in the Office of the Friend of the Court or in the Circuit Court have a normal work schedule of seven and one-half hours a day, five days a week. This normal work schedule may change

from time to time at the discretion of the County Board of Commissioners. Your Department Head will advise you of changes to that schedule, which may be made from time to time.

EMERGENCY CLOSINGS

Emergency conditions, such as severe weather, fire, flood or tornado, may result in the cessation of work. In the event that the decision to cease work is made during nonworking hours, local radio and TV stations will be asked to broadcast a closing notification.

When work is stopped under these circumstances, full-time employees will be paid for scheduled work time. When an emergency closing has not been approved, employees who fail to report for work as scheduled or who fail to continue to work will not be paid, unless vacation or other paid leave time is available and employees will be charged with an absence or tardy, as applicable. Part-time employees will not be paid for hours not worked.

Cessation of work for emergencies must be approved by the Board Chair or, in his/her absence, the Vice-Chair.

TIMEKEEPING

Accurately recording time worked is the responsibility of every exempt and non-exempt employee. Federal and state laws require that the County keep an accurate record of time worked in order to calculate pay. Time worked is all the time actually spent performing assigned duties.

Each employee shall sign his or her time record, thereby certifying its accuracy. Department Heads shall review and then sign the payroll recap thereby certifying its accuracy before submitting it for payroll processing. If corrections or modifications are made to the time record, both the employee and the Department Head must verify the accuracy of the changes by initiating the time record.

Department Heads are responsible for submitting time sheets in the format supplied by the County Clerk's office. The Department Head will provide to the payroll clerk for each exempt and non-exempt employee in his/her department, on a biweekly basis, identifying all hours worked, days worked, vacation hours, sick hours and personal hours. Department Heads also must submit information to the County Clerk's office to generate pay checks for salaried employees and concerning the use of accrued leave time by exempt personnel.

PAYDAYS

Direct deposit is mandatory for all employees.

The payroll period is from 12:01 am Sunday through 12:00 pm Saturday.

Employees are paid bi-weekly on every other Thursday. Each pay stub will include earnings for all work performed through the end of the previous payroll period (Saturday).

If a payday falls on a holiday, all employees will be paid on the previous work day.

PAY CORRECTIONS

It is the County's goal that employees receive the correct amount of pay in each pay check and that they are paid on the scheduled payday.

In the event that there is an error in the amount of pay, either positive or negative, employees must promptly bring the error to the attention of their Department Head so that corrections can be made.

Underpayments will, if possible, be corrected in the next regular pay check after the underpayment is reported. If not possible, it will be corrected as soon as possible.

The County will attempt to arrange a mutually agreed upon schedule for the employee's repayment of an overpayment to minimize the inconvenience to all involved but will deduct the entire amount from the employee's next pay check for the overpayment, if there is no agreement in a reasonable period of time. If the employee is no longer employed and the overpayment has not been recovered, the County may take appropriate legal action to recover the overpayment.

PAY DEDUCTIONS

The County must make certain deductions from every employee's pay, including federal, state, and Social Security taxes on each employee's earnings.

Regular full-time employees may voluntarily authorize other deductions from their pay checks.

If you have questions concerning why deductions were made from your pay check or how they were calculated, the payroll clerk can assist in having your questions answered.

OVERTIME

Non-exempt employees may not work more than 40 hours per week without the prior written approval of the Department Head and the County Board Personnel Committee. Time not worked, e.g. sick leave, holiday, vacation, or any other leave, is not "hours worked" for purposes of determining overtime.

When operating requirements or other needs cannot be met during regular working hours Department Heads must request overtime from the Personnel Committee prior to assigning overtime to an appropriate employee when possible.

FLSA Safe Harbor (Salaried Employees)

Charlevoix County expressly prohibits any improper deductions from the pay of salaried employees who are exempt from the overtime pay requirements of the Federal Fair Labor Standards Act. Exempt employees are to be paid a regular and predetermined amount that is not subject to reduction because of variations in the quality or quantity of work performed. However, there are exceptions to this rule, which are generally as follows:

1. Deductions for absences for personal reasons.
2. Deductions for absences for sickness or disability in certain circumstances.
3. Deductions for absences under the Family and Medical Leave Act.
4. Deductions to offset amounts received as jury or witness fees or military pay.
5. Deductions for unpaid disciplinary suspensions in certain circumstances.
6. Deductions for the first and final weeks of employment, where the employee did not work the full week.
7. Deductions for weeks in which the employee did not work at all.

If an exempt employee feels that he or she has had a deduction taken from pay not permitted under the Fair Labor Standards Act, the exempt employee should report it immediately to the Human Resources Department. Each report will be given serious consideration and investigated promptly and thoroughly. If Charlevoix County concludes from the results of the investigation that an improper pay deduction

occurred, the employee will be promptly reimbursed and Charlevoix County will make a good faith commitment to comply with the Fair Labor Standards Act in the future. No employee will be retaliated against for making legitimate complaints.

Employee Conduct and Work Rules

Certain standards of employee conduct and discipline are essential for the County to operate efficiently. Such standards or rules of conduct are established to help everyone become as effective as possible and to ensure that all employees are treated equally and fairly. All employees are expected to follow the rules and regulations of the County. Although the County has established an "at will" employment relationship with its employees, in certain instances the County may apply, at its sole discretion, some form of progressive discipline, as described later. The following list, which is neither complete nor exhaustive, contains examples of some but not all of the conduct which is prohibited. Such conduct is prohibited regardless of whether it occurs on the premises or in conjunction with work assignments at the County. The following actions may result in discipline, up to and including discharge. This list in no way constitutes a limitation of the right or the ability of the County to terminate employee services for any reason and at any time, with or without notice.

