

# CITY OF SAULT STE. MARIE

## PERSONNEL POLICY HANDBOOK

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# Introduction to City of Sault Ste. Marie Personnel Policy Handbook

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The purpose of this Handbook is to provide guidelines for conduct and information regarding employer practices for all regular employees of the City. Exceptions to the provisions of this Handbook may occur when a conflict occurs between it and either an applicable Collective Bargaining Agreement or an individual employment contract. The provisions of the Handbook shall govern when a Collective Bargaining Agreement or Employment Contract does not set forth a governing policy.

Excluded from benefits and coverage by these policies are all seasonal, temporary, and part-time employees (those employees who work under 30 hours per week) who have not been specifically designated by the City Manager to be covered by the same. Non-probationary employees assigned to a minimum 35-hour workweek are herein designated as full-time employees.

Those regular employees of the City who are covered by these policies are classified as follows:

Department Heads: Includes all non-union personnel who are designated as being responsible for all aspects of the operation of a designated department and who report directly to the City Manager. This also includes those personnel who are designated as being responsible for all aspects of the operation of their departments and report through another Department Head or Board as defined in the position description, such as, but not limited to, the Street Superintendent. These are exempt salaried positions/employees.

Office and Professional Employees: Includes all non-union, office and professional employees that are not determined to be Department Heads. This includes all jobs included in the Office and Professional Staff wage table as defined by the City Manager and approved by the City Commission.

Union Employees: Includes all employees who are represented collectively by a union.

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## A. Terms of City Employment

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### 1. City Employment

The City of Sault Ste. Marie is an Equal Opportunity Employer and does not discriminate on the basis of race, ethnicity, gender, marital status, sexual orientation, handicap or other protected status.

To be considered for employment with the City, a City Application for Employment and resume must be completed and signed by job candidates for all full-time regular positions. Placement, aptitude and/or skill tests may be used for certain positions as designated by the Deputy City Manager or City Manager. Pre-employment physical screening and drug test may be required as a condition of their employment.

As a note, vacancies may at any time be filled through internal transfers and promotions as determined by the City Manager or as approved by the Commission, when appropriate.

In general, the following process may govern the hiring of new City personnel:

1. All regular Full-time or Part-time position vacancies which are not filled internally will be advertised using the following:
  - The *Sault News* Classified Ads;
  - The City of Sault Ste. Marie Website;
  - And other venues as deemed appropriate.
2. Postings for open positions will include position title, minimum qualifications, pay range or classification, and instructions for application.
3. Applications will be submitted to the City Clerk's Office where they will be retained for a period of six months. Following six months, application materials for candidates not hired will be discarded.
4. Wherever possible, a minimum of three candidates will be interviewed for any position not filled internally.
5. Interviews for Regular positions will be conducted by a panel of not less than three, to include the Deputy City Manager.
6. The Deputy City Manager, at the request of Department Heads, may advertise, review application materials and interview candidates for possible openings, which may occur within the department for a period of time not to exceed one year from the completion of interviews. The department can maintain a list of possible candidates to fill vacancies throughout the year without re-advertising. The City reserves the right to seek additional candidates at any point during the year.
7. Reference and Background checks will be conducted by the Deputy City Manager prior to a recommendation for hire being made to the City Manager. A listing of qualified candidates considered for hire or placement on a hiring list will be

provided to the City Manager upon completion of interviews. The hiring list will be retained for a period of six months for future vacancies. A candidate may be selected from this list without further advertisement / interviews if there is an appropriate match of skills and qualifications. All interns and/or volunteers must report to the Deputy City Manager prior to beginning their internship or volunteer services. Only those that successfully pass the background check will be able to intern/volunteer with the City.

8. All offers for employment are contingent on a satisfactory pre- employment physical and drug testing (administered at the expense of the City) at the discretion of the City Manager.
9. The City Manager must authorize all selections prior to any offer of employment.
10. Application materials for the successful candidate will become a permanent part of the personnel record.
11. Applicants interviewed will be contacted in writing by the Deputy City Manager notifying them of their status within two weeks of interview, as possible.
12. As required by City Charter, the appointment of certain Department Head positions by the City Manager may require confirmation by the City Commission. The restructuring of certain positions by the City Manager may also require confirmation by the City Commission.
13. New employees hired into the following positions will be sworn in by the City Clerk and will sign the Oath of Office upon hire:

City Assessor	City Appraiser or Deputy Assessor
City Attorney	City Clerk
Building Inspector	Deputy Clerk
Building Official	Fire Chief
Ordinance Enforcement Officer	Fire Captains
City Engineer	Fire Fighters
Community Development Director	Parks and Recreation Director
Finance Director/Treasurer	Police Chief
City Manager	Police Captain
Department of Public Works Director	Police Sergeants
DDA Director	Police Officers

## **2. Probation Period**

New Full-time employees will undergo a six-month probation period. The employee may be dismissed at any time during this six-month period without appeal.

In the event an employee's performance does not meet the employer's expectation, the probationary period may be extended an additional 90 days at the sole discretion of the City. Pay advancement and/or commencement of fringe benefits may be denied pending written certification from the Department Head of satisfactory completion of probationary period and satisfactory performance of position requirements.

Regular Part-time employees must complete a probationary period of six (6) months continuous employment within one year of hire to satisfy the probationary period. A written evaluation will be completed prior to or upon completion of the employee's probationary period.

Non-Union employees are at-will employees, per Michigan's At-Will Employer status, and may be placed on Probationary Status at any time as a result of performance concerns.

### **3. Recording Time Worked**

#### *Non-exempt Hourly Employees*

All non-exempt employees are required to properly document their hours worked. Employees must receive prior authorization from their supervisor for any overtime worked. Overtime includes beginning work early, working late, or working through a scheduled unpaid meal period as well as working on days typically scheduled off. Working overtime without prior authorization will be subject to disciplinary action.

Documentation of all off-site work, paid vacation, personal, and sick time shall be reported to the department head for approval and submission to payroll not later than the final Friday of each bi-weekly pay period.

Work hours shall be reviewed and approved by the department head or their designee and forwarded to payroll for processing by noon of each Monday prior to the bi-weekly pay date.

Effective upon the adoption of this specific provision, compensatory time may be paid in lieu of necessary overtime if requested by an employee and approved by a Department Head. Compensatory time will only be allowed to build up to 100 hours.

#### *Administrative Staff*

Exempt salaried and office administrative staff must submit a leave request form to their immediate supervisor for vacation, sick leave, unpaid leave time, jury duty, or any other absence from work for approval. The immediate Supervisor, Department Timekeeper or Department Head will enter all leave time into an appropriate system no later than the Monday prior to each biweekly payroll. Absences and changes to salaried employees' work schedules must also be reported in person, by phone or by e-mail to the Department Head.

#### *Department Heads*

It is not necessary for Department Heads to record time worked for payroll processing. The timekeeping system will treat Department Heads as exempt salaried employees. It is only necessary to record days when the Department Head is not at work due to illness, vacation, hours worked off-site, bereavement or jury duty. Absences must be reported in person, by phone or by e-mail to the City Manager's office.

At the approval of the Department Head and City Manager, an alternate employee schedule may be developed with all benefits and accrual based on a standard workweek.

#### **4. Residency Requirements**

As permitted under Public Act 212, MCL 15.602, all regular employees of the City hired on or after January 1, 2010 shall, as a condition of employment, be required to reside within 20 miles of the nearest boundary of the City of Sault Ste. Marie Michigan within thirty (30) days of their employ. Employees residing outside of Sault Ste. Marie, Michigan City limits must register their address with the Deputy City Manager within 30 days of employment or relocation.

#### **5. Non-Nepotism Policy**

Section 5.15 of the City Charter excludes certain family members of the City Commission and City Manager's family from City employment. Furthermore, applicants must disclose any known immediate family member currently in the City's employ.

Employees may not be hired, promoted into, demoted into, or transferred into a position in which an immediate family member is currently employed without express approval from the City Manager. For the purpose of this policy, immediate family includes: spouse, parent, child, sibling, half-sibling, grandparent, grandchild, step-relative or spouse's immediate family as defined herein.

#### **6. Personnel Records**

The Deputy City Manager will maintain a Personnel File for each active employee of the City. These records will include items such as application materials, citations and disciplinary documents, applicable licensure information, employee status change notifications, and various other documents related to an employee in compliance with the Bullard Plawecki Act and all other applicable employee information retention schedules.

While the City owns these files, Employees have an ownership interest and therefore have the right to review Personnel File contents by making a request to the Deputy City Manager. All requests for review will be honored within a reasonable amount of time from the receipt of such request. Copies of documents contained therein may be copied on request of the employee or their designate at a reasonable cost consistent with the Bullard Plawecki and Freedom of Information Acts.

Department of Homeland Security form I-9, and supporting employee identifications will be kept separate and apart from the employee Personnel File, maintained solely by the Deputy City Manager, and will not be made available to the Supervisor. Direct Deposit forms, IRS Form W2, W4 and other tax and payroll forms / documents will be retained by the Payroll Department.

#### **7. Employees Funded Outside City Finance**

Employees paid in whole or in part by an outside agency such as federal or state reimbursement programs shall not be entitled to the full range of City benefits except where required and reimbursed by a funding agency. Positions that are established by and/or funded through federal, state or other specific sources of revenue may be eliminated by the City in the event funding from the source or program is no longer available or in the

event the program does not provide a benefit to the City.



