

Tuscarora Township

Personnel policy – Employee Handbook

5.2 Terms of Employment

Tuscarora Township is an "at-will" employer. An "at-will" means that the employment relationship is for an indefinite period of time and can be terminated at any time, with or without cause and with or without notice. The provisions contained in this Handbook supersede any and all contrary representations that have been made by either Tuscarora Township or yourself. No employee, supervisor or any other person except the Township Board, in writing signed by the Board, has the authority to enter into any employment agreement on behalf of the Township for any specified period of time, pursuant to any particular conditions, or to make any agreement contrary to the terms expressed in the Handbook.

5.3 Applicability

This handbook is applicable to all Township employees.

5.4 Open Door Policy

It is Tuscarora Township's desire to provide good working conditions and to maintain a harmonious working relationship among employees, as well as between employees and management. In order to correct any work-related problems, Tuscarora Township must be fully informed about them. Therefore, Tuscarora Township has an "open door" problem solving policy. Employees are encouraged to discuss concerns or suggestions with their supervisor. Employees who believe that their supervisor has not or cannot adequately address the situation are encouraged to discuss the problem with the Township Supervisor or the Board. This procedure should in no way foreclose the direct discussions the Township has always had on an informal basis.

Tuscarora Township's employment practices are based on job qualifications without regard to race, color, national origin, religion, age, sex, marital status, height, weight, disability, or any other classifications protected by applicable law. Employees who believe this policy has been violated must speak with their supervisor. Employees, who believe their supervisor has not or cannot adequately address the problem, must speak with the Township Supervisor or Board. Disabled employees who feel accommodation is needed to perform their job must notify their supervisor in writing of the need for reasonable accommodation within 182 calendar days after the date the employee knew or reasonably should have known that an accommodation was needed. The Township will make reasonable accommodations that do not pose an undue hardship.

5.5 Training Period

Your first ninety days of employment with Tuscarora Township are considered to be a period of training and adjustment. You will receive additional training during this time, and you should not be hesitant about asking questions to help you better understand your job, policies, procedures, and the goals of the organization. You may become eligible for benefits as described in this Handbook following the satisfactory completion of the training period.

5.6 Employment Status

- **Regular Full Time:** A regular full-time employee is one who works a minimum of 35 hours per week.

- **Regular Part-Time:** A regular part time employee is one who works a maximum 35 hours per week
- **Temporary or Seasonal:** A temporary or seasonal employee is one who works full time or part time but six months or less in a calendar year.

If the terms of a policy, procedure or benefit vary according to the classification that an employee holds, the terms that apply to employees in that classification will be specifically described. The Township's Board shall remain responsible for all employment conditions within the Township including, but not limited to: hiring and firing of employees, job transfers, working conditions, employee complaints and other responsibilities.

5.7 Work Schedule

The workday begins each day at midnight. The workweek begins each Sunday morning at midnight. The Township will pay overtime for all hours worked over forty in a workweek at time-and-one-half the regular rate of pay. Lunch periods will be scheduled by your supervisor and are generally for a one-hour period of time, but must be at least thirty (30) minutes. Lunch periods must be taken away from your workstation and will be unpaid.

5.8 Timekeeping

Tuscarora Township tracks hours worked by the use of a time card. All nonexempt employees are required to track their hours. Nonexempt employees are eligible to receive time and one-half for overtime.

Entries on your time card will not be counted unless initialed by your supervisor.

5.9 Overtime Policy

You may be asked to work longer than your scheduled shift. Your supervisor will give you as much advance notice as possible when extra work is required. You should not begin working before your normal starting time, work through your lunch period or continue working after your normal quitting time without first getting your supervisor's approval. Hourly and salaried non-exempt employees will receive overtime pay (1 1/2 times your regular pay): For all hours worked in excess of forty hours per workweek. Only hours actually worked are counted in determining if you are entitled to overtime pay. Exempt employees will not receive overtime pay when working more than forty hours in a workweek.

5.10 Unpaid Personal Leave of Absence

Any employee may request a personal leave of absence, for a period not to exceed (3) months. Extensions of unpaid leave may be considered on a per request basis. Accumulated paid sick leave, personal leave day and/or vacation days must be utilized prior to the granting of an unpaid leave of absence.