- Engaging in horseplay or reckless conduct that endangers the safety of the employee, other employees, or the public.
- Using profanity toward a fellow employee, customer or client.
- Gambling or soliciting for lotteries on the premises.
- (d) Violating any safety instructions or rules established by the County.
- Leaving your job or the County premises without permission.
- Negligent or willful defacing, misuse, or destruction of County equipment or facilities.
- Using materials and supplies in a wasteful or careless manner.
- Operating machines or using County tools and equipment for personal reasons without prior approval of the Department Head.
- Creating or contributing to unsanitary and/or unsafe conditions by improperly disposing of refuse or waste.
- Failure to report back to work on time after completion of a lunch period or break.
- Being discourteous toward any customer.
- Theft, unauthorized possession, removal, or use of property belonging to another employee or to the County.
- Excessive tardiness.
- Excessive absenteeism.
- Smoking in restricted or smoke-free areas.
- Violation of anti-harassment or nondiscrimination policies.
- Violation of the posted no solicitation/no distribution policy.
- Use or possession of illegal drugs or controlled substances, guns (unless legally licensed, knives, or other deadly weapons while on Company property, including parking lots or in County vehicles.
- Dishonesty or falsification of time records, production accounts, accident reports, or any other County records, including false statements on the application for employment or other County documents.
- Fighting on County premises, including parking lots, or off County premises while on a work-related assignment.
- Threatening or intimidating a fellow employee or Department Head with physical harm.
- Sleeping during work hours.
- Reporting to work or operating County equipment or vehicles while under the influence of illegal drugs, controlled substances, or alcoholic beverages.

It is recognized that either the employee or the County has the option of terminating the employment relationship at any time and for any reason, with or without cause and with or without notice. In some cases, however, the County, in its sole discretion, may decide that corrective action should be utilized

prior to termination in order to assist an employee who exhibits inappropriate conduct or behavior, inadequate performance, who fails in any way to meet the company's standards, or for any other reasons, determined by the County. Employees should not expect that they have a right to a certain number of disciplinary measures prior to termination or to any progression of discipline.

As with all of the policies, procedures, and rules at the County, the County reserves the right to amend, modify, or revoke the same at any time, with or without prior notice.

Smoking/Tobacco Products Policy

Smoking is not allowed anywhere inside any Charlevoix County building or Charlevoix County vehicle and only in outside designated areas.

Every smoking employee should practice good housekeeping in those areas and place cigarette butts in appropriate containers. Take pride in your place of employment and help keep our environment clean.

Chewing tobacco is not allowed inside any Charlevoix County building and only in outside designated smoking area.

Our smoking/tobacco products policy applies to employees and visitors. Everyone is expected to observe the policy.

Attendance and Punctuality

All employees must be reliable and punctual in reporting to work as scheduled. Absenteeism and tardiness, regardless of the reason, burdens other employees and the County and hinder the delivery of services to the community.

An employee must report absences or tardiness to the employee's Department Head as soon as possible and prior to the beginning of the employee's shift.

Employees who are unable to arrive on time or to remain at work are subject to discipline, including termination.

Charlevoix County Drug and Alcohol Policy

All of our employees are an extremely valuable resource for Charlevoix County, their health and safety is a serious concern. Any illicit use of a controlled substance or misuse of alcohol may pose a serious threat to an employee's health and safety. Charlevoix County, therefore establishes this Drug and Alcohol Testing Policy to prevent substance and/or alcohol use, or abuse, from having an adverse effect on our employees. Charlevoix County maintains that the work environment is safer and more productive without the presence of illegal or inappropriate drugs and alcohol in the body or on County property. Furthermore, employees have a right to work in a drug/alcohol free environment and to work with employees free from the effects of controlled substances or alcohol. Employees who abuse controlled substances and/or alcohol are a danger to themselves, their coworkers and Charlevoix County assets. The National Institute of Drug Abuse has recognized the adverse impact of substance abuse by employees as a universal problem. We must protect them from situations, and co-workers who endanger the work place through the use of illegal drugs, the abuse of alcohol and misuse of prescription drugs. The National Institute of Drug Abuse states that 70% of all illegal drug users are employed full or part time, and the cost to employers is over one billion dollars per year. Charlevoix County is cognizant of these staggering numbers and is committed to a drug and alcohol free work place. Specifically, it is the policy of Charlevoix County that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee is strictly prohibited.

The execution and enforcement of this policy will follow set procedures to screen body fluids (urinalysis), of all job applicants for current drug use. Employees suspected of violating this policy under the reasonable suspicion guidelines, and/or who are involved in a recordable accident, or who are randomly selected pursuant to these procedures will be tested by urinalysis for drug use and by a certified Breathalyzer for alcohol concentration. These procedures are designed not only to detect violations of this policy, but also to ensure fairness to each and every employee. Every effort will be made to maintain the confidentiality and dignity of the employees and applicants involved. Positive test results will necessitate the mediation of proper disciplinary action.

Neither this policy nor any of its terms are intended to create a contract of employment or to contain the terms of any contract of employment. Charlevoix County retains the right to change, amend, or modify any term or provision of this policy at any time. This policy will supersede all prior policies and statements in relation to drugs and the use/abuse of controlled substances and alcohol.

DESIGNATION OF ADMINISTRATORS

PURPOSE:

The purpose of this administrative guide is to set forth the procedures for the implementation of Drug and Alcohol testing of applicants and current employees pursuant to the Charlevoix County Drug and Alcohol Testing Policy.

DEFINITIONS:

When interpreting or implementing this policy, or the procedures required to implement this process of substance abuse testing, the following definitions apply:

Chain of Custody - Procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen.

Collection site means a place where individuals present themselves for the purpose of providing body fluid samples to be analyzed for specified controlled substances. The site must possess all necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, temporary storage and transportation or shipment of the samples to the laboratory. These sites are selected by the Policy Administrators.

Controlled substance has the meaning assigned by the government, and includes all substances listed in part I-A within this policy, and as they may be revised from time to time.

Drug means any substance that is a controlled substance as defined in part I-A within this policy and as they may be revised from time to time.

Employee means a person hired by another for wages and / or salary.

Medical Review Officer / (MRO) means a licensed MD or DO, with certifications / knowledge of drug abuse disorders, that is employed to conduct drug testing in accordance with the standards set forth by N.I.D.A.

N.I.D.A. is the National Institute of Drug Abuse.

Random drug testing (RDT) is the process for selection of the testing candidates on a random basis.

Random selection process - Tests may be conducted at any time. Random tests are unannounced; every employee of Charlevoix County is eligible to be selected for random drug and/or alcohol tests. The random selection will be managed and administrated by OMS Compliance Services, Inc, our third party administrator of drug and alcohol testing.

Reasonable cause (suspicion) means that the Department Head/Department Head/Human Resources believes the actions, appearance or conduct, of an employee at work, are indicative of the use of a controlled substance. Process is outlined in part III-C-1.