## B. Working Conditions

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### 1. Work Rules

The City of Sault Ste. Marie expects its employees to maintain a high level of personal integrity and conduct at all times. City employees will demonstrate respect for the rights and feelings of other and refrain from any behavior harmful to themselves, their co-workers, the City, or general public.

To ensure high public opinion and a positive reputation in the community, the City expects the highest standards of professionalism and conduct both on and off the job. The following behaviors and conduct are considered by the City to be inappropriate and may result in disciplinary action. This list is not exhaustive:

- Falsifying a record or report, including time records.
- Violating the City's nondiscrimination and/or workplace harassment policies, or participation in any type of harassment in the workplace.
- Insubordination.
- Soliciting or accepting gratuities.
- Excessive absenteeism or tardiness, or unapproved absences.
- Any unauthorized use of City supplies or equipment.
- A City employee may not record (with video or sound) a conversation with a fellow employee, a supervisor, a subordinate, or a citizen without notifying all other persons who will be recorded, in advance, of the presence and intended use of a recording device. This policy shall not apply to the use by law enforcement or code enforcement personnel for law or code enforcement purposes, or for investigations when the undisclosed use of a recording device is approved, in advance, by the City Manager.
- Working while intoxicated or under the influence of drugs, or alcohol or use during work hours; illegally manufacturing, possessing, using, distributing or transporting drugs or controlled substances, narcotics or alcohol. Being under the influence of alcohol, any intoxicant, controlled substance, narcotic or mind and mood altering substance on the way to work, on the job, on City premises, or otherwise possessing, bringing or using these substances on the premises, on-call, or while engaged in City business off premises.
- Fighting, disorderly conduct, or using obscene, abusive or threatening language, behaviors or gestures.
- Jeopardizing the safety of City residents, employees or others.
- Theft or intentional destruction of the property of co-workers, residents or the City.

- Possession of firearms, ammunition, or other weapons while on City business or on City property unless specifically authorized to do so by the City Manager.
- Disregarding safety or security regulations.
- Failing to maintain confidentiality of all City records or information.
- Inability to perform assigned duties because of the loss of a valid driver's license or other licensure or certification that may be required for position.
- Violating the City's code of conduct with respect to procurement activities as defined in the City's Purchasing Policy.
- Inability to be bonded by an insurance company as required for job.
- Any violation of the City Ethics Policy / Ordinance.
- Smoking or vaping in the workplace, including City Vehicles.
- Performing personal business during working hours and/or on City premises, such as selling or peddling articles or conducting a personal business enterprise.
- Gambling or promoting lotteries or the like on City premises, excluding charitable purposes.
- Poor workmanship.
- Sleeping, loitering or inappropriate use of time during work hours.
- Failing to report injuries and/or accidents in the workplace or on company time immediately.
- Disposing of or concealing any defective work, either directly or indirectly.
- Deliberately restricting output.
- Leaving work area during scheduled work day without permission of your supervisor.
- Any act detrimental to the interest of the City of Sault Ste. Marie, its Commission, employees or residents or reputation thereof.
- Making or publishing of false, vicious or malicious statements concerning any employee or agent of the City.
- Contributing to unsanitary conditions or poor housekeeping.

This list is not complete or exhaustive. As such, should the employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory in the judgment

of the Department Head, City Manager, or Deputy City Manager the employee will be subject to disciplinary action; up to and including dismissal. Other disciplinary actions may include suspension, last chance agreements, written and verbal warnings and mandatory training / education.

## **2. Reporting Loss of License, Arrests and Incidents**

In the event of an Employee's arrest, the Employee must notify the Deputy City Manager and City Manager within 48 hours. The employee may be suspended during investigation. Conditions of return to work, if allowed, may include mandatory counseling, treatment, and/or assessments. Failure to report an arrest may result in termination of employment. In the event an arrest is reported to the Department Head, that information shall be relayed to the Deputy City Manager as well as the City Manager upon notification of the arrest.

## **3. Dress Code / Personal Appearance**

Attire, grooming and personal cleanliness standards contribute to employee morale and affect the image City employees present to the community. During working hours, employees are expected to dress in such a manner as to present a neat and conservative appearance to the public and to fellow employees.

Certain departments and positions require specific dress and grooming standards and/or uniforms. Employees of City offices are expected to report to work in business or business casual attire. Many offices observe "dress down days" on Fridays in exchange for a charitable contribution. On dress-down day, modest, casual attire is acceptable. Consult your immediate supervisor or Department Head if you have questions as to what constitutes appropriate attire in your work.

To ensure a safe working environment, long hair must be tied back and open toe shoes or loose clothing or sleeves are prohibited for those employees who operate machinery in the course of their work.

Clothing may not be worn while on duty which contains profanity, profane or sexual images or other messages, which may be considered offensive or insulting, i.e. tee shirts or caps with explicit or profane sayings or graphics, or excessively revealing, ripped or soiled clothing, or nightwear.

## **4. Tobacco Free Workplace**

In order to maintain a clean and healthy work environment and project a professional image to the public, in observation of the Clean Indoor Air Act, and County Ordinance, please be advised that use of tobacco in City buildings and vehicles and worksites is strictly prohibited. Use of tobacco on City property is restricted to designated areas, which must exclude worksites, public places, common-use areas, restrooms, break rooms, and areas available to the general public. Also prohibited by Chippewa County's Clean Indoor Air Regulation is smoking near entrances, windows and ventilation systems.

## **5. Drug Free Workplace / Drug and Alcohol Testing**

### *Drug Free Workplace*

The City of Sault Ste. Marie is dedicated to the well-being and safety of its employees, management, and the community we serve. We are also committed to the successful operation of our City and its citizens. We are committed to improving employee productivity and meeting the demands of its residents.

The City of Sault Ste. Marie has a strong commitment to its employees to provide an alcohol and drug-free working environment. Likewise, the City is committed to its citizens, customers, administration, local businesses, and the public to operate its business safely and prudently. The following procedures are based upon the Federal regulations governing the use of controlled substances, abuses of alcohol, and testing programs designed to deter and detect the use of alcohol and/or controlled substances in our workplace. The purpose of these procedures is to:

1. ESTABLISH and maintain a healthy and safe working environment for all City employees;
2. ASSURE the reputation of The City of Sault Ste. Marie and its employees as good responsible citizens;
3. REDUCE accidental injury to persons and property;
4. REDUCE absenteeism, tardiness, and indifference to or decline in job performance;
5. DETER the use of illegally used controlled substances and alcohol abuses;
6. DETECT the use and abuse of both alcohol and controlled substances by those employees who may persist in the use of these substances in spite of City policies; and,
7. PROVIDE assistance in rehabilitation for any employee by the City's Employee Assistance Program or other appropriate program / treatment available.

### *Drug and Alcohol Testing*

This policy and accompanying procedures are important in preventing and addressing the problem of substance use / abuse in the workplace. Employees of Departments requiring a Commercial Driver License (CDL) must also comply with the regulations of the Federal Highway Administration, Department of Transportation (DOT) Qualifications of Drivers and Procedures for Transportation Workers Drug Testing Programs. Police and Fire Department employees and Department Heads overseeing any tested Department will be placed in a separate testing pool. The City of Sault Ste. Marie is required by law to promote a policy on the misuse of alcohol and the use of controlled substances and maintain a system of testing. Our testing system will test for illegal controlled substances and alcohol use by employees doing certain functions or holding specific licenses.

Trained supervisors or management of the City of Sault Ste. Marie shall require controlled substances and/or alcohol testing action if an employee shows any of the following

symptoms:

1. Performance: If an employee is having an identifiable work performance problem.
2. Behavior: If any employee is displaying abnormal behavior that may be drug or alcohol-related.
3. Speech: If the employee is displaying speech signs or symptoms indicative of either drug or alcohol use.
4. Physical: If an employee displays indicators of chronic and withdrawal effects of controlled substance use, we may insist on a controlled substance urine screen but NOT an alcohol breath test.
5. Reasonable Suspicion, as defined in this policy.
6. Conduct: If any employee displays conduct that may be violating this policy.

No employee of the City can report to work displaying effects of illegal, illicit, controlled, or unauthorized drugs or alcohol. No employee will take, make, sell, give, transport, or possess a controlled or illegal substance.

Breath alcohol tests will be performed by Certified Breath Alcohol Technicians.

If the employer (City) determines that, based on specific observations, the employee's appearance, behavior, or odors suggest the use of controlled substances and/or alcohol, "reasonable suspicion" testing will be ordered. Indicators of chronic abuse or effects of withdrawal qualify as reasonable suspicion.

The use of alcoholic beverages by employees affects safe and efficient operations. No employee will use or possess alcoholic beverages during working hours. No employee will report to work while under the influence of alcoholic beverages, displaying the effects of having used alcohol. An odor of alcohol on any employee's breath is reason enough to believe that the employee has used and may be under the influence of alcohol. Any employee who engages in such conduct may be subject to immediate removal from the workplace and may be suspended until he or she submits to an assessment, and will be subject to disciplinary action up to and including termination.