Employees are required to submit written requests for unpaid leaves of absence as far in advance as possible. Such written requests shall state the reason for the leave and its anticipated length. All requests must be approved by the Township Board who shall specify the beginning and ending dates of the leave. If granted, the leave will be unpaid, and benefits will not continue to accumulate during the absence.

5.11 Personal/Sick Leave/Vacation Days

Regular fulltime and regular part-time employees are eligible for paid leave according to the following schedule:

For every 25 worked hours you will receive one hour paid leave, up to 6,000 hours worked.

After 6000 worked hours you will receive one hour paid leave for every 17 hours worked

Paid leave can be accumulated from one year to the next, but shall not exceed 240 hours, or 30 days paid leave.

If you are required to take time off due to illness or injury for three days or more, the Township may require you to present a certificate from a licensed physician verifying the need for the time off. If you are absent for more than five days, the Township may require you to present a certificate from a licensed physician allowing you to return to work.

You must call your supervisor on each day that you are absent and prior to the time that your shift is scheduled to begin. You must personally call in sick unless it is physically impossible for you to do so.

Time may be taken as weekly periods, individual days or in one hour increments as long as the periods chosen meet with your supervisor's approval. All employees should submit a vacation request to their supervisor at least two weeks prior to the date they wish their vacation to begin.

Your supervisor reserves the discretion to grant or deny vacation requests according to workload and business considerations. In the event of conflicts, vacation will be granted on the basis of "first come, first serve."

Employees who have terminated employment with Tuscarora Township will receive compensation for all accrued but unused vacation pay, provided they provide the Township with two weeks' notice of their resignation. Compensation will be at the employee's present wage or salary at the time of termination.

5.12 Jury Duty Leave

A regular, full-time employee who is called on to serve and does serve on jury duty shall be paid the difference between the employee's regular wage and jury duty pay received from the court, excluding mileage and travel fees. The employee should provide the payroll clerk with verification of any pay received from the court. An employee who works the day shift and is excused from jury duty by noon is expected to return to work at the Township; although an employee's combined hours of work and jury duty should not exceed eight hours for that day.

5.13 Holidays

Tuscarora Township observes the paid holidays listed below. You will be permitted to take these days off and will be paid for eight (8) hours at your regular straight time pay. Holidays will not be counted as hours worked for overtime computation purposes. When a holiday falls on a Saturday, it will generally be observed on the preceding Friday. When a holiday falls on a Sunday, it will generally be observed on the following Monday. The Township reserves the discretion, however, to close on another day or grant alternate time off.

An employee must work the day before and/or the day after the holiday in order to be paid for the holiday, unless that day falls on a Saturday or Sunday or regularly scheduled non-workday. In lieu of working, an employee can schedule a vacation day and still receive holiday pay.

Seasonal Employees will be paid for holidays that occur during their normal work schedule. Seasonal Employees are not paid for holidays that occur during a "lay off" period.

The following days are recognized as holidays:

January 1

Memorial Day

July 4

Labor day

Thanksgiving Day and the day after (Friday)

Christmas Day

Employees who have terminated employment with Tuscarora Township will receive compensation for all accrued but unused vacation pay, provided they provide the Township with two weeks' notice of their resignation. Compensation will be at the employee's present wage or salary at the time of termination.

5.14 Paydays

You will be paid on Thursdays on a bi-weekly basis for the previous two-week period that begins with the normal workweek schedule (Sunday through Friday) Paychecks are electronically deposited into your bank account on a bi-weekly basis. If a payday falls on a weekend or holiday, paychecks will be deposited on the last workday before the weekend or holiday.