Refusal to test may be defined as not providing a urine sample as directed, neglecting to sign appropriate control forms in the testing process, not submitting to post accident, or engaging in conduct that clearly obstructs the testing process, or unnecessary delay in reporting to collection site once informed.

Split sample a urine sample in the presence of the donor, is split into two (2) specimen bottles, with one bottle being used as a primary specimen and the second being reserved for confirmatory testing by a second DHHS certified lab. Both bottles are then shipped together in a single shipping container with the appropriate administrative paperwork for laboratory testing.

Substance Abuse Professional (SAP) means a licensed physician (M.D. or D.O.), or licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with

knowledge and clinical experience in the diagnosis and treatment of controlled substances-related disorders.

I. SUBSTANCES PROHIBITED

A. Controlled Substances:

In accordance with N.I.D.A. approved testing procedures urinalysis will be conducted to detect the presence of the following substances, utilizing a Ten Panel test testing for the following drugs:

- Marijuana
- Cocaine
- Opiates
- Amphetamines
- Phencyclidine (PCP)
- Barbiturates
- Benzodiazepines
- Methadone
- Methaqualone
- Propoxyphene

Detection levels requiring a determination of a positive result shall be in accordance with the guidelines adopted by the N.I.D.A. in accordance with their established criterion.

B. Prescription Medications:

Employees taking legally prescribed medications issued by a licensed health care professional familiar with the employee's work-related responsibilities must report such use to the Human Resources Coordinator, if selected for testing. For safety reasons an employee may be required to present written evidence from the health care professional which states that the use of the prescription drug will not adversely affect the ability of the employee to safely perform all daily functions.

II. PROHIBITIONS

- A. Use, possession, sales, or distribution of illegal drugs, unauthorized prescription drugs, controlled substances, on Charlevoix County premises or while working for Charlevoix County is prohibited.
- B. Covered employees are prohibited from using alcohol 8 (eight) hours following a work related accident or until a post-accident drug/alcohol test is performed.
- C. On-call employees should use discretion when consuming alcohol for the specified on-call hours. Each covered employee who is on-call will be given the opportunity to:
 - a) Acknowledge the use of alcohol at the time he or she is called to report to duty and the inability to perform his or her daily duty functions.
 - b) Take an alcohol test, if the covered employee has acknowledged the use of alcohol, but claims ability to perform his or her daily duty functions.
 - c) The on call employee assumes all responsibility if they choose to operate a motor vehicle under state and federal law.
- D. Being under the influence, impaired, or having detectable trace amounts of illegal drugs, controlled substances, in your system, while on Charlevoix County premises, while working for Charlevoix County, or while operating or in physical control of Charlevoix County equipment is prohibited.
- E. Prohibition Violations: All prohibition violations or failures to submit to testing will result in an employee being immediately removed from their current position without pay, until such time an investigation can be completed and the results evaluated. Evaluation by a substance abuse professional is required.

III. TESTING CATEGORIES

A. Applicant / Pre-employment:

All job applicants will be required to submit to, and pass a urine drug screen test as a condition of employment. No applicant may become an employee of Charlevoix County without a verified negative drug screen.

Offers of employment are made contingent upon passing Charlevoix County's medical review (physical), and proof of a verified negative drug screen. Job applicants who have received firm employment offers are to be cautioned against giving notice at their current place of employment, or incurring any costs associated with accepting employment with Charlevoix County, until after medical clearance has been received. All newly hired employees shall be on a probationary period as stated in our handbook. This probationary period is contingent upon medical clearance for both physical abilities and illicit controlled substances.

Job applicant drug testing shall follow the collection, chain-of-custody and reporting procedures as per the N.I.D.A. procedures.

B. Random Testing:

Charlevoix County may conduct random testing for all employees as follows:

1. A County wide random selection process will be adopted. This process is a scientific numeric selection method, utilizing the random number assignment. The process is very common and has been successfully proven fair to all participants and has stood the test of time.
2. Random testing, once begun, will provide for substance abuse testing for a varying percentage, or preset amount of the entire employee base.
3. Random testing may be conducted at any time during a twelve (12) month calendar year, and all tests will be unannounced.
4. Once notified, an employee must proceed *immediately, and confidentiality*, to the assigned collection site.
5. In circumstances where the employee selected is on vacation, layoff, or an extended medical leave, Charlevoix County has the right to make a supplemental replacement selection. Charlevoix County also has the right to keep the original selection confidential until the employee returns.

C. Suspicion-Based Testing:

1. **Reasonable Suspicion:** If an employee is having work performance problems or displaying behavior that may be substance abuse or alcohol related, or is demonstrating conduct that may be in violation of this Policy where immediate action is necessary, a department head or Department Head, with the concurrence of the Human Resources Coordinator, will require that employee to submit to a drug and/or alcohol test. The following conditions may be signs of possible substance or alcohol abuse (not all-inclusive) which may give rise to reasonable suspicion:
 - a) Abnormally dilated or constricted pupils
 - b) Glazed stare-redness of eyes
 - c) Flushed face
 - d) Change of speech (i.e. faster or slower)
 - e) Constant sniffing
 - f) Increased absences
 - g) Redness under nose
 - h) Sudden weight loss
 - i) Needle marks
 - j) Change in personality (i.e. paranoia)
 - k) Increased appetite for sweets
 - l) Forgetfulness-performance faltering-poor concentration
 - m) Borrowing money from co-workers or seeking an advance of pay or other unusual display of need for money
 - n) Constant fatigue or hyperactivity
 - o) Difficulty walking
 - p) Excessive unexplained absences