Any employee referred to a substance abuse professional and/or employee assistance program who fails to follow any of the following will be suspended:

1. Keep the appointment; or
2. Complete the prescribed treatment or rehabilitation plan, or
3. To authorize the disclosure of progress reports to the City.

A reliable hospital or independent laboratory using qualified and trained medical technicians will do all substance testing. The Deputy City Manager and/or Department Head will order all testing as coordinated with War Memorial Hospital's Occupational Health division.

In cases involving reasonable suspicion, for cause or post-accident testing, the City will transport or arrange for transportation of employees to and from the collection site. Should these tests prove negative; the City will return the employee to work. In cases where a positive test result is reported or the results are not immediately available, the City will transport or arrange for transportation of the employee to their home or temporary place of residence. In the event that the operation of a City vehicle is involved, the Chippewa County Sheriff's Department or State Police will be notified.

***No employee, on-call or subject to mandatory call-in, shall consume alcoholic beverages within 4 hours prior to this time period.*** Furthermore no employee shall use City of Sault Ste. Marie owned or controlled property or equipment having consumed alcohol 4 hours or less prior to its use. If an employee is called to work and has consumed alcohol within a four (4) hour period they must advise their supervisor, who will determine the employee's fitness to report to work.

All applicants must submit to and pass a urine drug-screening test to be considered for employment and to be added to the random drug and alcohol screening pool and/or as part of any and all required physical examinations and random screenings, at the discretion of the City Manager.

Any employee involved in a reportable vehicle accident while operating any vehicle owned or operated by the City of Sault Ste. Marie will be required to submit to a urine drug screen or Evidential Breath Test. By definition, the City of Sault Ste. Marie considers an accident reportable when:

1. An accident results in a human fatality, or any person sustains an injury requiring first-aid treatment;
2. An investigating law enforcement agency cites an employee (Citation) for a moving violation resulting from the accident;
3. And/or the accident results in property damage.

Employees required to possess a valid commercial driver's license to satisfy job requirements include:

1. Drivers or operators required to possess a Commercial Driver's License by virtue of the equipment they operate.
2. Vehicle mechanics that, because they must evaluate their work on equipment, operate equipment identified as requiring a commercial driver's license
3. Supervisors who, because they significantly affect vehicle safety, assign or otherwise have day-to-day responsibility for supervising subordinates who operate heavy equipment or commercial vehicles. Any employee, whether licensed or not, who may operate a commercial motor vehicle (CMV) on public highways or operate public water or wastewater treatment equipment and/or impact general public safety.

Any employee enrolled in a treatment program or successfully completing a rehabilitation program because of a previously administered and reported positive drug or an alcohol test will submit to drug and or alcohol tests in addition to their participation in the random pool.

Employees found to have violated either our administrative procedures and/or law by experiencing a positive alcohol breath test or urine drug screen must submit to an assessment. Substance Abuse Professionals (SAP) may prescribe follow-up testing. Employees are required to submit to follow-up testing consisting of not less than six times in the first year. Upon the direction of the SAP, testing may continue for up to a period of 60 months.

Costs associated with substance abuse professional services or employee assistance programs are not the responsibility of the employer. We are free to assign the costs associated with follow-up testing, assessments, or employee assistance programs to the employee. Where possible, the employee may coordinate payment or reimbursement of such costs with our existing health care program.

#### *Drug and Alcohol Abuse Treatment*

The City of Sault Ste. Marie actively supports the Employee Assistance (EAP) concept. This program openly promotes the treatment of employees suffering from addiction or abuse problems. As a matter of policy, we provide our employees, support personnel, supervisors, and management with information regularly. This information includes the dangers of abuse, awareness, community and professional efforts, and community or private treatment availability. Utilizing EAP is not a substitute for warranted disciplinary action.

1. Substance Abuse Assessments: Employees testing positively for alcohol abuse or controlled substance use undergo an assessment by a licensed and certified Substance Abuse Professional. The SAP will be trained at minimum to M.S.W. (Masters of Social Work) and preferably be a Clinical Psychologist.
2. The Substance Abuse Professional (SAP) may prescribe a treatment or rehabilitation program for a positive tested employee following the initial assessment.
  - a. We must suspend a positively tested employee refusing assessment from performing any safety-sensitive function.
  - b. A positively tested employee failing to complete the prescribed treatment plan must be suspended from further performing any safety-sensitive function.
  - c. Frequently, assessments and treatment of addiction may be covered by our existing health care benefit package and we encourage our employees to seek out assistance whenever and wherever possible.
  - d. A mandated Substance Abuse Professional may not refer the employee to the SAP's private practice.

We require that an employee with a positive test result submit to, and complete therapy before consideration for return to work.

#### **6. Code of Ethics and Conduct**

The purpose of this policy is to ensure City employees and other representatives conduct themselves in a manner above reproach, casting a positive light on the City and maintaining positive perceptions of our employer: the residents of the City of Sault Ste. Marie. Section 2-300 through section 2-355 of the Code of Ordinances City of Sault Ste. Marie Michigan outlines the responsibilities of employees in detail.

The Code of Ethics and Conduct is meant to cause thought and question to ensure proper use of resources, money, time and authority and ensure decisions are made ethically and in a non-biased manner. The following guidelines and attached General Rules should serve as a gauge for the propriety of employee conduct.

- Make maintaining high standards of ethics above and beyond any personal loyalties to a friend or family member, your supervisor, or any other party.
- Uphold the laws and regulations of our government, and never to circumvent or assist others in evading any ordinance or the Law.
- Be productive and perform your tasks efficiently throughout your paid workday: the citizens of Sault Ste. Marie pay for a complete day's work.
- Always look for the most efficient and economical way to safely and effectively perform your assigned work.
- There will be no favoritism or preferential treatment. Equal opportunity and treatment should be afforded to all vendors, contractors, private citizens, co-workers and others encountered in the course of business.
- Gifts and gratuities (with a value of \$25 or more) may be seen as a bribe or kickback, and so should not be given or accepted.

A successful Code of Ethics is intended to cause employees to think carefully about their actions and decisions. This code was not intended to answer every ethics question, rather to cause questions to be asked. If in doubt, ask for clarification from your Department Head, the Deputy City Manager, or the City Manager. The Ethics Committee will review any allegations of violations of the Code of Ethics and Conduct. Such complaints may be presented to the Ethics Review Committee, who is scheduled to meet the 2nd Wednesday of each month if the public, employees or committee members have received a complaint or deem it necessary for the review, update and administration of the Code of Ethics and Conduct. The full Code of Ethics and Conduct can be found in the City Code of Ordinance 2-300 and is available in the City Clerk's Office, City Manager's Office, or online under the Code of Ordinances at [www.saultcity.com](http://www.saultcity.com).

#### *Conflict of Interest*

Any employee who has a financial, consultant, employment, or other monetary relationship with a company or organization other than the City of Sault Ste. Marie shall notify the City Manager in writing if a potential conflict of interest exists that could affect (or be perceived to affect) that employees decision making on behalf of the City. This is particularly important as it relates to purchasing on behalf of the City. Additional information can be found in City Charter 5.14.

In the event an employee seeks secondary employment outside the City while still in the City's employ, disclosure of this intent must be made to the Department Head, or in the case of a Department Head, the Deputy City Manager, prior to accepting the outside position. The Department Head will determine if a conflict exists. If the Department Head identifies a potential or perceived conflict of interest, the matter will be passed to the City Manager for consideration.



## **7. Computer, Internet, E-mail, Telephone, and Cell Phone Use**

### *Covered Conditions*

Computer hardware and software, Internet, telephones, E-mail and Cellular Phones are provided by the City for employee use in the support of City tasks as authorized by a Department Head and approved by the City Manager. Any restriction of use contained within this Policy is intended to protect the City and its resources. All hardware, software and the contents therein are the property of the City, and any form of electronic communication can be accessed and monitored at any time by the City. There should be no assumption of privacy by an employee in the use of any electronic communication devices provided by the City and/or used for City business.

Only those persons currently employed, under contract or granted access by the Information Technology Director with the authorization of the City Manager are permitted to use any form of electronic communication owned, rented or leased by the City. Use of City hardware / software by a non-employee requires pre-authorization from the City Manager at the recommendation of the Information Technology Director. Please note that electronic communications are subject to the Freedom of Information Act (FOIA) and required to be released by the City, including phone call records, e-mails, text messages and other communications whether public or private upon receipt of a FOIA request.

The City of Sault Ste. Marie considers any violation of acceptable use guidelines to be a serious offense and reserves the right to test and monitor security, and to copy, examine, and delete any files or information residing in the City's computer network allegedly related to unacceptable use.

Acceptable use includes:

- Communication with professional associations, governments, universities, businesses and/or individuals associated with the facilitation of City business, research and/or education efforts as authorized by the Department head
- Distribution of information to the general public, whereby such information is made available under the City guidelines and policies for the release of information, the Freedom of Information Act, and all other applicable State and Federal legislation
- Incidental communication among City employees and professional colleagues which facilitates work assignments and professional development or debate in a work related field of knowledge

The Department Head shall not authorize any activities that result in assessment of charges to the City Internet accounts that are in excess of the City's account terms and conditions.

Electronic records generated through use of Internet, E-mail or recorded message constitutes a public record and falls under the rules for record retention and destruction prescribed by the Freedom of Information Act and State Archivist rules.

