

GRATIOT COUNTY

NON-ECONOMIC PERSONNEL MANUAL

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I.

SCOPE, PURPOSE AND INTENT

SECTION 1. PURPOSE AND INTENT:

The purpose of this policy manual is to act as a guideline for informational purposes as to the policies and procedures that the Employer intends to utilize. This document is not to be construed as creating a contract between the County of Gratiot and its employees. The procedures and policies outlined in this booklet may be added to, expanded, modified or deleted, and any such changes shall be solely within the discretion of the Board of Commissioners. It is the intent of the Employer to provide prior notice of such changes or modifications, if any, to the employees affected. All rights and powers vested in the Employer shall not in any way whatsoever be reduced by these policies.

Just as any employee may resign at any time for any reason, the County reserves the right to terminate an employee with or without cause, and with or without notice, at any time, subject only to the procedures within any applicable collective bargaining agreement. The county/employee relationship is one of employment at will and no representative of the County has authority to enter into any agreement for employment for any period of time or to make any agreement contrary to the foregoing. An employee cannot rely upon custom or prior practice. The fact that these policies may have been applied differently in the past does not affect their current or future enforcement.

The County of Gratiot will comply with any State and Federal employment law in force that is not specifically addressed within these Personnel Policies.

SECTION 2. COVERAGE OF THE PERSONNEL POLICIES:

Coverage: These policies apply to all employees of the County of Gratiot, including employees in recognized bargaining units that are represented by certified collective bargaining unit representatives, except where a conflict exists between these personnel policies and an express provision of an applicable collective bargaining unit agreement, the collective bargaining agreement shall be deemed to prevail over the provisions of these policies. Individuals working in the offices of the County Treasurer, County Clerk, Register of Deeds, Prosecutor, Sheriff, Drain Commissioner and the Courts are subject to these policies if the appropriated elected official or Chief Judge has agreed, in whole or in part, to these policies through a written notification to the Board of Commissioners. Further, this Non-Union Benefits Manual is not applicable to any elected county positions.

SECTION 3. DEVELOPMENT OF POLICIES:

The rules set forth herein supersede any rules previously adopted by the Gratiot County Board of Commissioners. Policies concerning personnel practices affecting all employees within the County shall be approved by the Board of Commissioners. Such policies shall be subject to review and revision by the Board of Commissioners in consultation with Department Heads. It shall be the duty of the Department Heads to maintain an up-date file on all employees. It shall be the duty of the County Administrator to notify Department Heads of all amendments made to the personnel policies. Each Department Head shall be responsible for applying the personnel policies insofar as they affect the employees in their department. No person or representative of the Employer, other than the County Board of Commissioners, has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the provisions contained herein. The policies included in this Personnel Manual supersede, replace and control any prior Personnel Manuals, or contradictory policies, representations, contracts, or practices. Policies and other Board resolutions adopted by the Board of Commissioners after the approval of this Personnel Manual shall supersede, replace and control this Personnel Manual, or contradictory policies, representations, contracts, or practices.

II.

EMPLOYMENT PRACTICES

SECTION 1. EQUAL EMPLOYMENT OPPORTUNITY POLICY:

It is the policy of the Gratiot County Board of Commissioners to provide equal employment opportunities to qualified persons without regard to race, creed, color, sex, age, national origin, religion, marital status, height, weight, disability, genetic information, or any other protected status. Disabled employees who feel accommodation is needed to perform their job must notify their Department Head in writing of the need for reasonable accommodation within 182 days after the date the employee knew or reasonably should have known that an accommodation was needed. Failure to properly notify Gratiot County will preclude any claim that Gratiot County failed to accommodate the disabled employee. Gratiot County will make accommodations that do not pose an undue hardship to the County.

SECTION 2. POLICY AGAINST HARASSMENT IN THE WORKPLACE:

Gratiot County is committed to providing a work environment where all employees are treated with dignity and respect. Harassment in the workplace based upon race, creed, color, sex, age, national origin, religion, marital status, height, weight, disability, or any other protected status will not be tolerated, whether committed by or directed toward co-workers, supervisors, vendors/consultants, or those persons receiving services from the County. Harassment of others in the workplace is destructive to a good working relationship and is counterproductive to the County's goal of providing outstanding services to the public. Therefore, it is every employee's responsibility to ensure that Gratiot County maintains a fair and effective work environment that is free from harassment. If you have questions concerning this policy, please contact the County Administrator.

A. Sexual Harassment Defined. Gratiot County's equal employment opportunity policy against discrimination and harassment prohibited by law includes a prohibition against sexual harassment. The law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when either:

1. Submission to or rejection of such conduct or communication is made explicitly or implicitly a term or a condition of an individual's employment; OR
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in employment decisions affecting the individual; OR
3. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile or offensive employment environment. This includes, but is not limited to:

- a. Sexually-oriented jokes, gestures, noises, remarks or comments about a person's sexuality or sexual experience directed at or made in the presence of an employee;
- b. Sexual or discriminatory displays or publications; and
- c. Retaliation for sexual harassment complaints.

The foregoing policies require that each individual exhibit, in his or her conduct and communications, sound judgment and respect for the feelings and sensibilities of each employee. The prohibited conduct may be in the form of a sexual advance, but may also be in the form of less direct verbal or non-verbal behavior. Behavior may be unwelcome even if it is not intended or perceived as such by the person engaged in it. The following are some examples of possible sexual harassment:

- Verbal sexual comments, innuendos, slurs or jokes.
- Non-verbal sexual gestures, leering or staring.
- Visual displaying sexual pictures, writings, or objects.
- Physically inappropriate touching or blocking someone's movement.
- Threats, threatening or insinuating reprisal for refusing sexual demands or conduct.

B. Other Discriminatory Harassment. Other forms of harassment are also prohibited. Verbal or non-verbal conduct that exhibits hostility or disrespect toward an individual or group because of race, religion, national origin, color, gender, age, marital status, height, weight, disability or any other protected classifications will not be tolerated. As with sexual harassment, behavior of this kind may take a number of forms including, but not limited to oral or written communications, the display of printed or graphic material, slurs, gestures, jokes and physical acts.

C. What You Should Do If You Believe You Have Been Harassed. You may, but are not required to, speak with the offending individual directly and inform the offending individual that the behavior in question is unwelcome and must be stopped. It is the policy of Gratiot County that any employee who in good faith believes he or she has been subjected to illegal discrimination or harassment prohibited by law, or who believes in good faith he or she has observed discrimination or harassment prohibited by law, must report that fact immediately in writing to:

1. The individual's Department Head/Elected Official; or
2. If the individual does not feel comfortable with his/her Department Head/Elected Official, the individual should feel free to bypass such individual and file a written complaint with the County Administrator.

If an employee has any questions regarding the reporting of such matters, he or she should contact the County Administrator.

D. What You Should Do If You Believe Another Employee Is Being Harassed. If an employee observes or has knowledge of an incident of harassment

involving other employees, he or she should immediately file a written complaint with their Department Head/Elected Official or the County Administrator. If you are a supervisor, you have a responsibility to maintain a work environment that is free from unlawful harassment and must report, in writing, any observed or reported incident of harassment involving other employees immediately to your Department Head/Elected Official or the County Administrator.

E. How Complaints of Harassment Will Be Handled.

INVESTIGATION: The County will promptly conduct a thorough and impartial investigation of any complaint or report of harassment.

CONFIDENTIALITY: To the extent possible, the County's investigation will be conducted in a manner calculated to protect the privacy of the individuals involved, and the confidentiality of the complainant.

DISCIPLINARY ACTION: If the investigation reveals that harassment has occurred, disciplinary action up to and including discharge will be taken. The nature of the discipline will depend upon the circumstances of each case. Again, all complaints and the actions taken to resolve such complaints will be treated confidentially and will be disclosed only when necessary to the investigation and a resolution of the matter. However, no employee is promised strict or absolute confidentiality. If an investigation of the complaint of harassment or unlawful discrimination reveals that the complaint was not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information.

F. Protection Against Retaliation. If a report of discrimination or harassment prohibited by law is made in good faith, the County will protect the reporting individual from retaliation or any other detrimental impact on his or her employment. Disciplinary action, up to and including discharge, will be taken against anyone who attempts such retaliation. Employees who become aware of complaints or investigations of harassment are expected to refrain from unnecessary and unprofessional discussions with coworkers concerning the individuals involved; as such discussions may themselves be a form of retaliation or harassment.

SECTION 3. SOCIAL SECURITY NUMBER PRIVACY POLICY:

A. Purpose. Michigan's Social Security Number Privacy Act ("SSNPA") prohibits a local governmental agency or department from publicly displaying all or more than 4 sequential digits of an individual's social security number. This prohibition does not apply to a use of all or more than 4 sequential digits of an individual's social security number that is authorized or required by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery or process. It may be necessary for the County of Gratiot to obtain social security numbers in the ordinary course of business and in accordance with the law. Based upon this, and pursuant to the

Michigan Social Security Number Privacy Act, being MCL 445.81, et seq., it is the policy of the County of Gratiot to protect the confidentiality of social security numbers to the fullest extent practicable. No person shall knowingly acquire, disclose, transfer, or use the social security number of any employee or other individual unless in accordance with the procedures and rules established by this policy and pursuant to Federal and State law.

B. Definitions. "Publicly display" means to exhibit, hold up, post, or make visible or set out for open view, including, but not limited to, open view on a computer device, computer network, website, or other electronic medium or device, to members of the public or in a public manner.

C. Policy.

1. Public Display. Social security numbers shall not be placed on identification cards, badges, time cards, employee rosters, bulletin boards, or any other materials or documents designed for public display.

2. Access to Social Security Numbers. Only persons authorized by the department head or Elected Official shall have access to social security numbers.

3. Mailed or Transmitted Documents. County documents containing social security numbers shall only be sent in cases where state or federal law, rule, regulation, or court order or rule authorizes, permits, or requires that social security numbers appear in the document. Documents containing social security numbers that are sent through the mail shall not reveal the number through the envelope window or otherwise be visible from outside of the envelope or package. Social security numbers shall not be sent through email unless the connection is secure or the number is encrypted. No person shall be required to send his or her social security number through email unless the connection is secure or the number is encrypted.