- q) Dulled mental processes
 - r) Slowed reaction rate
2. Reasonable Action: Department heads and Department Heads should take action if they have reason to believe one or more of the aforementioned conditions is indicated, and that the substance and/or alcohol abuse is affecting an employee's job performance or behavior in any manner. A department head or Department Head aware of such conditions will take the following actions immediately:
- Confront the employee involved, and keep under direct observation until the situation is resolved.
 - Notify the Human Resources Coordinator for concurrence to the observations. If the Human Resource Coordinator is not available concurrence by another department head or Department Head is acceptable; job performance and policy violations must be specific and documented as soon as possible.
 - After discussing the circumstances with the department head or Department Head, the Human Resources Coordinator will arrange to observe or talk with the employee. If he/she believes after observing or talking with the employee, that the conduct or performance problem could be due to substance or alcohol abuse, the employee will be immediately required to submit to a drug and/or alcohol test. If the employee refuses to submit to testing for any reason, the employee will be informed that continued refusal will result in the immediate suspension from their daily work functions, and further disciplinary action, up to and including termination.
 - If upon confrontation by the department head or Department Head, the employee admits to use but requests assistance, the Human Resources Coordinator will refer for assessment by an appropriate substance abuse professional (SAP).
 - The employee will be permitted to return to active work status once a verified negative test result is received. Continued employment is contingent upon completing the SAP guidelines, a qualified substance abuse program (if recommended), as well as, maintain and complete the prescribed after care program, including all recommended random follow-up testing.
 - The department head or Department Head shall, within 24 hours or before the results of the drug or alcohol test are released, document the particular facts relating to the behavior or performance problems, and present such documentation to the Human Resources Coordinator.
 - The department head or Department Head with the Human Resources Coordinator will suspend the work activity of the employee from Charlevoix County and ensure that the employee is transported to an appropriate collection site and thereafter to the employee's residence or other suitable location until a confirmed test result can be reviewed.
 - Any employee who is required to take a drug and/or alcohol test based upon reasonable action, which produces a "negative" test result, will be paid for the balance of that shift.

D. Post-Accident Testing (OSHA / MIOSHA Recordable)

All Charlevoix County employees involved in an OSHA / MIOSHA recordable work related accident will be required to submit to a drug and alcohol test.

The department head or Department Head will direct the employee(s) involved in a recordable accident to proceed immediately to the collection site for a drug and alcohol test. A County representative will provide transportation. If the employee must assist in timely securing the safety of the area or equipment involved in the accident, that activity should be completed before proceeding to the collection site.

A drug test should be obtained as soon as possible. If circumstances do not allow a drug test to be done within two (2) hours of the accident, a notation must be made and actions must be made to obtain a test within 24 hours. After 32 hours all attempts should cease, and documentation of the reason that a test was not possible must be submitted to and reviewed by the Human Resource Coordinator.

If the employee is seriously injured and cannot submit to a timely drug and alcohol test collection, he/she must provide the necessary authorization for obtaining hospital reports and other documents that would indicate whether there were any controlled substances, or alcohol concentration in his/her system.

Any employee's failure to submit to drug and alcohol testing, when ordered by the department head, Department Head, or Human Resources or failure to keep himself/herself available for the testing for the time periods established in this section will result in the immediate suspension from their daily work functions, and further disciplinary action, up to and including termination.

E. Return to work / Follow up Testing

Before an employee returns to work after engaging in conduct prohibited by this policy, the employee shall undergo a return to work drug test with a verified negative result from the controlled substance urinalysis test. Follow up testing is unannounced and the employee is required to submit to a maximum of twelve random tests during the first twelve (12) months.

General note for all employees:

Under all circumstances, when an employee is directed to provide urine or breathe sample in accordance with these procedures, he / she must comply as instructed in accordance with this policy. Refusal will constitute a positive result, and the employee will immediately be removed from their normal daily job functions, and will be subject to further discipline, up to and including the termination of employment (as stated under section V-A).

IV. SPECIMEN COLLECTION AND LABORATORY ANALYSIS

A. Specimen Collections

Collections will be conducted in accordance with N.I.D.A. standards, and applicable state and federal laws. The collection procedures will be designed to ensure the security and integrity of the specimen provided by each employee, and those procedures will strictly follow chain of custody guidelines and may include split sample guidelines. Moreover, every reasonable effort will be made to maintain the dignity of each employee submitting a specimen for analysis.

B. Laboratory Analysis

Charlevoix County performs on-site reviews of all collection sites on an ongoing basis. Then a laboratory certified by Department of Health and Human Services (DHHS), is utilized in conformance with N.I.D.A. standards, to perform urinalysis for detection of the presence of controlled substances. The laboratory will be required to maintain strict compliance with federally approved chain of custody procedures, quality control, maintenance, and scientific analytical methodologies.

V. CONSEQUENCES AND APPEAL PROCESS

Substance abuse may not only threaten the safety and productivity of all employees at Charlevoix County, but causes serious individual health consequences to those who use them. Any confirmed actions prohibited by this policy, while performing normal daily work functions, will be grounds for disciplinary actions up to and including termination.

A. Refusal / Delay in Testing

Refusal may be defined as not providing a urine sample as directed, neglecting to sign appropriate control forms in the testing process, not submitting to post accident, or engaging in conduct that clearly obstructs the testing process, or unnecessary delay in reporting to collection site once informed. Any intentional refusal/delay in testing will result in disciplinary action up to and including termination of employment.

B. Appeal Process

Any employee testing positive for the presence of a controlled substance or prescription medication, will be contacted by the MRO (Medical Review Officer). The employee will be allowed to explain and present medical documentation to explain any permissible use of a drug. All such discussions between employee and the MRO will be confidential. Charlevoix County will not be a party to, or have access to matters discussed between the employee and the MRO. If medically supportable reasons exist to explain the positive result, the MRO will report the test result confidentially to the Charlevoix County Human Resources Coordinator as a negative.

Within 72 hours after the employee has been notified of a positive test result for drugs, he/she may request a retest of the split sample by a second DHHS certified laboratory. This signed request must be provided to the MRO in writing, who will then initiate the 2nd laboratory analysis. The ordering of a second laboratory test will not delay the initial reporting of a positive result. If the subsequent laboratory detects a different result, the test will be voided by the MRO, and the Human Resources Coordinator will be notified.

C. Positive Drug Tests

Upon notification of a verified positive drug or alcohol test result the employee should anticipate the following actions:

- b) The employee's employment is suspended without pay.
- c) The employee will be made aware of resources to help solve substance and alcohol abuse problems.
- d) The employee must be evaluated by a substance abuse professional (SAP).
- e) The employee must comply with treatment recommendations and must undergo a return to work test, as well as follow up testing, with continued verified negative test results.
- f) After successful completion of a substance abuse rehabilitation program, any subsequent positive drug or alcohol tests will result in the termination of employment.