5.15 Substance Abuse Policy

Tuscarora Township demands a drug-free, safe and secure work environment for our employees. To ensure a safe and efficient workplace, Tuscarora Township will strictly enforce the following rules:

- No employee shall possess, distribute, use or be impaired by alcohol or unlawful controlled substances on Township property, while on Township business, or during working hours, including rest and meal periods.
- No employee shall possess, distribute, use, be impaired by, or have in his bodily system, unlawful controlled substances on Township property, while on Township business, or during working hours, including rest and meal periods.
- No employee shall be impaired by lawfully prescribed controlled substances while on Township property, on Township business, or during working hours, including rest and meal periods.
- Any employee who violates any of these rules may be disciplined up to and including discharge.
- "Unlawful controlled substances" are those substances that are illegal to sell or possess; "legal prohibited drugs" are any prescription or non-prescription drugs that may impair working ability. An employee who is taking a legal prohibited drug must notify his or her supervisor if its use is expected to adversely affect the employee's performance of the essential functions of the employee's job.
- Cannabis use is prohibited in the workplace. Further, being under the influence of Cannabis while in the workplace is prohibited.

Employees have a duty to know if the legal prescription or non-prescription drugs they are taking may impair working ability.

5.16 Policy Prohibiting Harassment and Discrimination

Tuscarora Township strives to maintain a pleasant working environment for all of our employees free from intimidation, humiliation, and insult. Harassment on the basis of any lawfully protected characteristic, which includes race, color, religion, gender, sex, pregnancy, national origin, age, disability, height, weight and marital status, will not be tolerated. To that end, the Township's policy is to take prompt corrective action to stop unwelcomed behavior before it rises to a level of a violation of state or federal law.

Harassment is defined as verbal or physical conduct or communication when:

- Submission to the conduct or communication is made either an explicit or implicit term or condition of employment;
- Submission to or rejection of the conduct or communication by an individual is used as a basis for an employment decision affecting that individual; or the conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile or offensive work environment.

Examples of prohibited sexual harassment include, but are not limited to: unwelcome sexual advances; requests for sexual favors and other verbal abuse of sexual nature; graphic verbal commentary about an individual's body, sexual prowess or sexual deficiency; sexually degrading, lewd, or vulgar words to describe an individual; leering; pinching or touching a private area of the body; displaying sexual suggestive objects, pictures, posters or cartoons. Examples of prohibited harassment based on characteristics other than sex include, but are not limited to, insults based on a protected characteristic, verbal, written, graphic or physical conduct or communication degrading or hostile to a person based on a protected characteristic.

Individuals who believe that he or she has been subjected to conduct by another individual in violation of this policy shall report the incident to the Township Supervisor. The Township Supervisor or his or her designee shall immediately investigate the complaint. The Township strictly prohibits retaliation against an individual who has registered a complaint under this policy.

5.17 Reporting a Violation

If an employee believes that a violation of this policy has occurred, the employee has an obligation to report the alleged violation immediately, preferably within 48 hours, to their Department Manager or to the Township Supervisor. While there is no requirement that the incident be reported in writing, a written report that details the nature of the harassment, dates, times and other persons present when the harassment occurred will enable the Township to take effective, timely and constructive action. An investigation of all complaints will begin promptly.

5.18 Investigation

After notification of the complaint, an investigation will be initiated to gather relevant facts about the complaint. An investigation may include interviews of possible witnesses including the person claiming the harassment occurred, and the person or persons claimed to be involved in or witnesses to the harassment.

The Township will conduct all investigations as confidentially and objectively as possible, to the extent consistent with thorough investigation and appropriate corrective action.

5.19 Resolution

After the investigation has been completed, a determination will be made regarding the appropriate resolution of the matter. The determination will be reported to the employee who was allegedly subjected to harassment. If the investigation establishes that harassment or other inappropriate behavior has occurred, immediate and appropriate corrective action, up to and including termination of employment, will be taken to stop the harassment and prevent its recurrence. Misconduct, including unprofessional or harassing conduct or behavior, will be dealt with appropriately. Responsive action would be at the Township's discretion and could include but would not be limited to the following: counseling, warning, demotion, suspension, reprimand, and decrease in pay, reassignment, transfer, or termination of employment.

5.20 No Retaliation

The Township will not tolerate retaliation against any employee or other person who in good faith reports a violation or perceived violation of this policy, or retaliation against any employee or other person who participates in any investigation as a witness or otherwise. Retaliation is a serious violation of this policy and is subject to the investigation and corrective measures described in this policy. Any acts of retaliation must be promptly reported to your immediate Supervisor or to the Township Supervisor.