4. Public Records. Where a social security number is contained within a document subject to release under the Freedom of Information Act, the social security number shall be redacted.

5. Storage and Disposal. All documents or files that contain social security numbers shall be stored in a physically secure manner. Social security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access. Documents or other materials containing social security numbers shall not be thrown away in the trash; they shall be discarded or destroyed only in a manner that protects their confidentiality, such as shredding.

6. Information Collected. Social security numbers should only be collected where required by federal or state law or otherwise permitted under the Michigan Social Security Number Privacy Act.

7. **Accountability.** Any person who fails to comply with this policy shall be subject to discipline, up to and including discharge.

8. **Accordance with the Law.** This policy shall be interpreted, and construed in accordance, with the Michigan Social Security Number Privacy Act.

D. Administrative Procedures. Each Elected Official and Department Head shall develop any administrative procedures necessary in order to comply with this policy and the Michigan Social Security Number Privacy Act, being MCL 445.81, et seq.

E. Any employee, who knowingly obtains, uses or discloses Social Security numbers for unlawful purposes or contrary to the requirements of this Privacy Policy shall be subject to discipline up to and including discharge. Additionally, certain violations of the Act carry criminal and/or civil sanctions. The County will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains uses or discloses Social Security numbers through the County for unlawful purposes.

SECTION 4. PERSONNEL RECORDS:

Personnel records include information on initial employment or re-employment, professional credentials, salary increases, promotions, demotions, disciplinary actions and other pertinent employment information and shall be maintained as herein. The County Administrator shall be responsible for the implementation of this Personnel records policy, and concerns relating to its implementation should be directed to the Administrator or his or her designee.

A. Policy. The centralized personnel records of all Gratiot County employees shall be the responsibility of the County Administrator. The responsibility of establishing and maintaining the personnel files has been assigned to the Personnel/Payroll Office and will be in compliance with the Bullard-Plawecki Employee Right to Know Act (Act 397 of the Public Acts of 1978; hereinafter referred to as the "Act").

1. **Personnel Director.** The Personnel Director shall have responsibility for establishing, maintaining, and coordinating all necessary personnel records. The Personnel Director shall advise and assist department heads on all personnel transactions and records systems and procedures.

2. **Department Heads.** Department heads shall initiate and process personnel transactions affecting their employees in accordance with established systems and procedures.

3. **Record Review.** Employees are encouraged to review their personnel files in the Personnel/Payroll Office periodically to insure that data such as beneficiaries, dependents, addresses, and other data are current.

4. Confidentiality. The Personnel files will be maintained and stored to ensure safety and confidentiality. Access will be available to officials/managers who have a business reason to see the file and an employee shall have the right to review his/her own file twice annually in accordance with Section Three (3) of the Employee Right to Know Act. An employee may obtain copies of documents in his/her file in accordance with Section Four (4) of the Act.

5. Employee Right. In accordance with the Employee Right to Know Act, employees have the right to place rebuttals to disciplinary action in their file. The provisions of the Act will be followed in all cases.

6. Statutory Requirements. Several State Statutes affect the contents of employee files and the availability of data in the files to the general public and the employee on who the file is maintained. Some of these statutes are the above referenced Bullard-Plawecki Employee Right to Know Act, and The Michigan Freedom of Information Act (Act 442 of the Public Acts of 1976). Officials and department heads should be familiar with these Acts. When in doubt about access to a file, check with County Civil Counsel.

B. Contents of Personnel Files. The personnel files shall contain copies of all documents affecting payroll and benefits including but not limited to such as forms pertaining to enrollment in health insurance, dental insurance, and life insurance; MERS membership; change of beneficiary, withholding certificates; changes in marital status; notices of promotion, transfer or demotion; etc. The file will contain the original employment application and resume if applicable. Letters of appreciation, reprimand or discipline will be kept on file as will employee performance evaluations. In accordance with the Bullard-Plawecki Employee Right to Know Act, the following documents will not be kept in the personnel file:

1. Employee references supplied to an employer if the identity of the person making the reference would be disclosed.
2. Materials relating to the employer's staff planning with respect to more than one employee, including salary increases, management bonus plans, promotions, and job assignments.
3. Medical reports and records made or obtained by the employer if the records or reports are available to the employee from the doctor or medical facility involved.
4. Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
5. Information that is kept separately from other records and that relates to an investigation by the employer pursuant to Section Nine of

the Act.

6. Records limited to complaint investigations which are kept separately and are not used for the purposes provided in Section One of the Act.
7. Records kept by an executive, administrative, or professional employee that are kept in the sole possession of the maker of the record, and are not accessible or shared with other persons. However, a record concerning an occurrence or fact about an employee kept pursuant to this subparagraph may be entered into a personnel record if entered not more than six (6) months after the date of the occurrence or the date the fact becomes known.

SECTION 5. RECOVERY OF OVERPAYMENTS:

All employees should routinely examine each paycheck received in a timely manner to ensure that proper payment has been made. If an employee believes an improper overpayment has been made, he/she should immediately contact his/her supervisor, Department Head/Elected Official, the County Administrator, or Payroll.

SECTION 6. CHANGE OF NAME, ADDRESS, PHONE NUMBER, DIVORCE, MARRIAGE, ETC:

If an employee changes their name, phone number, address, marries, divorces, or has children, the employee's supervisor must be notified as soon as possible (and within 30 days) so that records and insurances may be adjusted. It is the employee's responsibility to keep their supervisor up to date regarding these matters.

SECTION 7. RECRUITMENT, SELECTION AND APPOINTMENT:

A. Equal Opportunity and ADA Statement. Selection for employment with the County of Gratiot will be through open competition. The selection process will stress ability and subscribe to the principles of Equal Opportunity Employment. Race, color, creed, country of origin, ancestry, sex, age, height, weight, marital status, physical disability, political affiliation, or other factors not pertinent to performance shall not be considered in recruitment, training, promotion, retention, salary determination, or any other conditions of employment, except in cases where they constitute a bona fide occupational qualification. Any employee or applicant that is in need of accommodations for a handicap covered under the law shall report this need of accommodations to the Department Head, who shall then act upon the request as required by state and federal law.

B. Recruitment. Recruitment shall be conducted based on current and projected staff needs. The recruiting efforts will be directed by the Elected Official/Department Head. Approval of the Board of Commissioners is needed when it is

a new position. Recruitment will be tailored to the various classifications of positions to be filled and will be directed to appropriate sources of applicants in order to attract an adequate number of candidates for consideration. Recruiting publicity will be carried out as deemed appropriate by the Department Head. This may include use of appropriate media. Publicity will indicate that the County of Gratiot is “an equal opportunity employer.” All regular vacancies also shall be posted within the department.

C. Applications. Each applicant shall be required to complete an application form and/or resume. These applications/resumes will be considered active for six months only, unless renewed by the applicant. Current Gratiot County employees wishing to be considered for an opening must also complete an application/resume.

D. Employee Selection and Processing. Selected applicants will be interviewed by the Department Head. Each candidate for employment in a regular position shall be required to show proof he/she is authorized to work in the United States of America.

References will be checked by the Department Head or his/her designate. The final hiring decision will be made by the Elected Official or Department Head/County Administrator based on test results (if applicable), interview results and the recommendation by the Department Head, except in the case of employees working for County elected officials (Sheriff, Treasurer, Clerk, Register of Deeds, Drain Commissioner, Prosecutor, Circuit Court and District Court) where the final decision will be by the elected official. Upon the discretion of the Department Head or Board Committee, employees may be requested to be examined by a physician approved by the County (at the expense of the County). If an examination is determined to be necessary, this examination will be given prior to placing the employee on the payroll. Candidates for employment may be subject to criminal background/history checks in accordance with the law.

SECTION 8. BACKGROUND CHECKS AND DISCLOSING CERTAIN CRIMINAL INFORMATION:

All employees shall fully disclose to their supervisor any criminal felony or work-related misdemeanor convictions. Any employees who work directly with minors or who will have access to the records of minors who are convicted of a felony or misdemeanor, including expressly any law relating to drugs or other controlled substances, or who are charged with a felony, or are placed on the Child Protective Services Central Registry as a perpetrator, shall notify their supervisor in writing immediately, and in all cases, no later than five (5) days after such conviction, charge, or placement on the Child Protective Services Central Registry. An employee must disclose to the Employer any conviction resulting from such pending charges as described in this Section. However, as required by Federal regulation, employees working with minors must disclose any arrests or charges related to child sexual abuse, child abuse, or child neglect and the disposition of such arrest or charges, and may also be required to certify that no case of child abuse or neglect has been substantiated against them. In every case, employees

in positions that work directly with minors or who will have access to minors' records, shall undergo the background checks and, if they have not resided or lived in Michigan for each of the previous ten (10) years, they must also sign a waiver attesting to the fact that they have not been convicted of a felony or been identified as a perpetrator. The Employer may, at its cost, conduct a criminal history search periodically on all employees when required to ensure compliance with grants, licensing requirements, and performance standards.

SECTION 9. ANTI-NEPOTISM AND ANTI-FRATERNIZATION:

It is the policy of the County to prohibit the hiring of relatives in situations where a relative would be under the direct or general supervision of an elected official, Department Head, supervisor or team leader, or to employ relatives where the status of employment of that person might be influenced by an elected official, Department Head, supervisor or team leader. By adhering to the above policy which prohibits relatives from working in positions where they might have influence over each other's status, or the hiring of those relatives, a potentially discriminatory situation is avoided altogether. Gratiot County realizes that there may be existing relationships among employees which are contrary to this policy. It is the purpose of this policy statement to avoid creating any new situations where relatives are employed in spheres of influence relationships, and not to affect the employment of any relationships that currently exist.

RELATIVE: Parent, foster parent, spouse, child, sibling, grandparent, grandchild, aunt, uncle, cousin, in-law or step relative, or any person with whom the employee has a close personal relationship.

PERSONAL RELATIONSHIP: Relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature.

SPHERES OF INFLUENCE: Scope in which an employee exerts direct or indirect control over another.

ECONOMIC RELATIONSHIP: Fiduciary relationship in which one employee benefits by receiving financial remuneration such as landlord/tenant relationships or business partnerships.