VI. COUNTY RECORD RETENTION

Random Drug Testing Documentation (RDT):

The annual drug testing process documentation will be kept on file in the Human Resources Department. These records will include but are not limited to the following documents:

- a) Annual Confidential Employee Number Assignment
- b) RDT Certificate of Authenticity
- c) RDT Certificate of Random Selection
- d) RDT Notice of Testing
- e) Positive drug results (confidentially)
- f) Negative drug screens (confidentially)
- g) All refusals (confidentially)
- h) All evaluations and referrals (confidentially)
- i) Annual summaries (released to the County Board of Commissioners)

Medication Notification

It is the policy of Charlevoix County to provide a safe and productive workplace. To help accomplish this goal, the County directs that any employee who is on medication which could affect his or her performance, particularly in terms of personal safety and overall ability to perform the essential functions of his or her job, to report this fact to the Human Resources Department or their Department Head.

If you are taking medication which may affect your ability to safely perform your job duties (whether advised by a physician, by warning labels on the medication, or by your own observation of the effects), you should report those limitations to your Department Head or Human Resources.

You do not need to report the type of medication, nor reveal the reason that the medication is needed, except in unusual circumstances. This type of personal medical information will be kept confidential. The County's concern is to provide a safe working environment. For example, some medications may carry a warning such as "do not drive or operate machinery while taking this medication." You are asked only to reveal the fact that you are taking a medication which carries such a warning, and only in cases where the warning could affect the performance of assigned job duties.

Once the Department Heard or Human Resources has been notified of potential job limitations, reasonable efforts will be made to accommodate the limitation, to the extent required by law.

If you are taking prescription medication, the County may require you to provide a doctor's release to work while taking the medication.

Harassment

All employees are advised that Charlevoix County will not tolerate workplace harassment based on any individual's membership in a legally protected class, such as age, race, color, sex, religion, national origin or disability. It is Charlevoix County policy that sexual harassment or harassment of any employee on the basis of his or her membership in a protected class is strictly prohibited.

Sexual Advances or Favors. It is a violation of this policy for any employee to threaten, expressly or implicitly, that a subordinate is required to submit to sexual advances or to provide sexual favors as a condition of employment or any term of employment, or that a subordinate's refusal to submit to sexual advances or to provide sexual favors will affect adversely the subordinate's employment. Under the law, it makes no difference if the victim of sexual harassment is of the same or opposite sex as the harasser. Sometimes social relationships may develop at work. However, no employee ever should feel compelled to date, become romantically involved with, or continue such a relationship with another employee. Any employee who feels any unwelcome pressure from another employee in this way is urged to use the reporting procedure below.

Hostile Environment, Sexual Harassment. It is a violation of this policy for any employee to engage in unwelcome sexual conduct which has the purpose or effect of interfering unreasonably with another employee's work performance or of creating an intimidating, hostile or offensive working environment. Such conduct, if unwelcome, may include, but is not limited to: sexual bantering, off-color language or jokes, sexual flirtations, advances, propositions or touching; requests for sexual favors; verbal abuse of a sexual nature; verbal commentaries or gestures about an individual's body; sexually-degrading words used to describe an individual; displays of sexually-suggestive objects or pictures; and using sexual or degrading gestures or other non-verbal communications.

Under the law, it makes no difference if the victim of sexual harassment is of the same or opposite sex as the harasser. Engaging in such conduct through written communications or by originating, forwarding or accessing electronic communications via email or the Internet also is specifically prohibited.

Other Forms of Prohibited Harassment. It is a violation of this policy for any employee to engage in unwelcome and offensive conduct on the basis of an employee's membership in a protected class – such as age, race, color, sex, religion, national origin or disability—which has the purpose or effect of interfering unreasonably with another employee's work performance or creating an intimidating, hostile or offensive working environment. Examples of such conduct include but are not necessarily limited to: jokes about a person's protected class status; degrading or humiliating statements about protected class status; pictures or gestures which depict negatively a protected class; and other expressions of stereotypical or prejudicial attitudes about protected class membership. Engaging in such conduct through written communications or by originating, forwarding or accessing electronic communications via email or the Internet also is specifically prohibited.

Non-County Employees. These prohibitions against harassment may apply to non-employees. Non-employees include third parties, such as vendors or customers, as well as employees of County affiliates abroad. When non-employees are present at our workplace or interact with our employees (including through electronic communications), we expect them to apply the same standards of conduct that we expect of employees here. If any employee feels harassed, sexually or based on membership in a protected class, he or she should use the reporting procedure below. Conversely, we expect our

employees to treat non-employees with the same courtesy and respect as co-workers. Harassment of non-employees by County employees also is strictly prohibited.

Reporting and Investigation. The County strongly encourages the good faith reporting of all instances of harassment. An employee who feels he or she has been harassed in violation of this policy should immediately report the alleged violation to the Human Resources Department. An employee who is not comfortable initiating the discussion with Human Resources should contact their Department Head. A prompt, thorough and impartial investigation will be made. The complaint will be disclosed only to the extent necessary to make a thorough investigation or as necessary to take appropriate corrective measures. The employee will be informed of the results and resolution.

Non-Retaliation. County Leadership will ensure that there is no coercion, retaliation, intimidation, or harassment directed against any employee who makes a report or serves as a witness on behalf of another employee. If any employee feels that he or she has been retaliated against for making a report or participating in the investigation process, the alleged violation should be reported using the procedures above.

Corrective Measures. Any employee found to have unlawfully harassed another employee will be subject to appropriate discipline, up to and including termination of employment. Further, any employee found to have coerced, retaliated against, intimidated or harassed an employee for making a report or for serving as a witness on behalf of another employee, will be subject to appropriate discipline, up to and including termination of employment.

Other Forms of Discrimination. This policy has provisions specific to illegal harassment. In addition, an employee who believes that he or she has been discriminated against in any manner based upon his or her membership in a legally protected class (such as age, race, color, sex, religion, national origin or disability) should bring the matter to the attention of the Human Resources Department or their Department Head.

Bad Faith Complaints. Engaging in bad faith complaints is an equally serious matter. If, following investigation, Charlevoix County determines that allegations have been made in a bad faith or vexatious manner, behavior modification, up to and including termination of employment will result.

Anti-Violence

Charlevoix County has a “zero tolerance” policy regarding workplace violence. Any form of threat or act of violence is prohibited. Our zero tolerance of violence covers employees and also extends to persons connected with our business including customers, vendors or others who interact with our employees. This policy also includes conduct demonstrated at Charlevoix County sponsored events and teams.