### *Conditions for Personal Use of Electronic Communication*

The following conditions apply to use of all electronic means of communication

connected with City business, or conducted on City-sponsored hardware / software, network, telephones or wireless access:

- a. Use will not interfere with employee productivity and occurs outside of regular working hours or during rest or meal periods.
- b. Use will not preempt or interfere with other employee's business activity
- c. Any and all use is subject to full public disclosure.
- d. Use will not involve solicitation for business, selling products, or otherwise engaging in commercial activities.
- e. Use will not involve viewing, obtaining or distributing illegal or pornographic material.
- f. Use will not involve locating, storing or transmitting data or information that has the potential to be considered harassing, abusive or offensive by nature to any reasonable person.
- g. Use will not involve participating in Gambling.
- h. Use will not involve political activities or promotion of religious activities.

Departments may be subject to random internal audits of electronic communications use. Use is a privilege, not a right, and may be revoked at any time for unacceptable use. Violations of this policy will be evaluated on a case-by-case basis by the Department Head, City Manager, or IT Director, and may result in disciplinary action and/or referral to appropriate authorities for civil or criminal prosecution.

#### *Cellular Phone Use*

Issuance of a cellular phone will be approved through the City Manager for all Department Head positions, and for employees designated by the Department Head and approved by the City Manager as being eligible to receive cell phones or stipends for the same. Cell phone service is provided to designated employees at the expense of the City if a job requires frequent absence from work space and/or a job regularly requires availability outside their scheduled office hours. If the employee wishes personal use of the phone provided by the City, a ten dollar (\$10) monthly personal use fee will be assigned. Application for services and/or devices, or changes to current service is handled through the City Clerk's office. Additional services such as camera functions, PDA's etc. deemed appropriate to meet the needs of the employee / department may be requested through the City Clerk's office subject to approval by the City Manager. Upon approval of a service upgrade, the employee portion, per the current fee schedule, is payable to the Finance Department via personal check or payroll deduction. Cellular phone minutes are drawn from a monthly pool. In the event minutes exceed the monthly allowance of the plan, or generate charges for services outside normal domestic calling, individual usage reports will be utilized to identify overages, and responsible employees will absorb the resulting fees. The employee and their immediate supervisor will be notified of the appropriate charges, and payment will be made to the Treasurer's Office within 30 days. If unpaid within 30 days a payroll withholding will be imposed. If a Department Head requests use of their private cell phone / PDA for business purposes rather than accept a company issued device, upon approval by the City Manager, a thirty dollar (\$30) phone allowance will be issued toward the monthly expense. If the City participates in cost, the cellular phone number will be listed in City directory information.

Except as prohibited by law, the following conditions apply to the incidental personal use of cell phones, PDA's etc.

- A maximum of 300 minutes of use each month is included in the City's plan between the hours of 6 a.m. and 9 p.m. weekdays, excluding weekends from 9 p.m. Friday – 6 a.m. Monday: any costs resulting from personal use in excess will be reimbursed by employee.
- Only hands-free cell phones / PDA devices permitted while driving City vehicle.
- Texting while operation a City Vehicle is strictly forbidden.
- Use includes domestic calls only.

#### *Computer Use*

The user identification names associated with each City user account will be registered with the Information Technology Department. Release of any information to any unauthorized person about the hardware or software used by the City, or the method of accessing the City's computer network system, is forbidden.

Only Information Technology Department personnel or personnel designated by them may install software or hardware on any City computer system. Information Technology Department personnel may, at their discretion authorize staff to perform specific software or hardware installations. All other installations of software or hardware are strictly prohibited.

Unless departmental arrangements have been made, always obtain permission from a co-worker before using his/her electronic communications devices. Please be considerate. Do not alter control panel / desktop settings or rearrange icons, etc.

Logging in to a co-worker's user account is prohibited. Staff may authorize use of their files and/or directories in cooperative projects.

#### *Internet / E-Mail Use*

Basic Internet and e-mail provides access to worldwide resources. Such open access is a privilege and requires that users act in a responsible manner. Acceptable use is ethical, reflects honesty and shows restraint in the consumption of shared resources. Acceptable use demonstrates respect for intellectual property, truth in communication, ownership of data, system security mechanisms, and individuals' right to privacy and freedom from intimidation, harassment and unwanted annoyance. Users should safeguard against using electronic communications to transmit personal comments or statements that may be mistaken as the position of the City.

### **8. Harassment-Free Workplace**

The City of Sault Ste. Marie is committed to providing a work environment that is free of discrimination and harassment of any kind. The City prohibits harassment on the basis of sex, race, color, national origin, ethnicity, ancestry, religion, creed, physical or mental disability, marital status, medical condition, sexual orientation, gender identity, age or any other basis protected by federal or state law. Any such harassment is illegal and will not be tolerated. Prohibited behaviors that create a potential harassment situation include, but are not limited to:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs.
- Visual conduct such as derogatory posters, photographs, cartoons, drawings,

- markings on clothing or gestures.
- Physical conduct such as unwanted touching, blocking normal movement of a person or assault.
- Retaliation for reporting harassment or threatening report of harassment.

Sexual harassment, whether overt or subtle, is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship and is strictly prohibited. Sexual Harassment is defined as unwanted sexual advances, requests for sexual favors, or visual, verbal or physical conduct of a sexual nature when submission to such conduct is implied to be a term or condition of employment or submission to or rejection of the conduct is used as a basis for advancement or employment decisions affecting the individual, or the conduct is unreasonably interfering with the employee's work performance and/or creating an intimidating, hostile or otherwise offensive working environment. The following prohibited behaviors are unacceptable; however provide only a partial list of behaviors that may be unacceptable and harassing:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct such as leering, making sexual gesture, or displaying sexually suggestive objects, pictures, cartoons, or poster, or wearing clothing with illustrations of this nature.
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any employee's body or dress
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letter, notes, calls, or invitations.
- Physical conduct such as touching, impeding or blocking movements, or assault.
- Retaliation for reporting harassment or threatening to report harassment.

Any employee should report any incident of any harassing behavior sexual or otherwise, to his/her supervisor, Deputy City Manager, or any Department Manager, including the City Manager, without fear of reprisal. A thorough investigation will be conducted with the privacy of any involved persons protected to the extent possible in conducting an investigation.

Any supervisor or manager who becomes aware of possible sexual or other potentially harassment must promptly advise the Deputy City Manager or City Manager. A thorough investigation of these concerns / allegations will be conducted.

Anyone engaging in sexual or other harassment will be disciplined up to and including discharge.

Any employee who perpetuates false claims of harassment will be disciplined up to and including discharge.

## **9. Departmental Transfers**

Transfers between departments must be approved and/or directed by the City Manager and affected Department Head(s). At the time of transfer, affected employees may have two levels of seniority. City Seniority from most recent date of hire shall determine vacation allowance, sick leave allowance and benefit eligibility. In the event of an employee transferring between Unions, or between Union and non-Union positions, seniority for the purposes of vacation scheduling, overtime scheduling and eligibility for promotion, layoff or other status changes within that Union shall be determined by Union seniority.

When the employee transfers to a lesser paying position, City seniority will be utilized in determining at which step of the new pay plan the employee shall be placed. When an employee transfers to a higher paying position, said employee will go to the lowest step of the pay plan, which will result in an increase in compensation unless otherwise determined by the City Manager.

Any departmental transfer will result in a six-month probationary status, with no interruption of fringe benefits.

## **10. Demotions**

Employees shall be subject to demotion or termination if they have been found unsuited for their present position by the Department Head and authorized by the City Manager. Demotions are at the discretion of the City Manager.

Any demotion will result in a new six-month probationary status, with no interruption of fringe benefits.

## **11. Lay off Procedures**

In the event the City finds it necessary to reduce the work force through layoffs 15 calendar days' notice will be given to all affected employees. At the approval of the City Manager, employees may bump a less senior employee in a lower paying position provided they possess the skills necessary for the job, including any testing requirement that may be in place for that position. "Bumping" guidelines are outlined in individual contracts, and employees may not bump an employee outside of their bargaining unit, nor can non-union and Union employees bump one another.

## C. Employee Benefits

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### 1. Paid Vacation Time

Vacation is meant for rest and relaxation and should be used annually. Utilization of leave time is based on a 5 day work week. Department Heads and others with budgetary / monetary controls must utilize one consecutive work week of vacation leave each calendar year.

#### A. Vacation Accrual Schedule for Non-Union Employees:

- Award of ten (10) days Paid Vacation after one (1) year continuous service.
- Accrual of ten (10) days Paid Vacation annually from first anniversary of employment to seven (7) years continuous service.
- On 7th Anniversary of employment, award of five (5) days and accrual of fifteen days paid vacation time annually to 14 years' continuous service.
- On the 14th anniversary of employment, award of five (5) days and accrual of twenty days paid vacation time annually to 20 years of continuous service.
- On the 20th anniversary of employment, award of five (5) days and accrual of twenty five days paid vacation annually to 25 years of continuous service.
- On the 25th anniversary of employment, award of five (5) days and accrual of thirty days paid vacation annually.
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Non Union Employees hired after January 1, 2018 will be awarded 5 days upon hire and forgo the award of 5 days upon 25th Anniversary. The five vacation days awarded upon hire will not be paid out if the employee terminates within the first year of employment.