FRATERNIZATION: Relationship of an intimate or romantic nature between a supervisor and his/her subordinates or conduct that creates the appearance of impression that such a relationship exists.

SECTION 10. SEPARATION AND LAYOFF POLICY:

A. Involuntary Termination. Involuntary termination shall be categorized and defined as follows:

- 1. Layoff.** A reduction in the workforce, either temporary or permanent, as defined

Section 10, C, below.

2. Release. The termination of an employee due to the employee's inability to perform his/her job in an appropriate and satisfactory manner. This type of separation will normally occur during the probationary period and be substantiated by performance reports. However, a regular employee may be separated for this reason if misconduct is not the primary reason for the termination and the release is substantiated by performance based criteria of a continuing nature. Probationary employees may be released for any reason.

3. Discharge. Separation for cause such as willful misconduct as defined in the Standards of Conduct Policy.

4. Medical Disability Termination. If substantial medical evidence supported by a physician appointed by the County demonstrates that the employee cannot perform his/her job in a satisfactory manner on a continuing basis, he/she will be considered for medical disability termination. Such termination shall be considered as a last resort after all other options are considered.

B. Retirement. For those employees enrolled in the Michigan Municipal Employees Retirement System (MERS), retirement, including disability retirement, shall be in accordance with the Michigan Municipal Employees Retirement Act (Act 427, P.A. 1984), as amended and Rule XIV of this manual. For those employees enrolled in the Gratiot County Defined Contribution Plan, retirement shall be in accordance with the "A Governmental Money Purchase Plan & Trust Employer Plan Booklet," as published and amended by the ICMA Retirement Corporation.

C. Termination Policies.

1. Causes for Termination of Employment. Policy level employees appointed by elected officials and employees serving at the pleasure of elected officials by statute are considered "at will" employees and can be separated from employment at the discretion of the elected official. All other general non-union employees are considered "at will" employees and can be separated from employment at the discretion of the County Administrator, with the consent of the Chairman of the Board of Commissioners.. Layoff shall be due to a reduction in the workforce as approved by the Board of Commissioners.

2. Voluntary Termination. An employee who intends to resign is expected to give at least two (2) weeks' notice in writing to his/her department head. Professional and managerial employees are expected to give at least four (4) weeks' notice, if possible, as well as an employee filing to retire. No employee will lose any vacation pay or benefits provided herein by failing to give the required notice, however, employees who give less than two (2) weeks' notice will have it documented in their personnel file. Prior to separation, Professional and Managerial employees shall make themselves available to their department to participate in strategic transition planning.

As stated in the Continuous Length of Service Policy, an employee who fails to report to work without proper notification or authorization for three (3) consecutive days will be considered a voluntary termination. (Unless discharge would have been imminent before, during or after the absence, then termination due to discharge may result).

3. Termination. Employees affected by layoff will be given as much notice as possible but not less than two weeks. Employees "released" from Gratiot County service will be given two weeks' notice in writing if possible; however, the probationary period will not be extended beyond 180 days in order to provide probationary employees with two weeks' notice. Termination of an "at will" employee may be without advance written notice. An employee to be discharged for cause will first be given a written notice of discharge prior to ordering the employee to leave his/her work place, if possible. If not possible, a notice of discharge should be confirmed in writing within 24 hours by certified mail. Discharges of employees working under a collective bargaining agreement must be under the provisions of the agreement and all written notifications of discharge must be furnished to the local union representative.

4. Fringe Benefit Termination. If an employee is discharged through Section 10, A, 3 of this policy, all rights to fringe benefits shall be immediately terminated including but not limited to health insurance buyouts and accumulated sick, vacation and personal leave time. Statutory provisions such as COBRA will still apply.

5. Suspension Pending Termination. If discharge is in order, an employee may (at the discretion of the Elected Official or County Administrator) first be suspended for five (5) business days, excluding holidays, without pay. This will allow sufficient time for procedural matters and further investigation if necessary. After five (5) business days, the suspension will be (1) converted to immediate discharge effective the first day of the suspension; (2) changed to a suspension with pay; (3) left to remain as a suspension without pay; or (4) revoked and the employee reinstated with pay for the days not worked.

6. Pre-Termination Process. Once a department head determines involuntary separation is in order, the employee is entitled to a pre- and post-termination hearing; however, the pre-termination process need not amount to a formal hearing. Essentially the hearing should be an initial check against mistaken assumptions and a determination of whether there are reasonable grounds to believe the charges are true and support the proposed action. The employee is entitled to oral or written notice of the charges against him/her, an explanation of the evidence and the opportunity to present his/her side of the story and rebut the charges.

7. Post-Termination Appeals. A non-probationary employee terminated by reason of release, discharge, or medical disability, has the right to appeal the County's action following the provisions contained in the Complaint Procedure Policy. Non-probationary employees terminated because of layoff have the right to appeal the action, but only to challenge the validity of his/her selection for layoff by the Department Head. The employee cannot appeal the County's decision to have a reduction in the

workforce. The administration hearing will be conducted as stipulated in the Complaint Procedure Policy.

C. LAYOFF/RECALL:

1. **Definition.** "Layoff" means a reduction in the working force and includes separations from employment due to lack of funds, lack of work, reorganizations, or other reasons determined by the Employer that results in elimination or reduction in a classification of work or the number of employees.
2. It is within the sole and exclusive discretion of Employer to determine when it is necessary to reduce the number of employees in the work force. Employees shall be laid off within a department by classification. The Employer shall determine, within its sole discretion, what classification of employees within each department shall be laid off. The duties performed by an employee laid off may be reassigned to others including to other employees already working for the County.
3. Layoff shall be by department within classification. The order of layoff shall begin with the employee with the least seniority in the classification affected, provided, however, that the remaining employees, in the judgment of the Official/department head, have the experience, training, and ability necessary to perform the required work.
4. **Recall.** Recall shall be in the inverse order of layoff provided the employee has not lost his/her seniority.
5. The right to recall shall cease by reason of layoff for a period of time equal to the amount of time the employee has County seniority or to a maximum of not more than one (1) year from the date of the employee's layoff, whichever is less. If an employee is rehired after such period, they shall be considered new employees without County or position seniority.
6. **Notice of Recall.** An employee to be recalled from layoff shall be given a minimum of seven (7) calendar days to respond after notice has been sent by certified mail to his/her last known address. An employee who declines recall or who fails to respond as directed within the time allowed, shall be presumed to have resigned and his/her name shall be removed from the seniority list.
7. **Layoff Alternatives.** When Employer deems it necessary to curtail employment through a layoff, it may, in lieu of layoff, reduce the hours of work in the affected department in order to keep the work force intact as nearly as may be practical. Employer may also solicit volunteers for

layoff from employees that are not the least senior, prior to implementing layoffs.

SECTION 11. PERFORMANCE APPRAISALS:

A. Purpose. The appraisal's purpose is to help the supervisor evaluate each employee's performance in an objective, consistent, and uniform manner. It shall be based on job performance and employee qualifications, which shall, in turn, be based upon each position's job description and office/department work standards. Other factors such as personal habits and outside activities that are not work related, etc., will not be considered. The appraisal should be used to encourage better communication between the employee and his/her supervisor.

B. Responsibility. Elected Officials and Department Heads may choose to perform appraisals.

C. Policy. Each employee's performance may be reviewed and appraised several weeks prior to the end of the probationary period and annually thereafter on or about the Second Friday of November. The employee's immediate supervisor shall be responsible for the review which shall consist of two parts: (1) a written appraisal using an approved County form as described in Section D, 5, below, and (2) a discussion of the evaluation with the employee. If the supervisor is not an Official/department head, the report will be reviewed and signed by the appropriate Official/department head in addition to the supervisor.

D. Appraisal Procedures.

- 1. Appraisal Procedure.** Supervisors should be as objective as possible in judging performance according to the appropriate standards, and should use the appraisal interview to discuss strengths, weaknesses, career development potential, and possible advancement opportunities with the employee. Each supervisor should be as positive as circumstances allow. Each appraisal should include actual examples of an employees work performance utilizing specific tasks or projects that were assigned and stating the outcome of the task or project.
- 2. Employee Benefit.** The appraisal should give the employee a clear picture of where he/she stands in terms of performance standards and provide the employee with an opportunity to express disagreement with any points made. Each employee should also be encouraged to seek and receive guidance in improving performance. The employee has the right to review the written appraisal and make written comments concerning all aspects of the appraisal. The employee's comments shall be attached to the appraisal form and both documents placed in the employee's personnel file.

3. Supervisor Guidelines. Each supervisor should use the following guidelines to prepare and conduct the appraisal:

- a. Evaluate each employee on the basis of his/her education, training and experience, and what objectively constitutes adequate performance compared to these factors.
- b. Evaluate each employee on the basis of overall performance since the previous appraisal. Think back over the entire period and avoid giving too much weight to recent events and not enough for events that happened early in the appraisal period. It is beneficial to keep notes during an employee's work with the department.
- c. Try to strike a balance between praise and criticism. Do not be too critical of single, isolated events. Remember that a primary goal of any appraisal is to identify areas of improvement, and excessive praise may defeat that goal.
- d. Plan each appraisal to make it as objective, positive and constructive as possible. The appraisal must be private and confidential. Schedule it far enough in advance to give the employee a chance to prepare himself/herself for a candid discussion.
- e. Use the appraisal process to set goals for improvement during the next rating period and make a note of these goals on the County appraisal form.
- f. Take every opportunity to praise the employee's progress during the rating period, but, do not hesitate to note deficiencies and suggest steps for improvement.

4. Improvement Plans.

- a. Mid-Year Improvement Plan. If a supervisor has concerns about an employee's job performance, the supervisor may place the employee on a mid-year improvement plan prior to the yearly evaluation. The mid-year improvement plan will stay in effect until the next yearly evaluation.
- b. Unsatisfactory Evaluation Improvement Plan. In the event of an unsatisfactory evaluation, the supervisor is required to provide the employee with a written improvement plan, with specific objectives and, when necessary, assist in arranging training to improve the employee's performance. A copy of the improvement plan will be placed with the yearly evaluation and filed in the employee's

personnel file. The improvement plan will be in effect until the next yearly evaluation.

c. Role of Supervisor. It will be the supervisor's responsibility to re-evaluate the employee periodically and immediately prior to the completion date of the written improvement plan.

d. Unsatisfactory Completion of Improvement Plan. If the employee's performance fails to improve in relation to the specific performance objectives of the improvement plan, the employee will receive an unsatisfactory completion of the improvement plan and an unsatisfactory yearly evaluation.