5.21 Political Activity

No Township employee shall participate in activities that advocate for or against any political campaign, referendum, or recall while on duty.

No Township employee shall display political posters, bumper stickers or other political items on Township vehicles or Township property at any time, or while representing the Township.

5.22 Employee Social Media Use Policy

PURPOSE

To prohibit the inappropriate use of electronic communication systems, media imaging systems, networks, devices, and equipment and dissemination of inappropriate information, images, recordings, photographs or other materials by township personnel. This includes the use of social media. Social media is broadly defined as internet-based communications technology that provides immediacy, interactivity and the sharing of information across multiple platforms.

The township allows the use of social media, where appropriate, to further the goals and missions of the township. However, the township has an overriding interest and expectation in deciding what is “spoken” on behalf of the township through social media. This policy establishes guidelines for the use of social media by township Employees.

APPLICABILITY

This policy applies to all township Employees and approved volunteers, consultants, service providers and contractors performing business on behalf of township (“Employees”).

POLICY

It is the policy of the township that all individuals identified in the above paragraph abide by the policy set forth herein when using township information systems, which are defined as: computers and the services of both internal and external databases and information exchange networks, the internet, email, voice mail, mobile data terminals, facsimile machines, mobile telephones, lap top computers and social media (“Information Systems”).

Communications sent by email may be subject to disclosure under the Freedom of Information Act or in litigation. No Employee shall have any expectation of privacy with regard to any information transmitted or stored on the township’s Information Systems.

PROCEDURE

Transmission of electronic messages and information on communications media provided for Employees of the township shall be treated with the same degree of propriety, professionalism and confidentiality as official written correspondence or public records.

The township encourages authorized and trained personnel with access to township Information Systems to utilize these devices whenever necessary. However, all Information Systems are the property of the township and use of any of these Information Systems is a privilege that is subject to revocation. Information Systems are intended for use in conducting official township business with limited exceptions noted in this policy

Employees are advised that they do not maintain any right to privacy or ownership in Information Systems equipment or its contents or to include or install personally owned software.

The township's administration reserves the right to access any of the records within the Information Systems at any time and to retain or dispose of those records as it deems necessary and appropriate, and may require employees to provide passwords to files that have been encrypted or password protected.

The township reserves the right to access, for quality control purposes and/or for violations of this policy, data, electronic and voice transmissions of Employees conducting business in the township.

Personal and/or private use of township Information Systems to access social media sites is prohibited.

Accessing or transmitting materials from township Information Systems that involve the use of obscene language, images, jokes, sexually explicit materials, or messages that disparage or threaten the township, any person, group, or classification of individuals is prohibited regardless of whether the recipient has consented to or requested such materials. Nothing herein is intended to interfere with an employee's right to protected activity under the Public Employment Relations Act or with an employee's right to freedom of expression under the Michigan and United States Constitutions.

PERSONAL POSTING GUIDELINES FOR PERSONNEL

Any such postings must be made on personal equipment and on personal time. If the personal posting relates to the Township in any way, it must include the following disclaimer: "This posting represents my own views and does not represent the Township's position or opinion in any way." Posting may not include any confidential information or any personal information about any Personnel.

The Township's conduct rules, including those that prohibit discrimination, harassment, and threats of violence, apply to social media activity. Personnel must be respectful to others involved with the Township. For example, prohibited activity includes statements, photographs, videos, or audios that could be viewed as malicious, obscene, threatening, or intimidating, or that could be viewed as disparaging Personnel or other individuals involved with the Township, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or other status protected by law or Township policy. Nothing herein is intended to interfere with an employee's right to protected activity under the Public Employment Relations Act or with an employee's right to freedom of expression under the Michigan and United States Constitutions.

DISCIPLINE

Any violation of this policy may result in disciplinary action up to and including termination.

5.23 Carrying & Securing Concealed Pistol

PURPOSE

1) To prohibit non-law enforcement employees from carrying a concealed pistol while representing Tuscarora Township.