#### B. Vacation Accrual Schedule for Department Heads:

Accruals are bi-weekly, and award amount are full adjustment effective on the date of award.

- Award of ten (10) days Paid Vacation time upon initial employment with the City.
- Accrual totaling 10 days Paid Vacation annually, commencing at hire to three (3) year's continuous service.
- On third year anniversary of employment, award of 5 days and accrual of 15 days Paid Vacation time annually to 10 years continuous service.
- On the 10th anniversary of employment, award of 5 days and accrual of 20 days Paid Vacation time annually to 20 years continuous service.
- On the 20th anniversary of employment, award of 5 days and accrual of 25 days Paid Vacation annually to 25 years continuous service.
- On 25th anniversary of employment, award of 5 days and accrual of 30 days Paid Vacation time annually.

This vacation schedule is based on a five-day workweek schedule. In the event of an alternate, (i.e. 4 10-hour days) work schedule is in place, vacation hours will be prorated proportionately.

As with any term of employment, the City Manager may negotiate a modified vacation

schedule at time of hire for a Department Head. All Department Head positions and Finance Department employees will be required to utilize one consecutive week of vacation time each calendar year, except as prevented by exhaustion of leave time due to FMLA or other exceptions approved by the City Manager.

Part-time, seasonal, and temporary employees will not be granted paid vacation leave.

A maximum of two years' vacation accrual accumulation may be banked at any one time. In the event time accumulated reaches 2 years' accumulation, employee will cease to accumulate additional vacation time.

Effective January 1, 2019 employees with leave balances currently in excess of 2 years' accrual will be allowed five years to reduce vacation bank to this maximum allowed accumulation. On January 1, 2024, employees with leave balances in excess of 2 years' accrual will be erased by the Finance Department. Employees may use a maximum of two years vacation accrual in any one calendar year. Any employees retiring during this period will be paid up to a maximum 2 years accrual in a lump sum. A schedule of excess hours is available in the Finance Department/Payroll Coordinator and updated annually to assure that hours not used in compliance with this schedule will be forfeited.

Vacation time will only be paid out if an employee provides at least two-week's notice of separation and works at least a full two-weeks, up to a maximum two-years accrual in a lump sum.

## **2. Sick Leave**

Upon completion of their probationary period, regular, full time employees will be granted 7.5 days sick leave. Employees assigned to a thirty five (35) hour work week will then accrue 4.04 hours sick leave each pay period; employees assigned to a 40 hour work week will accrue 4.62 hours sick leave each pay period, totaling fifteen days paid sick leave per year of service from date of hire. Regular, part-time employees will receive a prorated accrual based on their regularly scheduled work hours. Leave time utilization is based on a 5 day work week.

Employees must notify their department head not later than their scheduled shift start time in the event they will be utilizing sick leave due to illness or injury. Employees must complete a Request for Sick Leave form, and submit to their Department Head for approval prior to the close of the pay period in which Sick Leave is used and/or requested. If an injury or illness extends beyond three consecutive work days, and/or interferes with employees' ability to perform their job, a fitness for duty notice must be provided from the employees' care provider. Absence due to use on intoxicating substances or abuse of drugs or alcohol is not permitted under paid sick leave, except in the event the employee has requested and been granted Family and Medical Leave to allow treatment of addiction, and is participating in a reputable treatment program under the guidance of a medical care provider. Paid Sick Leave is to be utilized only for the medical needs of the employee. Employees may utilize up to five (5) sick days per year due to illness of their spouse, parent or dependent children. The City Manager may approve additional time as warranted by each circumstance

Regular, non-Union employees will receive payment for one-half day's pay for each of the sick leave days accrued in that year which is not utilized in that calendar year. Employees will continue to accrue leave time in accordance to this policy.

Sick leave will be allowed to accumulate to a maximum of one hundred forty (140) sick leave days. Accrual of sick hours ceases when accrual has reached 140 days and begins again if leave bank falls below 140 days

For those employees leaving the service of the City by reason of retirement, or in the event of the death of an employee, the Employee's beneficiary of record as listed on the City sponsored Life Insurance will be paid a portion of their accumulated sick leave in both cases. Employees with 60 days or more of accrual will be paid ½ of their accumulated sick leave up to 280 hours.

Retirement occurs when an employee meets both the years of service and age eligibility requirements as defined by the applicable retirement system. Those employees that voluntarily resign or terminate employment with the City *will not* be eligible for retirement benefits until so permitted by the retirement system and will not receive a payout of sick hours as provided for employees who retire meeting such requirements.

Employees may be granted unpaid Sick Leave by the City Manager. At the discretion of the City Manager, paid Sick Leave may be granted in advance of accrual, not to exceed the employees' total annual accrual. Additionally, any employee who receives a signed physician's note to receive time away from work due to stress shall be required to use sick leave for this time away from work, unless accrued sick leave hours are exhausted, at which point the City Manager may authorize the use of vacation time for this type of leave.

### **3. Jury Duty / Court Time**

The City grants paid time off for regular full-time employees to serve on jury duty. The Department Head must receive a copy of the jury summons for submission with payroll. The employee must contact his/her supervisor on a daily basis to provide estimated return date / time, and is expected to promptly return to work if released from jury duty during their normal scheduled working hours.

In order to receive regular compensation, the employee must reimburse the City for the juror attendance fee, but not to include meal or mileage fees, in exchange for regular pay during the jury service hours, absent any shift differential.

Employees subpoenaed as a witness in a non-work-related matter may use any available vacation, or compensatory leave, or may be granted leave without pay. A copy of the subpoena must be submitted to the Department Head prior to the absence, and the employee is expected to promptly return to work if released by the court during their normal scheduled shift.

In the event the employee receives a work related subpoena, the employee will be compensated at their regular rate of pay, subject to regular daily overtime rules for their required time in attendance.



#### **4. Holiday Pay**

The following paid holidays shall be observed by all regular full-time employees (except as altered by a collective bargaining agreement). Permanent regular part-time employees will receive prorated holiday pay based on their regularly schedule work hours.

1. New Year's Day
2. Good Friday
3. Memorial Day
4. Independence Day
5. Labor Day
6. Veterans Day (*Police and Fire only*)
7. Thanksgiving Day
8. Day after Thanksgiving (*all employees except Police and Fire*)
9. Christmas Day
10. Employee's Birthday (*to be taken at a time mutually acceptable to employee and Department Head within the calendar year*)

Should a holiday fall on a Saturday, Friday will be considered the paid holiday. Should a holiday fall on a Sunday, Monday will be considered the paid holiday.

If it is necessary for work to be performed on holidays, the employee may reserve the paid holiday for use on another day as authorized by the Department Head, or the employee will be compensated at one and one-half (1 ½) times the employee's regular base rate of pay (non-exempt, hourly employees only).

Note: Variations of these holidays occur in union contracts.

#### **5. Emergency Closures**

In the event of road closures or a declared state of emergency in which employees are unable to safely get to work, employees are permitted to utilize any available vacation time to cover their absence from work. Notice must be given to the supervisor or their designee prior to the scheduled shift start-time. Essential personnel are required to report if necessary, and when possible. Emergency transportation will be made available to these essential personnel when travel with their personal vehicle is deemed unreasonably dangerous by the City Manager (or designee).

In the rare event when City Offices are closed by the City Manager (or designee) due to emergency conditions, office personnel will not be required to report to work unless so required by the City Manager. Employees not working during a City office closure will use vacation time during this period of time. In the event all available vacation time has been exhausted, sick time may be utilized. In the event the employee has no available paid leave time, or is ineligible for paid leave time, excused, unpaid leave will be granted.

## **6. Bereavement Leave**

Regular full-time employees who experience the loss of an immediate family member are provided up to three (3) days bereavement leave with pay. Employees in need of bereavement time should notify their immediate supervisor prior to the start of their regular scheduled shift.

For purposes of this policy, immediate family is defined as the employee's spouse, parent, child, sibling, grandparent, grandchild, son-in-law and daughter-in-law, and their spouses immediate family as defined herein, or other relative living in the employee's household.

Should a loss occur outside this definition of immediate family for which an absence is being requested from work, it must be discussed with your Department Head, who may grant use of available vacation, compensatory time, or in the absence of availability of this leave, sick time or unpaid leave.

## **7. Family and Medical Leave (FMLA) / Unpaid Leaves of Absence**

An employee may request FMLA job-protected leave for a period not to exceed 12 weeks in any rolling 12-month period in the event a qualified care provider certifies their need for leave and the employer consents that the request falls under the guidelines of the Family and Medical Leave Act. This leave may be granted for up to twelve consecutive weeks, or as intermittent use as specified by the qualified care provider. Qualifying events include but may not be limited to:

- The birth, adoption or placement of a foster child in their care
- Critical or catastrophic illness or injury of the employee or a spouse, parent or child who relies on the employee for care
- To care for a child, parent or spouse injured in active duty
- As required immediately following or preceding deployment to active duty
- An immediate family member called to / returning from deployment / active duty

Requests for FMLA must be received by the Deputy City Manager within 30 days of the employee's knowledge of a need for leave when possible. Request and certification forms and additional information is available.

The maximum twelve weeks FMLA job protected leave as certified by the qualified care provider, or approved unpaid leave, will begin upon exhaustion of all available vacation, compensatory time and sick leave.