5. Filing and Security of Reports. One copy of completed reports will be given to the employee, one copy will be kept by the Official/department head, and one copy will be filed in the employee's personnel file. The copy in the personnel file will be kept in a sealed envelope marked "CONFIDENTIAL."

6. Forms. Each Department Head or Elected Official is responsible for creating and using their own forms to reflect the unique nature of their departmental operations. Copies of all forms should be filed with the Administrator's Office and are subject to County legal counsel review and consent before use.

III.

WORKING CONDITIONS

SECTION 1. SAFETY AND ACCIDENTS:

A. Gratiot County employees are expected to perform their duties in a safe manner for their and others protection. If an employee has a question on the safest way to do a job or has suggestions on improved employment/employee safety the Department Head or County Administrator should be contacted. The County welcomes suggestions and ideas from employees which would improve employee health and safety, eliminate hazardous conditions and contribute to a more productive work environment for the benefit of employees and the public.

The following safety policies will be followed by all County employees:

1. A coordinated continuing safety program will be developed and implemented by the County. Safety will take precedence over expediency or shortcuts.
2. Accident prevention is a prime function of management of safe and healthful working conditions.
3. Supervisory personnel will be accountable for the safety of all employees working under their supervision.
4. The Administrator has been designated to coordinate and administer the safety program. The safety program will have the complete and wholehearted support of all management and supervisory personnel.
5. The County intends to comply with all safety laws and ordinances and every attempt will be made to reduce the possibility of accidents occurrence. Safety of employee, the public and the County's operations will be paramount.
6. The County will attempt to maintain working conditions that provide employees a reasonable degree of comfort, protect employees from injury or dangerous situations and assure orderly and efficient performance of their duties. Employees are expected to be familiar with the organization's fire evacuation plan and the tornado plan.
7. Failure to comply with safety regulations may subject the employee to disciplinary action.
8. Employee failure to promptly report an unsafe working condition to their immediate supervisor and or is found to be negligent or guilty of working

in an unsafe manner may be subject to disciplinary action up to and including termination.

B. An employee injured on the job during working hours shall report the injury to the elected official/department head as soon as possible, but not later than the end of the scheduled work day. Such report shall set forth the nature of the injury, the manner of its occurrence, the witnesses, if any, and such other details as may be required by the County and its worker's compensation insurer. The employee shall fill out an accident report in writing on forms furnished by the County and file the report with the department head.

SECTION 2. VIOLENCE IN WORKPLACE POLICY:

Gratiot County is committed to providing a safe workplace for the public and its employees, customers, vendors and contractors. In an effort to prevent the possibility of violence in our workplace, Gratiot County has implemented this Violence in Workplace Policy. Gratiot County strictly prohibits and will not tolerate any threatened or actual workplace violence. This includes, but is not limited to, any of the following conduct in or around the work environment:

- Threatening injury or damage against a person or property;
- Fighting or threatening to fight with another person;
- Threatening to use a firearm or any other weapon;
- Having unauthorized possession of a firearm or any other weapon while on County premises or County business;
- Abusing or injuring another person;
- Abusing or damaging property;
- Using obscene or abusive language or gestures in a threatening manner;
- Raising voices in a threatening manner;
- Harassing behavior inconsistent with normal work relationship or stalking;
- Use of social media to harass individual(s) or distribute rumors, innuendos and other potentially harmful information

Because of the potential for misunderstanding, joking about any of the above misconduct is also prohibited. Any person who exhibits unsafe behaviors will be removed from County's premises as quickly as safety permits, and shall remain off County premises pending the outcome of an investigation. Employees will cooperate in all investigations, and a failure to cooperate may result in a disciplinary action, up to and including discharge. If the investigation substantiates that a violation has occurred, the County will take immediate corrective action. Corrective action may include immediate discipline, up to and including termination, at the County's sole discretion. Additionally, the County may, in its discretion, pursue any criminal or civil remedies which may be available. All employees, temporary employees, vendors, contractors and any other personnel are responsible for notifying the County of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Any individual who reasonably believes that a situation with any employee or any other

party may become violent, should immediately leave the area. Any violations of this policy should be immediately reported in writing to the Department Director or Elected Official. If the individual does not feel comfortable with the Department Director or Elected Official, or if the Department Director or Elected Official is not available, the County Administrator should be immediately advised in writing of the violation. A report or complaint will be promptly investigated. If a report is made in good faith, the employee will be protected from retaliation or any other detrimental impact on his or her employment.

In order to provide a safe workplace and protect our employees from threats to their safety, the County must know if a court has ordered an individual to stay away from County locations. Therefore, this policy also requires individuals who either obtains a protective or restraining order, or who is served with a protective or restraining order, which lists County locations as being protected areas, to provide their Department Head or Elected Official, and the County Administrator, with a copy of any protective or restraining order. This information will be kept reasonably confidential to the extent possible.

SECTION 3. WEAPONS IN THE WORKPLACE:

A. Policy. The County of Gratiot prohibits all employees who enter Gratiot County property from carrying a handgun, firearm, or prohibited weapons of any kind onto the property regardless of whether the person is licensed to carry the weapon or not.

This policy applies to all Gratiot County employees, contract and temporary employees, regardless of whether or not they are licensed to carry a concealed weapon. The only exceptions to this policy are law enforcement officers.

Prohibited weapons include any form of weapon or explosive restricted under local, state and federal regulation. This includes all firearms, illegal knives or other weapons covered by the law (legal, chemical dispensing devices such as pepper sprays that are sold commercially for personal protection are not covered by this policy). If you have a question about whether an item is covered by this policy, please call the Office of County Commissioners. You are responsible for making sure that any potentially covered items you possess is not prohibited by this policy.

Gratiot County property covered by this policy includes, without limitations, all County owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the County's ownership or control. Gratiot County vehicles are covered by this policy at all times regardless of whether they are on County property at the time.

B. Searches. The County of Gratiot reserves the right to conduct searches of any person, vehicle or object that enters onto County property consistent with the law.

No employee shall have expectation of privacy in lockers, desks, agency vehicles, or other areas of county property where a weapon may be hidden.

C. Violations. Failure to abide by all terms and conditions of the policies described above may result in discipline up to and including termination. Further, carrying a weapon onto Gratiot County property in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from Gratiot County property, and may result in prosecution.

THIS POLICY SHALL NOT BE CONSTRUED TO CREATE ANY DUTY OR OBLIGATIONS ON THE PART OF THE COUNTY TO TAKE ANY ACTIONS BEYOND THOSE REQUIRED OF AN EMPLOYER BY EXISTING LAW.

If you become aware of anyone violating this policy, please report it to the County Administrator, immediately.

SECTION 4. TOBACCO-FREE AND SMOKE-FREE WORKPLACE:

A. Definition(s).

1. Cigar means any roll of tobacco for smoking, irrespective of size or shape, and irrespective of the tobacco being flavored, adulterated or mixed with any other ingredients, where such roll has a wrapper made chiefly of tobacco.
2. Cigarette means any roll of tobacco for smoking, irrespective of size or shape, and irrespective of the tobacco being flavored, adulterated or mixed with any other ingredients, where such roll has a wrapper made chiefly of paper or any other material except tobacco.
3. Smoking or Smoke means the use or the carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device.
4. Smoking or Smoke means the use or the carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device.
5. Tobacco products mean cigars, cigarettes, chewing tobacco, tobacco snuff or tobacco in any other form.
6. County facility means any public building owned by the County of Gratiot, either directly, by or through any of its departments or agencies, and that part of any publicly owned or privately owned building which is leased or operated by the County of Gratiot, either directly, by or through any of its departments or agencies.

B. Policy.

1. In compliance with the laws of the State of Michigan, including but not limited to the Michigan Clean Indoor Air Act, Act 368 of 1978, as amended, being Section 333.12601, et seq. of the Michigan Compiled Laws (the "Michigan Clean Indoor Act"), it shall be the policy of Gratiot County to prohibit use of tobacco products (cigars, cigarettes, chewing tobacco, tobacco snuff or tobacco in any other form) in all County facilities. This prohibition shall include, but is not limited to: private enclosed offices, open space offices, meeting rooms, conference rooms, eating areas, including cafeterias and break rooms, lounges, restrooms, hallways, stairways and enclosed entrances.
2. Department heads and elected officials shall also prohibit smoking in all vehicles owned, leased or under the control of the County of Gratiot. Department heads and elected officials shall revise written departmental policies, procedures and issuance to conform to this subsection and may issue reasonable written work rules not inconsistent with this subsection.
3. Smoking will be prohibited within a reasonable distance of any entrances, windows and ventilation systems to any enclosed areas; such reasonable distance shall be a distance sufficient to ensure that persons entering or leaving the building or facility shall not be subjected to breathing tobacco smoke and to ensure that tobacco smoke does not enter the building or facility through entrances, windows, ventilation systems or any other means.

C. Prohibition on the Sale of Tobacco Products in County Facilities. The sale of tobacco products is hereby prohibited in county facilities. This prohibition shall include concessions and vending facilities in County facilities operated under the provisions of Act 260 of the Public Acts of 1978, being Section 393.351, et seq. of the Michigan Compiled Laws.

SECTION 5. BREAK TIME FOR NURSING MOTHERS:

In compliance with federal law which requires the provision of unpaid, reasonable break time for a non-exempt employee to express breast milk, the County subscribes to the following policy:

All employees shall be provided a place to breastfeed or express their milk. The County Administrator or his designee can confer with the employee to designate a suitable, private location, other than a bathroom, which is located in close proximity to the employee's work area for such breaks. An employee may use

her private office area for milk expression if she prefers. Employees shall be provided flexible breaks to accommodate breastfeeding or milk expression for the first year of the child's life. A non-exempt breastfeeding employee shall be provided a flexible schedule for breastfeeding or pumping to provide breast milk for her child. The time would not exceed normal time allowed for lunch and breaks. For time above and beyond normal lunch and breaks, sick/vacation time must be used, or the employee can make up the time at the discretion of the supervisor. A refrigerator will be made available for safe storage of expressed breast milk. Employees may use their own cooler packs to store expressed breast milk, or may store milk in a designated refrigerator/freezer. Employees should provide their own containers. Those using the refrigerator are responsible for keeping it clean. Management and staff are expected to provide an atmosphere of support for breastfeeding employees.