Any conduct that is intended to, or likely to be perceived as, intending to create a fear of bodily harm, actual physical injury or property damage is prohibited. Prohibited behavior may include, but is not limited to, physical and/or verbal intimidation, threats of violent conduct, vandalism, sabotage, arson, use of weapons and/or carrying weapons onto County property, including parking areas. In addition, offensive and/or threatening comments regarding violent events and/or behavior are not tolerated.

Charlevoix County is committed to enforcing this policy and will take reasonable security measures to safeguard the workplace and the wellbeing of other employees. Charlevoix County reserves the right to inspect any locker, desk, work area, vehicle or other personal belongings located on County premises in the investigation of policy violations or when the safety of others or County property may be at risk.

Employees should immediately report any policy violation to their Department Head or Human Resources. We will promptly investigate complaints. No employee will be adversely affected in employment as the result of the good faith reporting of a policy violation or participation in the investigation of such a report.

When employees are found to have engaged in the prohibited conduct, management will take such action, as it believes is appropriate, up to and including immediate termination of employment for the employee found to be responsible.

Weapons Policy

Unless otherwise authorized, all employees (except employees with law enforcement duties who are required to carry weapons or has a legal permit), are prohibited from bringing weapons to the workplace, including in vehicles and in parking lot. Weapons also should not be in an employee's possession when traveling on County business or if working at another location.

This policy also prohibits weapons at any work-sponsored functions, such as parties or picnics.

Prohibited weapons include all types of firearms, knives, explosives or other dangerous devices. If you have a question about whether an item is covered by this policy, please contact your Department Head. You are responsible for making sure that any potentially covered item you possess is not prohibited by this policy.

The "workplace" covered by this policy includes, without limitation, all County locations and all locations where employees perform employment duties. All vehicles used in the course of performing workplace duties are covered by this policy at all times, regardless of whether they are on County property at the time.

Failure to abide by this Policy may result in discipline, up to and including termination. Furthermore, carrying a weapon in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from the property and may result in prosecution.

If you become aware of anyone violating this policy, please report it to your Department Head immediately.

E-mail and Internet Use

It is the policy of Charlevoix County to provide electronic mail (e-mail) and internet access for work-related purposes to specified individuals based on job need within the County as determined by the Department Head.

The County requires all employees granted such access to adhere to this and related policies to ensure proper, legal, and effective use of these electronic tools and resources.

Acceptable Use

All e-mail and internet information/language/etc. must comply with County policies and procedures, including, but not limited to, those on harassment, copyright law, and confidentiality.

Unacceptable use of internet resources includes, but is not limited to, the following:

- Uploading, downloading, displaying, or distributing in any manner, material which others may find offensive.
- Divulging personnel information and/or sensitive data.
- Knowingly interfering with communication, computer, or internet resources.
- Using County internet resources for any non-County activities.
- The use of any software whose primary function is to encrypt files.

- The use of another person's login and password to access or create any program, file, message, or record.

County Rights and Privacy Issues

The County makes internet systems available for conducting official business. Using this system is a privilege, not a right.

All electronic files and records utilizing County resources are the property of Charlevoix County and may be copied, reviewed, audited, distributed, etc. as deemed necessary by the County.

The County reserves the right to monitor and audit the operation of this system, to access and periodically review any or all of the records within it, and to retain or dispose of those records as it deems necessary. You should have no expectation of privacy and should expect that the system will be inspected and monitored.

E-mail is not private. Adding the words "Private" or "Confidential" does not make it so. Most e-mail is accessible to other than the intended recipient. Realize that once an e-mail message is sent, it can be re-sent virtually anywhere to anyone. You have no control over a message once it leaves your computer.

E-mail, newsgroups, or any other internet-related activity are rarely anonymous. The County's address is usually embedded in the data transmitted and is visible on the recipient's screen. Whenever you access an internet newsgroup/chat room, you leave a trail of the County's internet address.

E-mail Records Retention Policy

Treat electronic records in the same manner as paper correspondence/reports. If it's necessary to save certain records for future use or to file as an official record, that information should be printed out to be stored in the appropriate file, or copied from the system to a separate file. Then delete the electronic records (incoming and outgoing) from the system.

Attachments or Files

Files received (whether through file transfer or e-mail attachment) have the potential to contain computer viruses. Keep this in mind when determining whether to open (read) a file or e-mail attachment, especially if the originator or business purpose for the file cannot be determined. While every precaution is made to ensure that viruses cannot reach the server level, a virus can still affect and disable a PC. If a "suspect" file or e-mail is received, contact IT so that file or e-mail can be isolated and virus-checked before continuing.

Whenever an e-mail message with a file attachment is received, the e-mail message should be deleted after the attached file has been read and saved (if necessary) or is no longer needed, in order to release the disk space that this attachment would consume for further use.

Large file transfers (greater than 5 megabytes) or the attachment of large files to an e-mail message should be avoided whenever possible to avoid network degradation.

Security Issues

Whenever possible, you must virus-check everything they download or upload to the system. Instructions are attached to each virus-scanning computer.

Only IT staff members are authorized to install software onto desktop devices and servers (file, print, application-specific, and business), as well as laptop computers that are network-attachable. This ensures installation standards are consistently followed, start-up problems are resolved, centralized software license inventory procedures are followed, and network support and future support events are manageable.

Never divulge passwords or information concerning County internet access, hardware, or software.

Representing the County

Your participation in newsgroups, sending e-mail, or in any other internet-related activity represents the County and all employees.

Keep the tone of e-mail messages business-like. E-mail is becoming less casual within the business world. Use proper grammar, and proof and spell-check all e-mails.

Use the approved signature block with e-mail "responses;" the signature block is not necessary for "acknowledgements." The approved signature block is:

Author's Name,
e-mail address, phone number, fax number;
County name and address.

"Netiquette" (Internet and e-mail etiquette)

- Use appropriate upper- and lower-case style. Using all CAPITAL letters is considered "shouting."
- Don't harass or "flame" someone. Its fine to disagree, but don't be nasty.
- It is acceptable to disagree with an e-mail message you receive or find on a newsgroup/chat room. However, stick to the facts. Pressure-venting statements like "stupid" or "blockhead" and the like are out-of-bounds.
- Don't "spam" or send a blatantly commercial messages.
- Keep in mind that humorous remarks are not always easy to interpret in print, and may be interpreted as offensive.
- Do say "please" and "thank you."
- Use the approved signature block with your e-mail transmissions (see above).