During an approved FMLA leave, all employee contributions to insurance premium co-payments and other benefits will continue. If paid leave time is unavailable, a check for the employee contribution must be submitted to the Treasurer's Office by the third week of each month of absence.

In certain unusual circumstances, unpaid leave may be granted in situations that may not qualify for FMLA protection. This leaves of absence must be approved in advance by the

Department Head and City Manager.

## **8. Attendance of Conferences, Seminars, and Meetings**

This policy statement serves as a guideline for City employees and local officials to seek approval of and be reimbursed for approved expenses associated with approved work-related travel, and to identify those expenses, which are not reimbursable. A trip summary should be submitted with the request for reimbursement of expenses, to include information and materials obtained that may be of assistance to other City Employees.

### **A. Reimbursement Procedure**

1. Approval by the City Manager is required for reimbursement of expenses for travel, meals, mileage, conferences, training, interviews, etc. A standardized form is to be used to request travel, and is available in the City Clerk's office.
2. An employee completes this form and forwards to their Department Head. The Department Head will, prior to forwarding to the Finance Director, review and process the request to determine that the appropriation is within the budget and administrative guidelines. The Finance Director will, prior to forwarding to the City Manager, review and process the request to determine that the appropriation is within the budget and administrative guidelines.
3. All City employees and Department Heads are required to submit a list of estimated expenses to the City Manager for advance approval along with the absence request except for travel, which occurs within one work day with expenses less than \$50.00.
4. Those requests not processed or approved will be returned to the requesting department by the City Manager.
5. In addition to submitting Travel Request forms for approval, each employee should submit appropriate background information, which describes the purpose of the requested seminar or conference.
6. Requests for reimbursement or payment of actual expenses should be submitted to the Finance Department accompanied by supporting documentation. In the event that the City employee is accompanied by a non-employee, it is expected that expenses relating to the non-employee be indicated on the supporting documentation and segregated so that they are not included in the expense account request. The Finance Department will review and approve all reimbursement requests which are less than or equal to the estimated expenses already approved by the City Manager. The Finance Department will forward to the City Manager for his/her approval all reimbursement requests meeting appropriate City criteria, which are greater than the estimated expenses. Requests should be submitted for final approval not later than two weeks after the event occurs or not later than two weeks after the return of the employee to his normally scheduled work assignment. The request should indicate the number of working hours involved, if any. Failure to comply will authorize the City to

deduct any advance from pay without prior notice.

D. Travel

Travel using the most economical means. Personal Vehicle: Employees will be reimbursed mileage for use of personal vehicle, when a City vehicle is not available, at a rate published by the Internal Revenue Service on file in the Finance Department. City vehicles are to be used if available. Employees who opt to use their personal vehicle instead of a City vehicle will be paid \$0.25 per mile. Air travel must be approved in advance by the City Manager.

C. Meals:

Employees at approved conference or training shall be eligible to receive per diem payments of up to \$41.00 per day of travel based on the following schedule: Breakfast: \$7.00, when travel commences prior to 7:00 a.m. and extends beyond 8:30 a.m. Lunch: \$11.00, when travel commences prior to 11:30 a.m. and extends beyond 2:00 p.m. Dinner: \$23.00, when travel commences prior to 5:00 p.m. and extends beyond 7:00 p.m. Guests are included at City expense for City functions only as approved by the City Manager. The City Manager may, upon request, waive per diem amounts when reasonable expenses exceed per diem amounts. Receipts are required in these circumstances. Reasonable expenses may be (but may not necessarily) be based on the per diem amounts established by the GSA for various metropolitan/micropolitan areas.

D. Hotel:

Standard single room rates apply unless otherwise approved by the City Manager.

E. Miscellaneous Expenses:

Other expenses, parking fees, tolls, bridge fares, taxis, etc., as approved on the Training/Membership request form.

F. Cash Advances:

Advances for out-of-town travel may be allowed at the Finance Director's discretion. If the City Manager authorizes the travel, the employee must sign a travel form. Settlement of all expenses must be made within 10 days after trip return. The intent is that only one check should be issued for conference expenses. In no event will the City reimburse the employees for any item in an amount greater than the amount actually expended by the employee, except as provided in the form of per diem.

All travel by the City Manager out of state shall have prior Commission approval. The City Manager will submit the request for authorization to travel to the Mayor and City Commission under Managers Reports from time to time as is necessary in order to take care of out of state travel authorization for the City Manager.

If total expenses for travel are under \$50.00, then reimbursement can be made through the Petty Cash Fund in the Treasurer's Office.

**9. Tuition Reimbursement**

The City of Sault Ste. Marie recognizes that the skills and knowledge of its employees are critical to the future success of the organization. Tuition reimbursement is intended to

encourage personal development of employees through formal education to enhance and maintain job-related skills and increase productivity, efficiencies and development within the City.

The City offers this education assistance to regular full-time employees who have completed their probationary period or six months consecutive full-time employment, whichever is greater. Requests must be made to the City Manager's office accompanied by a recommendation from the employee's Department Head, describing how the employee's participation in the intended course would benefit the department and/or City.

Eligible employees can receive a tuition reimbursement of 50% of the tuition cost up to \$1,800 per calendar year for job-related college courses, subject to the City Manager's approval. Reimbursements will be made retroactively and only when documentation of completion with a "C" grade or better is provided from the accredited college, and only when the City Manager agrees that all conditions of the approval have been met.

Individual courses that are part of a degree, licensing or certification program must be related to the employee's current job duties or a foreseeable future position in the organization in order to be eligible for reimbursement. While educational assistance is intended to enhance the employee's performance and professional abilities, participation does not assert that participation in formal education will entitle the employee to automatic advancement, a change in job assignment, or wage adjustment. Effective January 1, 2016 employees who benefit from receiving tuition reimbursements will need to agree to remain employed with the City for two calendar years after receiving reimbursement for any college course. Those employees who receive tuition reimbursements and leave within two years of a reimbursement being made will be required to pay such reimbursements back to the City unless the employee is terminated from the City or unless otherwise adjusted by the City Manager. Employees must sign a written authorization for deductions to be made from their paycheck for the repayment of reimbursements (if required by the Employer) at the time reimbursements are made.

## D. Insurances and Employee Benefits

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### 1. Health Care

The health coverage benefits will be determined on a participant wide basis, and shall be consistent among all participating City employees regardless of bargaining unit membership or affiliation, by the Special Health Determining Committee (SHDC).

The SHDC shall be composed of the following voting members: 1 member from each participating bargaining unit, 1 member from the City Department Heads, 1 member from the City non-bargaining unit employees, the City Manager and City Attorney. The Administrative Assistant to the City Manager and Deputy City Manager will serve as non-voting members. It is the responsibility of each member appointed to this Committee to inform members of their group as to the Committee's progress.

The committee may select different plans, coverages, providers, networks, increase deductibles, increase co-pays or otherwise change or eliminate any component to reduce the cost of the benefits to the target cost. The committee shall consider HSA and HRA plans and shall set the Employer contribution to such plans so long as the total employer cost including the HSA or HRA contribution is within the threshold cost.

The Committee final determination shall be implemented as soon as practicable in each bargaining unit (regardless of the language or duration of any labor contract) and for the non-bargaining unit employees as to: Health coverage (including dental, orthodontic, optical, hearing, prescription, hospitalization, or any other medical related coverage) with all plan features and costs; Flexible spending account; HRA or HSA with all features and costs.

The committee shall not determine any payments due employees under the terms of this contract for opting out of the City Health Insurance Program.

Until the committee's final determination is made or until determined by the arbitrator the coverages shall remain in effect as in existence prior to the costs exceeding the threshold. If the committee fails to recommend a plan or the recommended plan is not implemented within nine months the matter shall be submitted to binding arbitration and the arbitrator shall determine the coverage changes to bring the costs down to the target cost. Until the new plan is implemented any employee required contribution to premium shall continue. The total threshold costs contributed by the City for the total cost of health coverages (including dental, orthodontic, optical, hearing, prescription, hospitalization or any other medical related coverage including any Federal or State imposed fees and taxes) shall be set by the Special Health Determining Committee.

The SHDC may calculate an average cost based on the current plans and employer census in order to determine the total contribution to health care by the City. Plans will change from year to year. Current plan descriptions are available online or through the Deputy City Manager.

Effective, January 1, 2016, coverage will begin as soon as practicable. The City of Sault Ste. Marie will enroll new hires under the group #007003470, all divisions, as soon as

practicable.

## **2. Additional Pre-and Post-tax Withholding**

The City allows employees to purchase various types of supplemental insurance (i.e. cancer, hospital, etc.) and make medical payments under an approved Section 125 agreement on a before-tax basis through payroll deduction.

Pre-tax withholding of employee premium contributions for health care options which exceed established thresholds is also available under this plan, as well as participation in withholding for any available Flexible Spending Account (FSA) plan participation, Health Reimbursement Account (HRA), or Health Savings Account (HSA) employee contributions, and/or other available insurances which include as recommended by the SHDC and approved by the City Commission and as allowed under IRS Section 125.