SECTION 6. INCLEMENT WEATHER CLOSING POLICY:

A. In instances where County staff are unable to travel from home to their work location because of weather, the affected staff must utilize their vacation time, personal time or accept unpaid leave.

B. In certain extreme instances, the County Administrator, Clerk and Chairman of the Gratiot County Board of Commissioners may close the Courthouse and other related County administrative offices and programs, excluding twenty-four hour operations, during any business day because of weather. Employees affected shall be compensated for the closed portion of the day, not to exceed eight (8) hours in those rare instances.

IV.

GENERAL PERSONNEL POLICIES

SECTION 1. DEPARTMENT RULES:

Each Department Head may provide personnel rules including, but not limited to, dress and personal conduct codes for use in his/her department. If there is any conflict between the department's rules and this non-union Manual, the Gratiot County Personnel Manual shall take precedence.

SECTION 2. TELEPHONE USAGE POLICY:

A. Desk Phones. The County's Telephone System is to be used for calls that are primarily County business. There is a charge for calls to directory assistance made from an office telephone. Therefore, directory assistance calls should be limited to those that are essential. Employees should be judicious and not make excessive use of their telephones for personal purposes, including local calls.

The County monitors the use of telephones. If the County determines a pattern of non-county related calls, the County may take necessary corrective action if abuse is verified.

B. Cellular Telephone Use Policy.

1. General Statement.

a. The basic guideline of this policy shall be to provide employees with efficient, cost-effective cellular telephone equipment and services.

b. The acquisition of cellular telephones shall be limited to those instances in which there is a demonstrated need for such equipment to perform essential County business or to improve safety, increase productivity, increase service to the public or in situations in which necessary communications cannot be provided by any other means.

2. Acquisition of County-Owned, Rented or Leased Cellular Telephones.

The purchase of all County of Gratiot cellular telephone services, facilities and equipment must follow all procedures promulgated by the County Administrator in the acquisition of cellular telephones. Before purchasing, renting or leasing equipment, each department will determine:

- a. If the item is available on County contract, the item shall be purchased from this source.
- b. If the item is not available on County contract, the department shall be able to substantiate the reasonableness of price.

- c. Purchase only the number of items, at the quantity, needed.

3. Assignment of County-Owned, Rented or Leased Cellular Telephones. All employees who have access to County-owned, rented or leased cellular telephones shall be so identified as meeting the criteria established for cellular telephones assignment. The authority to assign equipment rests with each Elected Official or the County Administrator. Should a change in the demands of a particular position or department necessitate a change in cellular telephone assignment status, a request shall be considered, and if warranted, be approved. Equipment will be assigned on the basis of functional requirements of the employee's position and should not be construed as being a substitute for other compensation or as a fringe benefit. Cellular telephones are assigned and certain privileges in their use are granted only as a means of providing effective management of County functions. Assignment criteria are established as follows:

- a. The responsibilities of that Position require the routine and regular conduct of County business before or after normal working hours.
- b. The responsibilities of the position are such that it is to the convenience of the County to assign cellular telephones.
- c. A demonstrated security risk warrants such assignment to protect County property.
- d. A demonstrated need for a County cellular telephone to ensure a quick response to an emergency or after-hour call has been verified and approved by the Department Head.
- e. Employee is designated to be "on call" for a specific function or purpose.

4. Service and Maintenance.

- a. Repairs. All telephones and other cellular telephones purchased, rented or leased by the County will be repaired under a maintenance contract or serviced by vendor.
- b. Replacement. Replacement of any cellular telephones resulting from damage, loss or theft is the responsibility of the department to which the equipment was assigned.
- c. Return/Transfer of Equipment. When an employee transfers to another County of Gratiot department, exits County of Gratiot employment, or no longer requires use of such equipment, it is the responsibility of the Department Head to retrieve cellular phone equipment assigned to that employee.
- d. Theft, Loss, or Damage. Departments are required to report any theft or loss of cellular phones to the appropriate vendor immediately

(or no later than 72 hours after receipt of the information or evidence) so that cellular service can be deactivated.

5. **Record Maintenance.** Each Elected Official/Department Head will develop and maintain records sufficient to ensure proper utilization of County equipment. These records should include cellular telephone assignment, cellular telephone use and other information warranted to ensure accountability of equipment used beyond normal working hours.
6. **General Rules and Regulations.**
 - a. The following rules and regulations are established as a supplement to all rules and regulations contained in this and other administrative and personnel policies. The rules and regulations contained herein apply to all County employees.
 - b. Any employees using equipment for personal business will reimburse the County for the cost of using the equipment.
 - c. All employees must obey all applicable laws and ordinances while operating County owned equipment on County business.
 - d. All employees must have use approved as required by all Sections of this Policy.
7. **Specific Practices Prohibited.**
 - a. The operation of a cellular telephone for any illegal act.
 - b. The operation of any equipment, in the conduct of County business, which results in the violation of any applicable federal, state or local law, rules or ordinances.
 - c. The operation of any equipment in such a manner that could result in property or bodily damage either to the County or the public due to careless or negligent operation on the part of the employee.
8. The County treats all information stored through or stored in the cellular system's equipment or network, including, but not limited to, voice communication, text messages and e-mail messages, as County information. The County has the capability to access, review, copy, modify and delete any information transmitted or stored in the system, including voice, text and e-mail messages.
9. **Monitoring Responsibilities.** The responsibility for monitoring the compliance of this Administrative Policy has been assigned to the County Administrator or his/her designee.

SECTION 3. SUBSTANCE ABUSE POLICY:

A. Definitions.

1. Alcohol, marijuana, drugs that are illegal at the state or federal level, and prescribed medications that have an intoxicating effect shall all collectively be referred to as “drugs.”
2. “Working hours” or “business hours” shall include an employee’s rest and meal periods.
3. “Reasonable Suspicion“ is established when a supervisor observes an employee exhibiting suspicious behavior or engaged in an activity that is consistent with the use of drugs. In evaluating whether Reasonable Suspicion has been established supervisors will refer to the attached documentation form.

B. Drug Free Work Place.

All County premises, including work sites and all County vehicles, are declared to be drug free work places. This is to ensure that Gratiot County is a safe and secure work environment. Therefore:

1. No employee shall use or be impaired by drugs on Gratiot County property, while on County business, or during working hours.
2. No employee shall manufacture, distribute, dispense, possess or use drugs on county property during business or working hours.
3. Any employee convicted of any drug violation occurring in the workplace or during working hours must report such conviction to the County Administrator within five (5) working days of the conviction. Failure to so inform the County Administrator subjects the employee to disciplinary action, up to and including termination, for the first offense. The department to which the employee has been assigned must notify any agency that has provided grant funds to that department within ten days of receiving such notice from an employee or otherwise receiving notice of such a conviction.

C. Drug Testing.

1. Gratiot County, at its discretion, may conduct pre-employment and ongoing periodic drug screening for persons applying for or performing select positions with the County, including:

- a. Positions involving operation of a motor vehicle as a function of the job and/or one involving transport of clients or residents;
 - b. Law enforcement, including Jail Corrections Officers;
 - c. 9-1-1 dispatch personnel;
 - d. Positions involving technical or professional contact with, care of, or control over juvenile offenders; and
 - e. Positions involving technical or professional contact with children.
2. Any confirmed positive test for any drug, as defined in Section A, will establish use or constitute impaired by drugs for purposes of this policy.
 3. If the County has a reasonable suspicion that an employee has violated these rules, it may require that employee to undergo alcohol and drug testing and may search that employee's work vehicle or work area. Any employee who refuses to consent to alcohol and drug testing or to a search of his or her work vehicle or work area pursuant to these guidelines may be subject to discipline up to and including termination.

D. Disposition.

1. Any employee violating these rules may be subject to discipline up to and including discharge.
2. In appropriate cases, Gratiot County prefers to help employees who have drug related problems. It is the employee's responsibility to seek assistance. However, seeking assistance after disciplinary action has begun or is imminent will not preclude disciplinary action.

SECTION 4. OUTSIDE EMPLOYMENT:

While outside or supplemental employment is discouraged, employees may engage in outside or supplemental employment in accordance with the following limitations. In no case shall outside or supplemental employment conflict with or impair your responsibilities to the County. Any employee desiring to participate in outside or supplemental employment must obtain permission of his/her Department Head in writing prior to engaging in outside or supplemental employment. In the case of outside or supplemental employment by a Department Head, the Department Head must receive written permission to engage in outside or supplemental employment in advance from the appropriate committee of the Gratiot County Board of Commissioners. All employees engaged in outside or supplemental employment shall:

1. Not use County facilities as a source of referral for private customers or clients,

2. Not be engaged in during the employee's regularly scheduled working hours,
3. Not use the name of the County or any County agency as a reference or credential in advertising or soliciting customers or clients,
4. Not use County supplies, facilities, staff or equipment in conjunction with any outside or supplemental employment or private practice,
5. Maintain a clear separation of outside or supplemental employment from activities performed for the County, and
6. Not cause any incompatibility, conflict of interest, or any possible appearance of conflict of interest, or any impairment of the independent and impartial performance of employee's duties.

The County shall not be liable, either directly or indirectly for any activities performed during outside or supplemental employment.