Copyright, trademarks, patents, and trade secrets

The County honors copyright, trademark, patent, and trade-secret laws in all information handling.

Use of information protected by these laws without permission carries civil and criminal penalties and is a violation of corporate policy, which may result in disciplinary action.

Assume that all material is copyrighted or protected, and is not to be used without determining its status. If you did not create it or do not own the rights, do not put it on the Internet. Copyrighted material may not be used, except by permission.

The absence of a copyright notice is not proof that the material is public domain and available for use. All copyright matters should be directed to IT.

Downloaded files

Removal of identification (author, publisher, etc.), or adding material to the file is discouraged, except as it conforms to existing policies and procedures.

Additional Information

All electronic files and records utilizing County resources are the property of Charlevoix County and may be copied, reviewed, audited, distributed, etc. as deemed necessary by the County.

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

Social Networking Websites

The county recognizes that employees may use social networking websites or similar media including, but not limited to, blogs, Facebook, Twitter, (hereinafter referred to as "personal websites") during non-working hours.

The use of the county's internet to access personal websites is prohibited. Exceptions may be made when the county sponsors a website for business reasons or otherwise approves a legitimate business use.

Employees who use personal websites are expected to refrain from presenting themselves as representatives of the County or from portraying the County in a negative manner. Employees are expected to show a duty of loyalty to the County.

Employees are expected to use good judgment and discretion in when using personal websites.

Employees are expected to respect the privacy of other employees and refrain from posting photos, opinions, or other information which may portray other employees, the County, or others in business relationships with the County in a negative manner.

Personal websites which indicate the individual's place of employment should include disclaimers that the opinions provided do not represent the views of the County.

The publication of personnel and private information is prohibited. If employees are uncertain whether information is confidential, they should consult their Department Head or Human Resources.

Employees are reminded that information posted on personal websites can be viewed by members of the public and co-workers. Employees are expected to be respectful and avoid disparaging remarks or images about any of these individuals.

Employees are expected to comply with copyright laws and avoid plagiarism.

These restrictions apply not only to employees' personal websites, but to postings on other websites, including the personal websites of non-employees.

Failure to adhere to the established County policies and procedures will result in disciplinary action, up to and including termination.

Workplace Investigation Policy

The County may review records periodically or investigate certain employees or possible violations of County policy or government regulations. Such routine record review often includes records like credit history reports, criminal record reports, investigative consumer reports, County records, and other financial records, among others. Employees have the right to request certain information about the nature and scope of a consumer report and the name and address of the agency making the report.

Employees are required to cooperate with workplace investigations and reviews, which may involve them, other employees or third parties.

Cell Phone Use

It is the policy of Charlevoix County to limit personal cell phone use during working time. Personal cell phone usage during normal work hours is at the discretion of that Department Head.

County-provided cell phones

County-provided cell phones are to be used primarily for business purposes, and County policies apply at all times. If an offensive or inappropriate message is sent from or to a County-provided cell phone, that action will be considered inappropriate use of County property. Messages which are offensive or inappropriate will be investigated and may result in discipline.

Texting

Charlevoix County will not tolerate inappropriate or offensive conduct of any kind, including verbal comments, emails, phone calls, text messages, or other forms of communication. Any communication with other employees should be appropriate for the workplace. You are reminded that sending a text creates an electronic record of the message.

If you receive an inappropriate or offensive text message, you should report the incident to your Department Head, Human Resources, or other County official. Employees are reminded that reports of inappropriate or offensive conduct are kept confidential to the extent possible. In the interests of confidentiality, employees who receive an offensive message should not forward that message to co-workers.

Non-working time

Activities employees engage in outside of work may impact the workplace. Charlevoix County can and will take disciplinary action if outside activities (such as sending an offensive message to a coworker from a personal cell phone) contribute to an uncomfortable or harassing work environment

Charlevoix County Environmental Mission Statement

Charlevoix County will continuously strive to improve in all areas of environmental preservation. Our employees operate our facilities with no risk to the environment, because our ultimate success depends upon everyone working together in an environmentally responsible manner.

Environmental Guidelines

Charlevoix County is committed to reducing the impacts of its operations on the environment. This includes minimizing the amount of waste generated for disposal and a commitment to energy efficiency.

In order to achieve this goal Charlevoix County and its employees, are expected to follow the environmental guidelines below:

Do's

- Do be aware of the environmental aspects and impacts of your activities while working at Charlevoix County.
- Do suggest ideas to improve environmental performance, i.e. opportunities for recycling, reduction of usage of materials, energy savings, etc. to your Department Head or Maintenance Manager.
- Do ask your Department Head or Maintenance Manager to find out where the correct designated storage and/or disposal location is for all waste liquids including mop water, oily water, water from washing paint brushes, rinsing containers, etc.
- Do place all waste materials in their designated location and/or container.
- Do know the materials that are recycled and know where recycling materials should be placed. Materials that can be recycled at Charlevoix County include:
 - wood
 - cardboard
 - paper
 - magazines/newspapers/telephone books
 - scrap steel and aluminium
 - fluorescent bulbs
 - banding
 - aluminium pop cans
 - batteries
 - plastic beverage containers
 - glass beverage containers
 - toner cartridges
- Do take care when handling liquid materials to prevent spills, i.e. dispensing or transferring liquids, etc. Check that valves are closed securely after dispensing fluids.
- Do keep your area tidy, with all items and materials stored properly.
- Do turn lights, computers, and other equipment off when not required.

Do Not's

- Do not pour or dispose of any chemicals or liquid waste into sinks, floor drains, sewer drains, or outside on the ground or into any drain.
- Do not mix waste with recyclable materials or mix different wastes together.

Emergency and Fire Instructions

Charlevoix County has an Emergency Procedure Plan to be carried out in the event of any emergency. Regular fire drills are scheduled and you will be provided with information concerning the emergency plan for your work area.

The emergency evacuation plan is posted by the exit in each work area. Primary route is identified by a solid red line and an alternate route is identified by a dashed blue line.