Additional elective benefits available to employees at their cost, and as permitted by law, on a pre-tax basis include:

- Premiums for AFLAC Cancer, Accident, Hospital and Disability plans
- Employee Contributions to Deferred Compensation plans
- Supplemental Employee and Dependent Life Insurance premiums

## **3. Employee Assistance Program**

All employees and members of the employee's household may utilize the Employee Assistance Program (EAP) up to eight times each year at no cost to the employee. EAP is a confidential counseling and referral service. All services provided by EAP are completely confidential between the EAP counselor and the employee utilizing the service. The City is not notified that services are being used: this privacy policy is protected by Federal law.

EAP counseling services are available to address a number of work-related and personal issues, including, but not limited to divorce, addiction issues, family issues, parenting concerns, difficulty getting along with others, substance abuse, managing grief, gambling, financial concerns and coping with change.

In the event an employee experiences changes in behavior, attendance, personal appearance or other changes that indicate a possible difficulty that may be addressed through counseling, the employer may refer the employee to EAP. In this case the provider will confirm the employee's attendance, however the nature of the discussion will under no circumstances will be disclosed; solely a confirmation that the employee has met with an EAP counselor as required by the referral.

## **4. Life and Long Term Disability Coverage**

The City provides long term disability benefits with a ninety day elimination period for a maximum duration of five years "own occupation", or ability to perform the specific position held at the time of the disability, and age sixty five for defined total disability from any / all occupations at 66 2/3% of base salary. Benefits shall be subject to pre-existing condition special qualifications and carve out provisions as established by the carrier. Any overriding contract provisions supersede these limitations. Accumulated

vacation and sick leave must be drawn weekly in an amount when added to the long-term disability payment equals a full week of the employees pay. Accrual of sick or vacation shall only be calculated upon the hours drawn each week to augment the disability payment and not upon the disability payment.

The City also provides a term Life Insurance in the amount of \$30,000 to all non-union employees for the term of their employment. This policy reduces to \$15,000 upon retirement.

## **5. Worker Compensation**

The employer will provide Worker Compensation to protect employees from costs associated with the treatment of injuries should they occur in the course of normal work as directed by their Department Head. It is required that the Supervisor and the employee affected by an injury complete the injury reports. Notifying Deputy City Manager promptly allows for complete filing of the reports and assures that all parties involved, i.e., Worker's Compensation and the physician's office or Emergency Room are provided the correct information for billing purposes.

In the event of a compensable injury resulting in wage-loss benefits, two options are available for using sick leave pay to ensure the employees "normal earnings" are maintained during their Workers' Compensation (WC) related absence.

When a work related injury results in lost time, any available paid leave time *must* be used to ensure income continuation until compensation from the carrier begins. Sick leave is utilized first, as available, followed by any, compensatory time and vacation time. Accumulated vacation and sick leave must be drawn weekly in an amount when added to the workers compensation payment equals a full week of the employees pay. Accrual of sick or vacation shall only be calculated upon the hours drawn each week to augment the workers compensation payment and not upon the workers compensation payment.

In the event the absence extends beyond the initial check from the carrier, a payroll check consisting of sick leave equivalent to 20% of your standard work week (16 hours sick leave for 80-hour pay period, 14 for 70-hour pay period, etc.) will be issued each pay period until you return to work, or until paid leave time is exhausted.

Leave accrual and tax withholding during your absence will be based solely on the paid leave time used during your absence. Time compensated by worker compensation insurance will be credited toward MERS years of service in any month with pay for 10 or more days of the month, however final average compensation will be affected only by paid leave time received from the City and not by compensation from the carrier.

Upon exhaustion of all available paid leave time, the employee will be entitled to up to twelve (12) weeks of FMLA leave as deemed necessary by the health care provider. Should these twelve (12) weeks be exceeded, employment would end. Any Worker Compensation payments awarded by the Carrier would not be affected.

## **6. Benefits Continuation**

The City, except as required by law, shall not be obligated to pay any portion of an Employee's life or health insurance premiums after the employee has exhausted



accumulated vacation and sick leave pay. Receipt by an Employee of either workers compensation benefits or long or short term disability benefits shall not be considered sick leave pay. An employee must draw weekly from their accumulated vacation and sick leave benefits to supplement any disability or worker compensation benefits. The draw must be in a weekly amount equal to the difference between any payments received from the carrier(s) and the Employee's regular pay (based upon a normal scheduled work week) so as to evenly deplete accrued vacation and sick leave during the period of Employer payments toward health and life insurance premiums. Upon exhaustion of leave time, direct payment to the City of employee premium copayments must be made each month until the employees return to work in order to continue coverages.

## **7. Benefit Termination**

The City, except as required by law and/or allowed in the City's policies and Family Medical Leave Act, shall not be obligated to pay any portion of an employee's life, other benefits, or health insurance premiums after the employee has exhausted accumulated vacation and sick leave pay, and/or upon termination of employment.

Receipt by an employee of either worker's compensation benefits; or long or short term disability benefits (disability benefits) are not considered sick leave pay, nor do they indicate employment status.

Retirement occurs when an employee meets both the years of service and age eligibility requirements as defined by the applicable retirement system. Those employees that voluntarily resign or terminate employment with the City *will not* be eligible for retirement benefits until so permitted by the retirement system and will not receive the benefits noted in this section.

Life Insurance will continue for retirees at 50% of the active employee amount to a maximum of \$15,000 in accordance with these policies.

Specific insurance plans and coverage for Union employees and/or contract employees may vary and are defined in each applicable employment or labor contract.

## **8. Consolidated Omnibus Reconciliation Act (COBRA) Insurance Continuation**

Under the Consolidated Omnibus Reconciliation Act of 1985 (COBRA) [Title X of COBRA Public Law 99-272, April 7, 1986, revised 2009], an employee or dependents, including those covered by union contracts, have a right to continue group health, dental, and optical insurance for a certain period of time in certain specific instances called A Qualifying Event where the coverage under the plan would otherwise end.

### *Qualifying Event*

A qualifying event occurs when there is a loss of eligibility for the employee or an eligible dependent due to the following:

- The employee's reduction in hours or termination of employment (other than for gross misconduct)
- The employee's death
- The employee's divorce or legal separation
- The employee's entitlement to Medicare

- An eligible dependent child ceases to qualify as a dependent child under the plan

#### *Notification*

You or a your affected dependent must notify Deputy City Manager within 30 days of the latter of its occurrence or the date coverage would be lost as a result of the following:

- A divorce
- Legal separation
- A child losing dependent status under the plan

Under the law, the employer, the City of Sault Ste. Marie, is required to notify your health insurance carrier and dental insurance carrier, in the event of an employee's death, termination of employment or reduction in hours, or entitlement to Medicare, within 30 days of its occurrence.

To help insure that you do not suffer a gap in coverage, we urge you, the employee or family member, to notify the Deputy City Manager of any and all qualifying events as soon as the qualifying event occurs.

Upon notification of one of the above listed events, you and your eligible dependents will be notified within 14 days of the right to elect COBRA continuation coverage. Within 30 days from the latter of:

- The date coverage would otherwise terminate under the plan; or
- The date you receive notice of your rights to COBRA continuation coverage.

If you do not elect COBRA continuation coverage, your health benefits under the plan will end (unless you are eligible and elect other continuation coverage provided by the fund). If you elect COBRA continuation coverage, the plan is required to provide you with coverage, which is identical to the coverage provided under the plan to similarly situated employees and their dependents.

#### *Period of Coverage*

Widows, spouses, and dependents are offered continuation coverage for 36 months beginning the date of the qualifying event. (No lapse in coverage.) Employees are offered continuation coverage for 18 months beginning the date of the qualifying event. (No lapse in coverage.)

COBRA Continuation Coverage for each person may also be terminated for any of the following reasons:

- You fail to pay the premium for COBRA Continuation Coverage on time.
- You become covered under another group health plan.
- You become entitled to Medicare.

### **9. Insurances after Retirement**

The City will continue to provide term life insurance to all non-union employees who are eligible for retirement under the City MERS or Fire Police Pension at a rate of 50% of the amount of the life insurance coverage to a maximum amount of any employee being \$15,000 at the time of their retirement.

The City will allow retirees to purchase, at their expense, health insurance coverage for themselves, their spouse, and/or eligible dependents covered at the time of retirement through a City group plan upon retirement. The Special Health Determining Committee will deliver health insurance plan(s) that retirees may choose to purchase through the City. The retiree premium cost will be inclusive of any and all taxes, fees and other expenses to the City.

Retirees eligible for Medicare will be enrolled in the City of Sault Ste. Marie Group BC/BS of Michigan Medicare Advantage Plan upon eligibility at the retiree's expense, should they elect continue with City coverage. Monthly premium checks must be presented to the Treasurer's office in order to continue coverage. Fire Police Pension Plan participants may elect instead to have their premium copayments held from their monthly pension check.

If a retiree elects not to continue with the City's health coverage at time of retirement, then the retiree cannot purchase health insurance coverage through the City's group plan in the future.

## **10. Payments in Lieu of Health Care Insurance**

Employees may opt-out of coverage under the City's health insurance program if they and their family are covered by a non-City health insurance plan. Employees who elect not to participate in the City insurance plans will submit evidence of coverage and complete an "opt-out" request, available in the City Manager's office. This information will then be submitted to the Deputy City Manager for consideration. Upon approval, the employee will receive a \$450 monthly payment in lieu of participation in the City medical plans as determined by the Special Health Determining Committee.