SECTION 5. CONFLICT OF INTEREST:

A. Examples. No employee of the County shall engage in or be a party to any of the following activities:

1. **Disclosure of Confidential Information.** Divulging or releasing of any confidential information which is not by law, rule, regulation, or court order available to members of the general public. However, this provision shall not prevent an employee from divulging or releasing confidential information regarding violations of rules, regulations, or applicable law except where otherwise prohibited by statute, court order, or professional ethics.
2. **Financial Gain.** Engaging in any business transaction or private arrangement for financial gain for himself/herself or a member of his/her family, which accrues from or is based on the employee's official position or on confidential information which the employee gained by reason of his/her position.
3. **Gifts.** Soliciting, accepting, or agreeing to accept anything of value if it is expected to influence the manner in which the employee performs work or makes decisions is prohibited.
4. **Favoritism.** Granting or making available to any person any consideration, treatment, advantage or favor beyond that which is the general practice to grant or make available to others under similar circumstances.
5. **Representing Private Interests.** Representing or acting as agent for any private interests, whether for compensation or otherwise, in any transaction in which the County has a direct and substantial interest and which could reasonably be expected to result in a conflict between the private interests of the employee and the employee's official responsibilities.
6. **Financial Interest.** Having any substantial interest (or a member of the

employee's immediate family having such interest), in any business or industry concerning which the employee directly, in a significant decision-making capacity, participates on behalf of the County in the regulation, enforcement, auditing or purchasing of any goods or services.

7. Appearance in Public. Each employee should conduct himself/herself in a manner both in County-owned buildings and away from County-owned buildings that will not create an appearance of any wrongdoing, illegal action, or immoral conduct.

B. Disclosure of Interest. The County may require that an employee make written disclosure of all personal or financial interests of the employee or of members of the employee's immediate family in any business or entity that the employee may impact by the performance of the employee's official County duties.

C. Disciplinary Action. This policy has been formalized in order to protect the County and its employees from undue criticism, harm, or possibility of involvement in a conflict of interest. Violation of this policy shall be subject to disciplinary action.

SECTION 6. REPORTING ILLEGAL AND UNETHICAL ACTIVITY:

Any employee who, during the course of employment, believes that he or she has been requested or required to engage in an illegal or unethical act, or to engage in otherwise improper activity which would constitute a violation of this Code of Conduct, must report that fact immediately, in writing, to their Department Head who will promptly undertake to investigate the allegations and take remedial action, if necessary. If the Department Head is the individual about who is the subject of the complaint, the employee shall notify the County Administrator. If such a report is made in good faith, Gratiot County will protect the reporting employee from any retaliation or other detrimental impact upon his or her employment.

SECTION 7. STANDARDS OF PROFESSIONAL AND ETHICAL CONDUCT:

A. The purpose of these Standards is to state the rules and principals that apply to and govern the employees of Gratiot County in the performance of their public duties.

Gratiot County is committed to the highest standards of professional and ethical conduct by and among its employees and county officials in the performance of their public duties. Gratiot County believes that individual and collective adherence to high professional and ethical standards by public employees and officials is central to the maintenance of public trust and confidence in government.

Certain of these professional and ethical principles are best expressed as positive statements: actions which should be taken; courses which should be followed;

goals which should permeate both public and private conduct. Other principles are expressed as negative statements: actions to be avoided and conduct to be avoided.

Gratiot County believes that this Standard of Professional and Ethical Conduct should serve as a valuable reference guide for all those in whom the public has placed its trust.

B. Principals of Professional and Ethical Conduct. The professional and ethical county employee or official should:

- Avoid activities that could cause an adverse reflection on his or her position or Gratiot County.
- Provide impartial treatment to all persons interacting with Gratiot County.
- Use the resources, property, and funds of Gratiot County judiciously and solely in accordance with prescribed procedures.
- Actively pursue educational opportunities to improve his or her professional knowledge, skills, and abilities in order to provide the highest quality of service to the citizens of Gratiot County.
- Recognize and be accountable for his or her responsibility as a Gratiot County employee.
- Conduct all Gratiot County business in a fair and honest manner.
- Be responsible for maintaining his or her professional competence.
- Use care and discretion and comply with all applicable laws and regulations when handling confidential information which is received or maintained by Gratiot County.
- Avoid any activity which may be interpreted or viewed as a conflict of interest by others.
- Properly administer the affairs of Gratiot County.
- Actively promote public confidence in Gratiot County government.
- Keep safe all funds and other properties of Gratiot County.
- Maintain a respectful attitude toward other employees, public officials, colleagues and associates.

- Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest of Gratiot County.
- Faithfully comply with all laws and regulations applicable to Gratiot County and impartially apply them to everyone.

The professional and ethical county employee or official should not:

- Use or attempt to use his or her position to secure unwarranted privileges for themselves or others.
- Disclose confidential or discretionary information gained through their position or employment with Gratiot County to any unauthorized person.
- Discriminate on the basis of race, color, religion, national origin, gender, or other protected group.
- Allow family, social or other personal relationships to influence his or her conduct or judgment.
- Use his or her position to influence the employment of a family member or friend with Gratiot County or with any firm, corporation or association with which Gratiot County does or seeks to do business.
- Lend the prestige of his or her position to advance the private interests of others, nor convey or permit to convey the impression that they are in a special position of influence.
- Utilize any property or resources of Gratiot County for personal gain.
- Falsify any document, record, or request for reimbursement or fail to record proper entries on any books of records of Gratiot County.
- Knowingly be a party to, or condone, any illegal activity.
- Engage in activities involving dishonesty, fraud, deceit or misrepresentation.
- Engage in outside interests that are not compatible with the impartial and objective performance of his or her duties.
- Improperly influence or attempt to influence other officials to act in his or her own benefit.

- Accept anything of value from any source which is offered in an effort to influence his or her action as an employee of official of Gratiot County.

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

D. Employees of the Gratiot County Trial Courts shall also conform to the Standards set forth in the Model Code of Conduct for Michigan Trial Court Employees.

SECTION 8. INFORMATION AND TECHNOLOGY POLICY:

This policy sets forth Gratiot County's policies with regards to information technology ("IT") resources (e.g., e-mail, electronic voice and video communication, facsimile, the Internet, personal computer and future technologies), including County access to, review or disclosure of electronic files, electronic mail and electronic voice and video communications through or stored on any part of the IT resources systems. This policy also sets forth the policies on the proper use of the IT resources systems. These policies do not constitute a contract. The County reserves the right to change them at any time.

A. GENERAL POLICY. The IT resources are intended to assist in the efficient and effective day to day operations of County departments and agencies, including collaboration and exchange of information within and between County departments/agencies, other branches of government and outside contacts. These resources also provide public access to certain public information. The IT resources system is to be used for County-related purposes only. The County treats all information stored through or stored in these systems including, but not limited to, voice communication and e-mail messages, as County information. The County has the capability to access, review, copy, modify and delete any information transmitted or stored in the system, including voice and e-mail messages. The County reserves the right to access, review, copy, modify or delete all such information for any purpose and to disclose it to any party if legally compelled to do so, or if the County otherwise deems it appropriate. Those voice or other IT resources files containing personal information of an employee as a result of an employee's making incidental use of the IT resources system for personal purposes, including the transmission of personal voice and e-mail messages, will be treated no differently than other files, i.e., the County reserves the right to access, review, copy, modify, delete or disclose them for any purpose required by law, or which the County deems appropriate in its discretion. Accordingly, employees should not use the IT resources system to send, receive or store any information that they wish to keep private. Employees should treat the IT resources system like a shared file system -- the files or messages sent, received or stored anywhere in the respective systems will be available for review by authorized representatives of the County and, may be disclosed to third parties.

B. Enforcement.

1. Any violation of these procedures constitutes just cause for taking disciplinary action, revoking network privileges and/or initiating legal action for any illegal, inappropriate or obscene use of the network or in support of such activities.
2. Gratiot County may monitor network activity in any form to maintain network integrity and to ensure that no illegal, inappropriate or improper activity is occurring.

C. Legal Issues.

1. It is illegal to intentionally access a computer system or network for the purpose of:
 - a. Devising or executing any scheme or artifice to defraud or extort.
 - b. Obtaining money, property or services with false or fraudulent intent, representations or promises.
2. It is also illegal to maliciously access, alter, delete, damage or destroy any computer system, computer network, computer program or data, using an unauthorized account, changing other users' passwords, damaging files, altering the system or using the system or network to make money illegally.
3. It is additionally illegal to violate plagiarism and copyright laws.
4. Any employee committing acts of this nature will face disciplinary action according to Gratiot County policies and be subject to prosecution under local, state and federal laws.

D. Internet Procedures– General.

1. All use of the Internet or e-mail must be for authorized purposes. Gratiot County, through its Information Management Department, reserves the right to prioritize use and access to the network.
2. All use of the Internet or e-mail must be in conformity with local, state and federal law and Gratiot County policies and procedures.
3. No statement may be made that can be construed to be “Official Gratiot County Policy” if the individual is not authorized to represent Gratiot County.
4. The computer system and computer network at Gratiot County constitute public facilities and as such may not be used to support or oppose political candidates or ballot measures.

5. Hate mail, harassment, discriminatory remarks or other antisocial behavior, and distribution of incendiary statements which may incite violence or describe or promote the use of weapons or devices associated with terrorist activities, is prohibited.
6. Use of the computer system or computer network from Gratiot County facilities to access, view, store, , solicit, create or distribute obscene or pornographic material, whether visual or textual, is prohibited, except as may be required by the Gratiot County Sheriff's Office, Prosecuting Attorney or Assistant Prosecuting Attorneys in the lawful performance of their duties.
7. Subscriptions to mailing lists, bulletin boards, chat groups, commercial on-line services or other information related services must be previously approved by an employee's department head and must be related to County business.
8. Distributing "junk mail" such as chain letters, advertisements or unauthorized solicitations is prohibited.
9. Users must identify themselves clearly and accurately in electronic communications. Anonymous or pseudo-anonymous communications appear to disassociate users from responsibility for their actions and are prohibited.
10. Concealing user identity or misrepresenting a user name or Gratiot County to mask or distance users from irresponsible or offensive behavior is a serious abuse of network privileges and violates Gratiot County policies and procedures.
11. Using identifiers of others constitutes fraud and is a violation of Gratiot County policies and procedures.
12. Users are cautioned that information on the Internet is from unknown sources and consequently must always be subject to verification.