In the event of a **fire in your department** you should follow these guidelines:

1. Activate the nearest fire alarm.
2. Immediately notify your Department Head/Maintenance Manager.
3. Leave your area immediately via the nearest exit.
4. Do not panic and do not run.
5. Feel all closed doors for heat before you go through them.
6. Assemble and report to your Department Head. The primary site is the Charlevoix Library and the alternate site is the Charlevoix City Building.
7. Do not re-enter the building for any reason until the Incident Commander has declared the building is safe for re-entry.

Upon hearing the fire alarm:

1. Leave via your nearest exit.
2. Do not panic and do not run.
3. Feel all closed doors for heat before you go through them.
4. Leave lights and doors unlocked to allow first responders quick and complete access to your work area.
5. Go directly to the assemble point and report to your Department Head. The primary site is the Charlevoix Library and the alternate site is the Charlevoix City Building.

Do not re-enter the building for any reason until the Incident Commander has decided the building is safe for re-entry.

Gifts and Gratuities

It is the policy of Charlevoix County to enforce this policy to avoid any actual or apparent conflicts of interest in professional business relationships.

No employee will be permitted to accept any gift, donation or gratuity of any kind from any individual or group which could in any way be deemed to be given on account of the employee's actions on behalf of the county.

You may not accept anything that may be construed as a bribe or kickback. A bribe or kickback includes any item intended to improperly obtain favorable treatment. If another business or representative offers a gift that could be construed as a bribe or kickback, you must report the attempt to your Department Head or Human Resources.

You are expected to conduct yourself with honesty and integrity, and comply with the provisions of this policy. All applicable laws, rules and regulations of federal, state, provincial and local governments, and other appropriate private and public regulatory agencies, must be followed.

Layoff

It may become necessary for the County Board to order budget reductions. Such reductions will be made by Department with the approval of the County Board upon the recommendation of the Personnel

Committee. In the event that the budget reduction causes layoffs, the affected Department Head will recommend the positions that will be eliminated within his or her department.

Recall

The County is not required to recall employees from layoff status. Any recall of employees is done solely at the discretion of the Department Head provided the recalled employee meets the minimum qualification for that position.

Employee Improvement Program

At Charlevoix County, we want all of our employees to succeed in their jobs. Some problems or disagreements can be easily resolved by speaking with your Department Head or Human Resources. We have outlined some basic rules of conduct in this Handbook.

The Employee Improvement Program is designed in stages so you will have an opportunity to learn what the County's requirements are and have a fair chance to correct the problem. If there is a problem with your performance or conduct, here are the steps normally taken to help you correct it:

1. **Counseling:**

If there has been a problem with performance or conduct, your Department Head will discuss it with you. This is the time to make sure you understand exactly what went wrong and how to keep it from happening again. The Department Head will make a note about what was discussed in the counseling session.

2. **Verbal Warning:**

If a problem recurs after counseling, your Department Head will discuss it with you again. The consequences of further recurrence will be explained to you at this point. The Department Head will make a note about what was discussed in the verbal warning.

3. **Written Warning(s):**

If a problem recurs after counseling and a verbal warning, your Department Head will discuss it with you again and put a formal written warning in your employee file. The written warning, signed by both you and your Department Head, will record: what happened; how you should correct the problem; what the next disciplinary step will be if the problem is not corrected; and any comments you would like to include. If your Department Head considers it appropriate, a second written warning may be added to your employee file if the unacceptable performance or conduct continues.

4. **Suspension:**

After the written warning(s), if your conduct or performance continues to be unacceptable, you will be suspended from work without pay. The length of the suspension will depend on the seriousness of the problem(s). You will be counseled again at this stage and documentation will be put in your file. You will be warned that if you do not correct the problem, you will be discharged.

5. **Discharge:**

You will be discharged without further notice if unacceptable performance or conduct continues after you return from suspension.

The stages of improvement exist to help you correct any difficulties you are having on the job. However, if a serious incident occurs, the County may bypass steps in the process and can move directly to written warnings, suspensions and/or discharge without the need for prior disciplinary action.

You should always feel free to talk to your Department Head, Human Resources, or the Personnel Committee about any concerns or questions you have regarding discipline or improving your

performance.

Counseling notes and verbal warnings will remain active in your personnel file for one year, unless further incidents occur. Unresolved discipline issues or unsatisfactory performance issues may affect your annual wage increase and opportunities for advancement.

Solicitation and Distribution

Activities that interfere with and disrupt an employee's ability to perform his/her work make it difficult for the County to meet their employment objectives. The following rules regarding solicitation and distribution must be observed at all times:

- No employee shall solicit funds for support or distribute literature to another employee for any purpose during the time you are supposed to be working, or in any such way that may interfere with any employee who is supposed to be working.
- Non-employee solicitation or distribution anywhere on County property is strictly prohibited at all times.

Charlevoix County Website

The Charlevoix County website features useful information for employees and citizens. You can access fast facts about the County as well as County meetings times, minutes and agenda's. Links are also provided on Charlevoix County's website to the various product Groups' websites.

You can find out about all this and more at www.charlevoixcounty.org. If you have any comments or suggestions for improvement, please feel free to send a message to the webmaster.

Leaving the County

We hope you will enjoy working at Charlevoix County. However, if circumstances require that you leave us, we would appreciate it if you would give your Department Head sufficient notice so they can make the necessary arrangements to replace you. Two (2) weeks' notice is preferred for employees and 30 days' notice is preferred for Department Heads, Manager, or Supervisors.

The Payroll Clerk MUST be notified immediately of all terminations.

Human Resources will arrange an exit interview and your cooperation is appreciated. Information provided by departing employees can often help the county to be a more appealing and productive employer. We also want to make sure your reason for leaving is not because of a misunderstanding or a situation we could correct.

Acknowledgement

Please complete this form acknowledging you have read and understand the Employee Handbook, and submit it to your Department Head or Human Resources(please print):

I have received and read a copy of the Charlevoix County Employee Handbook. I understand that it contains guidelines, that it can be revised, and is not a contract or guarantee of employment. I also understand that my employment with Charlevoix County is not for a definite period of time, and that my employment relationship with Charlevoix County is at will in nature, meaning that either Charlevoix County or I may choose to end our employment relationship, at any time and for any reason, without prior notice.

Name: _____

Position: _____

Date: _____

Signature: _____