If individual employees eligible for the Single plan wish to opt-out of City Coverage, they must provide proof of creditable coverage, and will receive \$450 monthly payments in lieu of participation in the City medical plans.

Employees electing to opt-out are required to stay out of the health program for a minimum of one year. In the event that an emergency situation occurs resulting in a loss of coverage for the employee and/or their eligible dependents, the employee may apply to re-enter the City's health program. Upon City Manager's approval, following one year out of the plan and/or in the event of emergent need with the City Manager's approval, the employee will be re-enrolled in the City health plan at the earliest possible date to minimize the employee's risk of lapse in coverage.

## **11. Pension**

### Pension for Hires prior to December 2012

All non-union City employees hired prior to December, 2012, excluding the Police Chief, Fire Chief and Police Captain, participate in the MERS B-3 Defined Benefit pension plan which provides a benefit of 2.25% of Final Average Compensation multiplied by years and months of credited service, with Final Average Compensation (FAC) averaged over the three consecutive years of credited service in which compensation is highest. The vesting period is six years, which provides a full unreduced benefit upon attainment of

age 60 with six full credited years of service. Additional information is available at the MERS of Michigan website, [www.mersofmich.com](http://www.mersofmich.com) or employees may access their customer service center by phone at (800) 767-6377.

#### Pension for Hires after to December 2012

All non-union City employees hired after December 2012 will participate in a Municipal Employee Retirement System (MERS) pension plan with both a Defined Benefit component and an elective Defined Contribution component.

Base pay shall be defined as the base salary or wages paid to the employee for a normal workweek.

The maximum employer contribution to all portions of any retirement benefit costs shall be 8% of base pay toward any defined benefit plan and an employer match of any employee contributions to any defined contribution plan up to a maximum of 2% of the employee's base pay, unless otherwise agreed upon by the City Commission.

The plan shall have a defined benefit multiplier of 1.5% and employer match to actual employee contributions toward the defined contribution portion of the plan of up to 2% of base pay and the employee will contribute 4.7 percent of base pay to the Defined Benefit component. The vesting period is six years. A full unreduced benefit is payable upon attainment of age 60 with six full credited years of service.

The pension shall be calculated based upon employee base pay and excludes overtime pay, and such things as long and short term disability insurance payments, workers compensation payments, allowances for clothing, travel, bonuses, termination pay, payments for unused sick leave, and the value of fringe benefits including payments for option out of or not fully utilizing the health insurance plan. Normal drawn pay for periods of absence from work by reason of vacation, holidays, or sickness will be included. Final average compensation shall be based upon the last three years of employment.

#### Pension for Non-Union Fire and Police Employees

Effective with appointment occurring on or after December 1, 2013, Non-Union Fire and Police employees will participate in the Police Fire Pension plan under the current provisions of their respective Command Units. The Fire Chief will be eligible for participation in the Fire Captains' pension plan, and the Police Chief and Police Captain will be eligible for participation in the Police Sergeants' pension plan. The Fire Chief shall be covered by the Fire Captain's pension plan with the employee contribution and FAC determination made in accordance with their employment letters. The Police Chief and Police Captain shall be covered by the Police Sergeant's pension plan with the employee contribution and FAC determination made in accordance with their employment letter. The Fire Chief, Police Chief, and Police Captain appointed prior to December 2013 will retire under the pension provisions elected at the time of their appointment with employee contributions and FAC determinations being made in accordance with their respective employment offer letters.

## E. Citizen Service Philosophy

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*We are all public service professionals committed to providing a culture of excellence in citizen service by responsibly addressing needs with a caring attitude on a consistent basis.*

### 1. Philosophy Objectives

- To ensure when dealing with citizens that all employees respond in a courteous, consistent, timely and fair manner to all reasonable requests, inquiries, and complaints.
- To ensure that public resources are used efficiently and effectively when dealing with citizens.
- To reinforce that employees must act within the established policies and protocols of the City, and that individuals shall not make commitments they cannot keep or legally enter.
- To set out the basic principles of citizen contact and positive interactions.

### 2. Citizen Service Standards

The City of Sault Ste. Marie recognizes that citizen service is an ever-changing process that is a critical part of the success of any organization, particularly local government. In order to promote a culture of excellence in citizen service, the following standards must be implemented with all external parties (including citizens, guests, businesses, and other stakeholders) as well as all internal parties (including employees and elected officials)

As City of Sault Ste. Marie public employees, we will commit to:

1. Remembering that all City employees are “Directors of First Impressions,” so we strive to make all first impressions a positive one!
2. Remembering that citizens interact, on average, for less than 20 minutes with the local government on an annual basis, and that this is a limited window of opportunity to effectively act as ambassadors for the City.
3. Taking ownership of problems and the resolution of the same.
4. Being prepared to accommodate walk-in encounters.
5. Assuming an appropriate and approachable demeanor.
6. Being prepared to:
  - a) Answer questions about City services, or
  - b) Provide the name and phone number of someone who can answer such questions, or
  - c) Find the answer to the question posed in a timely manner.
7. Adjusting voice mail greetings appropriately when being out of the office.
8. Directing phone calls to other employees/departments and assisting with the conveyance of information as needed to make such departmental transfers smooth.
9. Asking permission to put any caller on hold and periodically checking back and apologizing to a caller should they have to wait
10. Responding to citizen and local stakeholder calls, e-mails, and requests for services or products by the next business day [if a situation cannot be resolved in full within this time frame then a follow-up contact must be made by the next business day]..
11. Always following-up! *If we tell someone we will do something, we will be certain to do it!*

### **3. Standards of Excellence**

- We will continually work to uphold the trust and confidence placed in us by the citizens of Sault Ste. Marie and our co-workers and all other stakeholders.
- We will recognize our responsibility to serve the best interests of all the people, and provide the best service possible at all levels of our organization.
- We will realize our role as City representatives, and be dedicated to providing the highest quality service.
- We will demonstrate that “Teamwork” is not just a motto, but a standard of quality.

### **4. Trust**

- We will uphold the ideals and values of our organization and the public service profession.
- We are committed to providing outstanding service to all with whom we have contact.
- We will treat everyone with respect and dignity and provide impartial service.

### **5. Encouragement**

- We will maintain a productive work environment, which encourages teamwork through communication, cooperation, and pursuing common goals.
- We will support individual and collective efforts to achieve the City’s goals for serving the community and in attaining professional standards of excellence.

### **6. Acceptance**

- We will accept responsibility and be accountable for our performance and the results of our actions.
- We will be unafraid to admit failures or mistakes and work constructively to resolve the same.
- We will listen with concern, and respond promptly, courteously and effectively to all requests.
- We will demonstrate pride in our organization, our City and ourselves in our day-to-day activities.
- We will treat individuals in an open-minded manner that demonstrates respect for their worth and ideas, and recognize their achievements and abilities.

### **7. Maintain**

- We will maintain professionalism, courtesy, and integrity in all of our endeavors.
- We will promote harmony, understanding, mutual respect, trust, courtesy, and cooperation as the ideal for productive working relationships.

### **8. Willingness**

- We will improve our skills, knowledge, and the quality of our performance through continuing education and training.
- We will recognize and accept that inevitable change and innovation within the organization will encourage growth.

## **9. Organization**

- We will demonstrate our pride in our City, public service and ourselves through our performance and conduct on and off job.
- We are aware that public and personal safety is the result of mutual awareness and concern.
- We will contribute ideas and information toward the accomplishment of collective efforts and goals, and be receptive to the ideas and information of others.

## **10. Respect**

- We are committed to our organization and to our co-workers, and respect management and employees alike.
- We will maintain individual integrity, and be continually aware of the trust placed in us by the public.
- We are committed to the recognition of excellence in public service at all levels of the City.
- We will respect ourselves and turn abusive or aggressive citizens to an appropriate Department Head or the City Manager.

## **11. Knowledge**

- We will strive to be knowledgeable about our City and its history, organization, and services.
- We will share our technology and innovations with others in our field, and seek to enhance our abilities through mutual cooperation.
- We will always direct citizens and visitors to the proper person for assistance and information.
- We will translate knowledge into desirable action.

## F. Amendment of Personnel Policies

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The Personnel Policy Handbook will be amended from time to time as City needs require. Any changes to this policy shall be recommended by the City Manager and introduced for a first reading by the City Commission. Notice shall then be provided to City Employees by posting a link to the proposed changes where various notices are given to City employees. Any comments received by the City Clerk 7 days prior to the next regularly scheduled City Commission meeting will be provided to the City Commission for its consideration. Personnel Policy changes / updates will be presented to the City Commission during the month of January of each year or as close thereto as practicable.



## G. Employee Responsibility

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It is the responsibility of all employees to acquaint themselves with and adhere to these policies as a term of their employment with the City. A printed copy of the Personnel Policy Handbook will be available in each department and in the City Manager's Office or City Clerk's Office. The handbook can also be found electronically on the City's website. Periodic updates and changes may be made to the Personnel Policy Handbook throughout the course of the year. These changes will be filed in the addendum at the back of the handbook until their inclusion in the annual updates and changes the first City Commission meeting of each year. Notice of any changes outside of the annual update will be presented with payroll notices as they occur.

Any questions or concerns related to these policies should be addressed with your immediate supervisor, Department Head, City Manager or Deputy City Manager.

## Amendments and Attachments