DEFINITION

1) The definition of a concealed pistol is any pistol that is required to be licensed under the current CPL law.

PROCEDURE

1) Employees licensed under the CPL law shall NOT carry a pistol while representing Tuscarora Township in any capacity to include meetings, trainings, or while occupying any Tuscarora Township property or sponsored event.

2) If any employee is responding from their place of residence, the employee shall secure their pistol prior to representing Tuscarora Township in any capacity to include meetings, trainings, or while occupying any Tuscarora Township property or sponsored event. If responding from a location other than their residence, the employee shall secure the pistol in their vehicle prior to representing Tuscarora Township.

5.24 Disciplinary Actions Procedures

These rules governing personal conduct are intended to promote the orderly and efficient operation of Tuscarora Township as well as protect the rights of all our employees. The following conduct is prohibited and will not be tolerated by Tuscarora Township. This list is for illustration purposes only. Other types of conduct that may jeopardize the personal safety, security or welfare of Tuscarora Township or its employees may also be prohibited. This list is not intended to modify your at-will employment relationship.

- Consuming, possessing, reporting to work under the influence of, or working under the influence of "controlled substances" or alcoholic beverages or other narcotics.
- Theft, deliberate or careless damage of any property of Tuscarora Township or the property of any employee.
- Deliberate destruction of any property of Tuscarora Township or the property of any employee.
- Unauthorized use of property, equipment or facilities of Tuscarora Township.
- Unauthorized use of telephones or computers for personal use during working hours or use or possession of another employee's personal equipment or possessions without employee's consent; removal of any property or records from the premises of Tuscarora Township without permission of management personnel.
- Insubordination or refusal to obey or willful failure to carry out verbal or written instructions of supervisory personnel.
- Provoking a fight or fighting during working hours at any time on the property of Tuscarora Township
- Carrying firearms or any other dangerous weapons at any time on township property, even if carried pursuant to a concealed weapons permit.

- Engaging in conduct detrimental to the Township's reputation.
- Falsifying or omitting pertinent information from records or revealing confidential information to unauthorized persons.
- Dress or appearance inappropriate to the business of Tuscarora Township
- Unlawful harassment or unprofessional behavior.
- Attendance problems or failure to observe working schedule including lunch and rest periods.
- Abuse of paid time off.
- Failure to provide a physician's certificate when requested to do so.
- Refusal or failure to follow township policies.
- Providing preferential treatment to vendors or failure to follow township purchasing policy.

5.25 Disciplinary Actions

Disciplinary action may include one or more of the following:

- Verbal Warning. Verbal warnings should be documented and placed in the employee's personnel file.
- Written Warning. Employees should receive a copy of any written warning. One copy of the warning should be placed in the employee's personnel file.
- Probation. Probation is a period during which an employee will be expected to achieve certain goals or meet certain performance expectations.
- Demotion. Demotion is the placement of an employee into a lower-level position, usually with a lower level of pay.
- Suspension. Suspension is time away from work with or without pay at the Board's discretion, for a specified duration, not to exceed five working days.

5.26 Termination of Employment

Employment with the Township is "at will". Both the employee and the Township are free to terminate employment relationships for any reasons, with or without advance notice.

Whenever an employee leaves the Township, your supervisor must be noticed at the earliest possible moment.

The Township seeks to ensure that all employees who are terminated are treated fairly and consistently. Termination is defined as any action that concludes the employee/employer relationship.

5.27 Employee-initiated Termination

Employees who desire to leave the Township are expected to give at least fourteen calendar days' notice in writing. An employee shall be paid earned salary to the date on which employment terminates.

Employees who do not report to work or call in to their manager for three consecutive days, or who do not return at the end of an authorized leave of absence, shall be deemed to have voluntarily resigned without notice.