E. Etiquette.

1. Be polite and use appropriate language.
2. Do not reveal personal address or telephone number(s) or those of colleagues.
3. Do not use the network in such a way that would disrupt the use of the network by others.
4. Users are responsible for the appropriateness and content of material they transmit or publish on the network. Hate mail, harassment, discriminatory remarks or other antisocial behavior such as targeting

another person or organization to cause distress, embarrassment, injury or unwanted attention is prohibited. Personal attacks or other sanctions to threaten or intimidate or embarrass an individual, group or organization or attacks based on a person's race, national origin, ethnicity, disability, religion, gender, veteran status or sexual orientation are prohibited.

F. Security.

1. Sharing or otherwise divulging a user's password and/or account code with another person is prohibited.
2. Users may not leave an open file or session unattended or unsupervised.
3. Users will be held accountable for all activity that occurs under their password and/or account code.
4. Seeking information on, obtaining copies of or modifying files, other data, passwords or account codes belonging to another person is prohibited.
5. Misrepresenting self or other users could be considered fraud and is prohibited.
6. Attempting to gain unauthorized access to the system and/or network is against the law and is prohibited.
7. Communications may not be encrypted so as to avoid security review.
8. Passwords should be changed regularly by the individual using it. Avoid easily guessed passwords.
9. Distributing or otherwise making an employee's password and/or account codes or another person's available to others or otherwise attempting to evade, disable or crack passwords and/or account coded or other security provisions or assisting others in doing so is a serious violation of Gratiot County policies, grounds for immediate suspension of network privileges and other disciplinary action up to and including discharge.

G. Personal Security.

1. Personal information such as addresses and telephone numbers should remain confidential when communicating on the network. This includes the user's own as well as those of colleagues and clients where appropriate.

2. Divulging or in any other way making a fellow employee's personal information (including but not limited to, home telephone number(s) and/or address) is prohibited.

H. Legal.

1. The unauthorized installation, use storage or distribution of copyrighted software or material is against the law and is prohibited.
2. Copying of files, passwords or access codes belonging to others will be considered a violation of law, as well as, Gratiot County policies and constitute fraud, plagiarism and/or theft.
3. Software licensed by and to Gratiot County may only be used in accordance with the applicable license.
4. Modifying or damaging information without authorization (including but not limited to altering data, introducing viruses or worms or simply damaging files) is unethical, a violation of Gratiot County policies and may be a felony in Michigan.
5. Using identifiers of other employees, including using such identifiers as one's own, constitutes fraud and is a violation of Gratiot County policies.

I. Network.

1. No use of the network will serve to knowingly or unknowingly disrupt the operation of the network for use by others.
2. System and network components including hardware and software will not be destroyed, modified, abused or tampered with in any way.
3. Users shall not knowingly or carelessly spread computer viruses.
4. Users are responsible for the appropriateness and content of material they transmit or publish on the network. Hate mail, harassment, discriminatory remarks or other antisocial behavior such as targeting another person or organization to cause distress, embarrassment, injury, unwanted attention or other substantial discomfort is prohibited. Personal attacks or other action to threaten or intimidate or embarrass an individual, group or organization or attacks based on a person's race, national origin, ethnicity, disability, religion, gender, veteran status, sexual orientation or another such characteristic or affiliation are prohibited.
5. Gratiot County reserves the right to prioritize use of and access to the network.

6. **Gratiot County reserves the right to monitor all traffic on the network to maintain network integrity and to ensure that illegal or improper activity is not occurring.**

J. Electronic Mail. E-mail may not be used for commercial solicitation.

1. Users must include their E-mail address in all mail sent.
2. Users must be aware the Internet is not secure and assume that others can read and possibly alter E-mail.
3. No form of a chain letter or similar communication may be sent on the Internet.
4. Sending mail that appears to have come from someone else is prohibited.
5. Minimize large attached files when sending and/or receiving E-mail.
6. Use extreme caution when downloading attached files and/or programs from persons known or unknown since they may contain viruses or worms.
7. Downloaded files and/or programs must be scanned with a virus detection program. Users are responsible, and may be held liable, for a computer becoming infected. Users must insure that such a program is installed and operating on their computer. Information Management will assist with virus detection, if requested.
8. Gratiot County considers E-mail to be private. No employee may read or otherwise disclose the contents of any other employee's E-mail.
9. E-mail received at Gratiot County is retained on the system until deleted by the recipient. In addition, because of system backups, E-mail deleted on the system by the recipient may very well continue to exist in an offline backup archive file.
10. Employees are expected to delete E-mail in a timely manner. Information Management may remove such mail if not attended to regularly by the recipient.

K. System Resources.

1. Diligent effort must be made to conserve system resources. E-mail and unused files should be deleted in a timely manner.
2. Users must accept limitations or restrictions on system and network resources such as, but not limited to, storage space, time limits or amount of resources consumed when so instructed by Information Management.

3. Gratiot County reserves the right to monitor system and network resources in any form to maintain system and network resources and to ensure that illegal or improper activity is not occurring.
4. Users shall not waste IT resources, including, for example:
 - a. Placing a program in an endless loop.
 - b. Printing unnecessary amounts of paper.
 - c. Disrupting the use or performance of County-authorized IT resources or any other computer system or network.
 - d. Storing any information or software on County-provided IT resources which are not authorized by the Information Services Department.
 - e. NO GAMES ARE PERMITTED TO BE LOADED UPON, OR UTILIZED ON COUNTY COMPUTERS.

L. Use Agreement.

1. All employees who desire to have access to the Internet or E-mail must sign the Internet Use Agreement.
2. Access will be granted on a space available basis, based on the needs of the County.
3. Gratiot County reserves the right to terminate this privilege at any time for violation of these rules and procedures, for higher priority users who need access, for nonuse or other justified causes.

SECTION 9. POLITICAL ACTIVITY:

A. Every employee has the right to freely express his or her views as a citizen and to cast a vote as he or she may wish. Coercion for political purposes is strictly prohibited. Employees of federally aided programs are, however, prohibited from participation in partisan political activity under the Federal Hatch Political Activities Act. No employee shall engage in any partisan political activity or campaigning for a nonpartisan elective office during scheduled working hours or while on duty or while off duty wearing a uniform or other identifying insignia of County office or employment. Solicitation of signatures or contributions or nominating petitions is prohibited during working hours. County employees shall not engage in political activity on County time. Employees must use unpaid time off, vacation time or compensatory time when participating in all political/charitable fundraisers, i.e. golf outings, luncheons. No employee shall be required to engage in a campaign for election of any candidate.

B. Employees Seeking Elected Officials. An employee who becomes a candidate for elective office may be required to take a leave of absence without pay when he or she complies with the candidacy filing

requirements, or 60 days before the election, whichever date is closer to the election.

C. Employees Elected to County Office. An employee who is elected to a County governmental office shall resign or may request a Leave of Absence from his or her employment during the elected term.

D. Neglecting Assigned Duties. An employee shall not neglect their assigned responsibilities because of permitted political activity. This includes the circulating of nominating petitions for political office during working hours.

E. Posting and Distributing Political Material. The posting of political signs and distributing political literature or other handouts on county owned property (including county vehicles) is prohibited.

F. Employees of Departments Financed by Federal Funds. Federal law prohibits partisan political activity by an officer or employee of a state or local agency if his principal employment is in connection with an activity that is financed in whole or in part by loans or grants made by the United States or a Federal agency. The law does not prohibit an employee from voting as he chooses or from expressing his individual opinion on political subjects and candidates.

SECTION 10. SOLICITATION AND DISTRIBUTION:

In order to eliminate the possibility of disruption of operations and annoyance of employees, the following conduct is prohibited unless otherwise specifically authorized:

- A. Solicitation by employees of their fellow employees during working time, on behalf of any individual, organization, club, or cause.
- B. Distribution of any literature, pamphlets or material to employees during working time, or at any time in any working area.

"Working time" does not include scheduled rest or lunch periods.

SECTION 11. WORK RULES:

Every County employee is expected to conduct their private and professional lives in a manner that will reflect credit upon Gratiot County. Employees should be courteous in their dealings with the public and other County employees. All actions that give the appearance of impropriety should be avoided including the acceptance of any gift, service or anything of significant value which is offered as a consequence of County employment. Adherence to these principles is essential in order for Gratiot County to maintain the public support necessary to carry out its governmental functions.

All County employees are expected to adhere to the following rules of conduct as well as the rules and policies previously mentioned. The list is not intended to be an all-inclusive list of rules of conduct expected of employees. Further, the list may be added to, modified or supplemented by the County Board of Commissioners or the employee's Department Head. The purpose of the work rules is to set forth some guidelines for conduct violation of which will result in disciplinary action, including possible discharge. Other types of behavior can subject an employee to disciplinary action including discharge. Further, all employees serve on an "at will" basis and may be terminated with or without cause.

TARDINESS: Employees who are late may be docked for time lost, otherwise disciplined and/or dismissed at the discretion of the Department Head.

ABSENTEEISM: Employees are required to notify their immediate supervisor prior to any absence as soon as possible.

DRESS AND GROOMING: Employees are expected to maintain a neat and well groomed appearance in accordance with their position and working conditions. A Department Head may implement a code for his/her department. If you believe a certain manner of dress, personal appearance or hygiene is necessary because of religious beliefs, medical condition or an otherwise legally protected reason, you must notify your Department Head of this reason, in writing, before you report to work. Gratiot County may require you to provide appropriate proof of this belief, condition or otherwise protected reason. Employees whose jobs or work assignments require uniforms, protective clothing or equipment must wear such attire when necessary or required. Appearance must always be appropriate for the activity performed.

PUBLIC DECORUM: All employees must maintain a pleasant and helpful attitude in dealing with members of the public and co-workers, whether by telephone or in person.

PERSONAL MAIL: Personal mail should not be addressed to the County address. Employees shall not use County postage or other property for personal business.

VISITORS: Friends, relatives and children of employees are not allowed in the working areas without the approval of the Department Head.

THEFT: The theft, attempted theft, unauthorized removal of County property from the premises, or the neglect of property of the County, its visitors or employees is prohibited. Unauthorized use of County property, equipment, or facilities (including telephones and duplicating equipment) is prohibited.

FALSIFICATION OF RECORDS: Falsification or unauthorized altering of employment application information or pre-employment documents, records (payroll, time, benefits, or program records), or County records is prohibited.

FAILURE TO PROVIDE APPROPRIATE NOTIFICATION: Failure to notify the Department Head for three (3) consecutive working days that the employee will not be reporting for work, unless an excuse acceptable to the Department Head is presented.