5.28 Resignation Procedures

- Employee submits a written resignation for the personnel file
- The employee must return all keys
- The employee must return this Handbook

5.29 Township-initiated Termination

There are three reasons for which the Township may terminate an employee. These reasons include but are not limited to:

- **Separation for Business Reasons (other than for cause):** The Township will try to give as much advance notice as is possible to employees separated for business reasons other than Cause. Such reasons might include, but are not limited to, reorganization, budgetary cut back, lack of work, suspension of business or merger or sale of a business unit.
- **Separation for Performance:** Employees who have not met performance standards will be given two weeks advance notice of termination. The employee's manager has the discretion to authorize two weeks pay in lieu of notice.
- **Separation for Cause:** Employees separated for cause shall be terminated without advance notice. Separation for cause is justified if, for example, employment is terminated for theft, embezzlement, or common law fraud committed against the Township; conviction of a felony involving moral turpitude; material breach by employee of any obligation the employee may have with respect to confidential information, or material breach by the employee of any other obligation to the Township. All employees whose employment has been terminated shall be paid for all time worked up to and including the date of termination. This includes all accrued vacation, if applicable, as of the last day of employment.

5.30 Employee Grievance Procedure

It is the policy of the Township to afford all employees a means of obtaining further consideration of a problem that remains unresolved at the supervisory level and to establish procedures that provide for timely resolution of unresolved problems. However, this grievance procedure shall not apply to appeals taken by employees following disciplinary action..

A “grievance” shall mean a complaint by an employee with respect to the Township’s interpretation or application of the provisions of this Manual and other job-related actions.

STEP ONE: An employee wishing to discuss a problem must approach the employee’s Department Head or the Township Supervisor within five working days following the action initiating the complaint and attempt to settle the difference on an informal basis. It is the employee’s responsibility to assure that the employee’s Department Head or the Township Supervisor is aware of the nature and seriousness of the problem. Every reasonable effort should be made to satisfactorily settle the complaint in this manner.

STEP TWO: If the problem is not satisfactorily resolved through the oral procedure, the employee may reduce the problem to writing with all the facts outlined and present it to the immediate Department Head or the Township Supervisor within five working days after the oral discussion. The Department Head or the Township Supervisor will have five working days in which to give the employee a written response.

STEP THREE: If the problem is not resolved to the employee’s satisfaction, the employee may ask for a hearing with the Personnel Committee. In the event there is no current Personnel Committee, the Township Supervisor, Township Clerk, and Township Treasurer will serve as the committee. The Personnel Committee will review the employee’s written grievance and the written response from the Department Head or the Township Supervisor. When meeting with the Personnel Committee, the employee shall describe the problem and give the reasons for not accepting the response in Step Two. The employee shall describe in

writing the remedy the employee is seeking. Employee shall have all rights under the Open Meetings Act and state law.

The Personnel Committee will then meet with the Department Head or the Township Supervisor. If there is no agreement among the employee, the Township Manager, and the Personnel Committee on a solution to the grievance, the Personnel Committee will refer the matter to the Township Board for the decision. The Township Board will consider the problem at the next regular Township Board meeting. The Township Board's decision will be the final and official ruling of the Township.

If an employee fails to timely initiate and advance a complaint within this procedure, the employee waives any objection concerning the matter.

The Township, its elected officials, its employees, and its Township Board shall not take punitive action against an employee for utilizing the grievance procedure outlined above.

5.31 Limitations Period

As a condition of employment, employees agree not to commence any action, claim, or suit relating to their employment with Tuscarora Township more than 182 calendar days after the date the employee knew or should have known that a claim existed or later than the applicable limitations period established by statute, whichever is less.

5.32 Amendments

Tuscarora Township reserves the right and the discretion to amend, delete, or change benefits, compensation and policies in the sole discretion of the Township except that the at-will employment status may be amended only as explained in the "Terms of Employment" policy. For this reason, the Handbook is in loose-leaf format. Update your Handbook, as necessary, by placing new sheets in the Handbook and removing superseded or deleted sheets. Changes are effective as of the date of their occurrence. Only the Tuscarora Township Board, in writing signed by the Board, has the authority to enter into any agreement contrary to the terms of this Handbook

Acknowledgment

I acknowledge that I have received this Handbook. I understand that I am responsible for reading and understanding it. I agree to be bound by the policies and procedures described in this handbook and in consideration for my employment, I agree to follow them.

DATE

Signature