FAILURE TO REPORT AFTER ABSENCE: Failure to return on the required date following an approved leave of absence, vacation, or a disciplinary layoff, unless an excuse acceptable to the Department Head is presented.

FAILURE TO RETURN UPON RECALL: Failure to report for work within one (1) week following notification of recall from layoff by certified mail sent to the employee's last known address.

INSUBORDINATION: Refusal to obey or willful failure to carry out the instructions of supervisory personnel, including the assigned duties of the job is prohibited.

OFFENSIVE CONDUCT AND/OR OFFENSIVE LANGUAGE: Offensive conduct and/or offensive language, including sexual harassment, towards person(s) in the work place. (Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and verbal and/or physical conduct of a sexual nature that creates an offensive employment environment.)

The following are also prohibited:

1. Failing to report to work when scheduled
2. Improper use of sick leave or other leaves of absence
3. Falsification of information to secure sick leave or other leaves of absence or fringe benefits or reimbursement
4. Abuse of break or lunch periods
5. Leaving work area without proper authorization.
6. Falsifying time worked records for yourself and/or another employee.
7. Sleeping while on the job.
8. Violation of departmental rules on confidentiality or divulging confidential information acquired on the job
9. Inefficiency or incompetency or neglect of duty, or poor work performance
10. Reporting to work or working in an intoxicated condition. Consumption or possession of alcohol or illegal drugs or substance (such as marijuana) on County premises or property while on or off duty
11. Use of obscene language in public office areas
12. Threatening other persons, fighting or engaging in disorderly conduct.
13. Unauthorized possession of firearms, dangerous weapons or personal protection devices while in the work place or on County property.
14. Verbally abusing or physically attacking customers, clients, visitors or County personnel
15. Conduct disruptive to the work of other employees
16. Carelessness or negligence which results in an injury to another employee, client or visitor, or damage to County property

17. Soliciting business for personal gain during working hours or conducting personal affairs or business during working hours.
18. Illegal gambling in the work place.
19. Illegal activity on County premises (misdemeanor or felony) during work or non-work hours
20. Violation of rules concerning outside supplemental employment
21. Instigating, aiding, or participating in any illegal strike or work stoppage
22. Willful damage to, or destruction of, County property
23. Dishonesty, disrespect or verbal abuse or insubordination to any supervisor or Department Head.

PERSONAL EQUIPMENT AND VALUABLES: It is impossible to secure insurance coverage for personal equipment and valuables brought on County premises. You are discouraged from having personal items at your office and the County cannot be responsible for any loss or damage to such items.

COUNTY PROPERTY: Employees shall conform to all rules for use and treatment of County facilities and property, and shall not use any County property, equipment, facilities or staff for personal matters or gain.

SECTION 12. EMPLOYEE COMPLAINT PROCEDURE:

A. Scope and Purpose.

1. The most effective accomplishment of work requires prompt consideration for equitable adjustment of employee grievances. Therefore, non-union County employees covered by this manual may avail themselves of the procedure listed below. It is the desire of all parties to adjust problems informally, and both supervisors and employees are expected to make every effort to resolve problems informally as they arise. However, where such informal resolution is impossible, a complaint procedure has been established.
2. To allow for the appeal of an interpretation or application of personnel policies, disciplinary action, or discharge matter. This complaint procedure shall be applicable to regular County employees covered under this Manual, excluding, however, 1) employees under a collective bargaining agreement that has a contractual Grievance Procedure; and 2) employees employed by elected County officials (Sheriff, Treasurer, Clerk, Register of Deeds, Drain Commissioner, Prosecutor, and the Courts) for disciplinary or discharge matters. This complaint procedure is also not applicable to any County Elected Officials or County employees who receive direct appointment by the County Board of Commissioners such as appointed Department Heads.

3. Complaints of employees working for Elected Officials for disciplinary or discharge matters who are *not* covered by a collective bargaining contract may be considered under this procedure if such Elected Official, at their option, permit the same, and requests processing of the appeal in writing to the County Administrator. However, nothing contained in this Complaint Procedure shall alter the fact that regular County employees covered under this Manual are and shall continue to be at-will employees.
4. A complaint that may be heard under this procedure shall be limited to a complaints regarding violation or misinterpretation of the rules provided in the County personnel policies or a complaint of unfair application of these rules.

B. Appeal Procedure. Should any regular employee of Gratiot County to which this procedure is applicable, have a complaint about an interpretation or application of personnel policies, disciplinary action or discharge matter, the following steps will be taken:

C. All complaints shall be submitted within five (5) working days of its occurrence or when the employee should reasonably have obtained knowledge of its occurrence. If not so submitted, the complaint shall be considered automatically closed. The employee shall reduce the complaint to writing and present it to his/her Department Head as outlined above. The complaint shall be signed by the employee. The Department Head shall, within ten (10) working days after receipt of the written complaint, give his/her decision in writing.

STEP 1

Unresolved complaints shall proceed to Step 2, provided they have been appealed within five (5) working days from the date the Department Head's answer was received or due.

STEP 2

In the event the complaint is not settled at Step 1, the employee may request the matter be reviewed by the County Administrator. Such a request must be in writing and submitted to the County Administrator within five (5) working days from the receipt of the Department Head's answer or when it was due. The County Administrator shall, within ten (10) working days after receipt of the written complaint, give his/her decision in writing.

STEP 3

In the event the complaint is not settled at Step 2, the employee may request the matter be reviewed by a Committee designated by the Board of Commissioners. Such a request must be in writing and submitted to the County Administrator within five (5) working days from the receipt of the County Administrator's answer or when it was due.

BOARD COMMITTEE: The Board Committee shall be charged with hearing such complaints properly appealed to Step 3:

1. Upon receipt of the written request to appeal the complaint to Step 3, the County Administrator will verify that the complaint has been filed within the prescribed time limits and has completed review at the department level in Step 1.
2. Those complaints properly appealed to Step 3 will then be scheduled whenever possible for hearing within thirty (30) calendar days from the date the appeal is filed with the County Administrator.
3. Minutes will be taken of the hearing which will include the names of those persons participating, copies of any documents presented and the final action taken by the Committee on the complaint. Under certain circumstances, however, the Committee may require transcripts or a recording be taken of the hearing by a certified court stenographer/recorder and placed on file with the County Administrator.
4. The employee may present witnesses and evidence and be represented by an attorney or other person of his/her choosing, but must advise the County Administrator of this action at least five (5) working days prior to hearing.
5. The Department Head may also present witnesses and evidence and be represented by civil counsel.
6. The Committee shall not be bound by technical rules of evidence, nor shall informality in any of the proceedings or in the matter of taking testimony invalidate any decision approved by the Committee.
7. The decision of the Committee shall be binding and final on all parties.

D. Any complaint not appealed from Step 1 and Step 2 within the prescribed time limit shall be considered dropped and not subject to further appeal.

Appendix A

REASONABLE SUSPICION DOCUMENTATION FORM

Employee is reporting for duty

Employee is already on duty

Employee Name:		Date of Observation:	
Location:		Time of Observation:	
OBSERVED PERSONAL BEHAVIOR (CHECK ALL APPROPRIATE ITEMS)			
BREATH OR PERSON: (ODOR OF SUBSTANCE)	<input type="checkbox"/> STRONG <input type="checkbox"/> NONE	<input type="checkbox"/> FAINT	<input type="checkbox"/> MODERATE
EYES:	<input type="checkbox"/> BLOODSHOT <input type="checkbox"/> CLEAR <input type="checkbox"/> DILATED PUPILS	<input type="checkbox"/> GLASSY <input type="checkbox"/> HEAVY EYELIDS	<input type="checkbox"/> NORMAL <input type="checkbox"/> FIXED PUPILS
SPEECH:	<input type="checkbox"/> CONFUSED <input type="checkbox"/> SLURRED <input type="checkbox"/> NOT UNDERSTANDABLE	<input type="checkbox"/> STUTTERED <input type="checkbox"/> D <input type="checkbox"/> MUMBLED GOOD	<input type="checkbox"/> OTHER:
ATTITUDE:	<input type="checkbox"/> EXCITED <input type="checkbox"/> INDIFFERENT <input type="checkbox"/> CARE FREE <input type="checkbox"/> COOPERATIVE	<input type="checkbox"/> COMBATIVE <input type="checkbox"/> TALKATIVE <input type="checkbox"/> OVERCONFIDENTIAL <input type="checkbox"/> PROFANE	<input type="checkbox"/> HILARIOUS <input type="checkbox"/> SLEEPY <input type="checkbox"/> OTHER:
UNUSUAL ACTION:	<input type="checkbox"/> HICCOUGHING <input type="checkbox"/> FIGHTING <input type="checkbox"/> OTHER:	<input type="checkbox"/> BURPING <input type="checkbox"/> CRYING	<input type="checkbox"/> VOMITING <input type="checkbox"/> LAUGHING
BALANCE:	<input type="checkbox"/> FALLING <input type="checkbox"/> SWAYING	<input type="checkbox"/> NEEDS SUPPORT <input type="checkbox"/> OTHER:	<input type="checkbox"/> WOBBLING
WALKING:	<input type="checkbox"/> FALLING <input type="checkbox"/> SWAYING	<input type="checkbox"/> STAGGERING <input type="checkbox"/> OTHER:	<input type="checkbox"/> STUMBLING
ANY OTHER UNUSUAL ACTIONS OR STATEMENTS:			
SIGNIS OR COMPLAINTS OF ILLNESS OR INJURY:			
SUPERVISOR'S OPINION			
EFFECTS OF ALCOHOL/DRUG INTOXICATION	<input type="checkbox"/> NONE <input type="checkbox"/> SLIGHT <input type="checkbox"/> OBVIOUS <input type="checkbox"/> EXTREME		
ADDITIONAL COMMENTS:			

Breath/Blood Test Performed Yes No Date: ____/____/____ Time: _____

Clinic: _____

Breath/Blood Test Refused Yes No Date: ____/____/____ Time: _____

Clinic: _____

Signature of Supervisor _____ Date: ____/____/____ Time: _____

Signature of Witness _____ Date: ____/____/____ Time: _____