



**Employee Handbook
Approved 06/17/2019**

Effective July 1, 2019

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INTRODUCTION

Introduction

Welcome to the City of Fennville! The City of Fennville is dedicated to providing quality public services at the lowest possible tax rate that will promote health, comfort, safety and convenience to its citizens and the community.

As an employee of the City, you have an essential role to play in the City's mission. The work you perform each and every day positively impacts the quality of services the City is able to provide to its residents.

This Handbook is designed to generally acquaint employees with some of the regulations, wages and benefits that apply to their employment with the City of Fennville. The Policies included in this Handbook are not designed to be comprehensive. Further, because the Handbook and Policies do not constitute a contract, they are subject to change at the City's discretion, without prior notice. Nevertheless, the Handbook and Policies may only be changed in writing; verbal statements shall not operate to revise any portion of the Handbook or Policies.

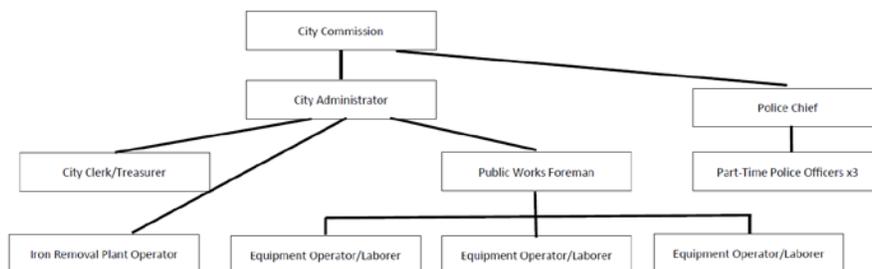
The Handbook and Policies are applicable to all personnel employed by the City of Fennville (hereinafter sometimes referred to as "City" or "Employer") except as contradicted by other specific written employment contracts.

The Handbook and Policies should not be construed as creating a contract between the Employer and any employee. Other than the City Commission, no person or representative of the Employer, 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 employees covered by this Handbook and Policies are at-will. Their employment, compensation and benefits can be terminated with or without cause and with or without notice by either the employer or the employee. An employee cannot rely upon customary or prior past practice(s). The fact that the Handbook and Policies may have been applied differently in the past does not affect their current or future application. The Employer reserves and retains, solely and exclusively, all rights to manage and operate its affairs and such rights shall not in any way be abridged by the terms of this manual.

The Policies included in this Handbook supersede, replace and control and prior or past personnel manual, policies, representation, contracts, or practices unless specifically included within other individual, written contract of employment.

Organizational Structure



EMPLOYMENT POLICIES

Equal Employment Policy

The City of Fennville provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, disability status, marital status, protected veteran status, or any other characteristic protected by federal, state or local laws.

This policy applies to all terms and conditions of employment, including recruiting, hiring, promotion, termination, layoff, recall, leaves of absence, compensation and training.

Anti-Harassment Policy

A. GENERAL PROHIBITION OF DISCRIMINATORY HARASSMENT

The City of Fennville prohibits harassment or discrimination of its employees and appointed officials on the basis of characteristics protected by federal, state, and local law, including but not limited to race, color, religion, age, sex, weight, height, sexual preference, national origin or ancestry, marital status, or status as a veteran.

B. GENERAL DEFINITIONS

Harassment is defined as epithets, slurs, or negative stereotyping. It also includes intimidating or hostile acts. Written or graphic materials that denigrate, show hostility or aversion toward an individual or a group are also considered harassment.

The City of Fennville will not tolerate or condone discriminatory harassment of its employees or appointed officials from anyone on City properties or at City functions over which the City has control. The City will not permit any situation where an employee or an appointed official whose submission to or rejection of harassment is used as a basis for employment decisions, or where harassment has the purpose or effect of unreasonably interfering with an individual's work performance, creating an intimidating, hostile or offensive work environment, or otherwise adversely affecting an individual's employment opportunities.

Violations of this policy will subject the violator to disciplinary action which may include suspension without pay or termination of employment at the discretion of the City of Fennville. Additionally, violations of this policy may result in civil or criminal action initiated by the victim.

C. SEXUAL HARRASSMENT

All of the above provisions apply to conduct or communication constituting sexual harassment. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature when any of the following occur:

1. Submission to such conduct or communication is made a term or a condition of employment either explicitly or implicitly.

2. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting the person's employment.
3. Such conduct or communication: a) has the purpose or effect of unreasonably interfering with a person's work performance, b) has the purpose or effect of creating an intimidating, hostile or offensive work environment, or c) otherwise adversely affects a person's employment opportunities.

Examples of sexual harassment include the following behaviors or actions of a sexual nature: verbal kidding, teasing or joking; foul or obscene language or gestures; display of foul or obscene printed or visual material; and physical contact such as patting, pinching, hugging or intentional brushing against another's body.

D. COMPLAINT PROCEDURE

Any City employee or appointed official who believes that he or she has been harassed in violation of this policy or who has witnessed another employee who has been harassed in violation of this policy shall immediately report the conduct or communication to one of the following persons:

1. The employee's immediate supervisor
2. The Mayor
3. Any member of the Finance/Personnel Standing Committee.

An employee is not required to make a determination of whether the conduct or communication is a violation of this policy. For that reason, an employee shall report any offensive conduct or communication which occurs while the employee is conducting City business or as a result of the employee's work with the City, whether or not on City property. It is stressed that the employee may choose to report the conduct or communication to any of the above named persons. An employee is under no obligation to report the conduct or communication to any person who is the subject or perpetrator of the conduct or communication.

All complaints and reports shall be referred by the person receiving the complaint or report to the Mayor for review. The Mayor will review the complaint and will initiate a prompt and thorough investigation of the conduct or communication. The Mayor may appoint other City personnel or may utilize the services of outside consultants or attorneys to conduct the review and investigation of complaints. Every effort will be made to keep all complaints and their details confidential; however, during the course of an investigation some information may become known to others.

If the subject of the complaint is the Mayor, the report shall be made to the City Attorney who shall review the complaint with the Chairperson of Finance and Personnel for further action.

If a complaint by an employee is directed against the supervisor to whom they report, the City Commission may suspend the reporting relationship between the employee and the supervisor and designate another supervisor to whom the employee shall report.

Under no circumstances shall retaliation ever occur against an employee for reporting discrimination or harassment or for cooperating with the investigation of a complaint of discrimination or harassment.

Drug-Free Workplace Statement

This statement is mandated by the Drug-Free Workplace Act of 1988, which requires some federal contractors and all federal grantees to agree that they will provide drug-free workplaces as a precondition of receiving a contract or grant from a federal agency. This statement is not a limitation upon the City's power or authority to discipline employees for violating other City policies, including (without limitation) any City policy concerning controlled substances.

Drug abuse can have serious consequences in the workplace. In short, drug abuse imperils the safety and welfare of not only the individual drug abuser, but also co-employees and others in the public. In addition, workplace drug abuse is detrimental to the City's public image, and it is contrary to public policy.

The City and each of its employees have a legitimate concern and interest in maintaining a drug-free workplace. It is the City's intent to provide a drug-free and safe work environment. To this end, the City publishes the following notices to its employees. Employees who have problems in any way related to substance abuse are encouraged to immediately seek professional assistance.

1. Pre-employment drug screening will be done on all new potential employees.
2. The unlawful manufacture, distribution, dispensation, possession, or use of the controlled substances, or being under the influence of a controlled substance or alcohol, on City premises or while conducting City Business is absolutely prohibited. Violations of this prohibition will result in disciplinary action by the City, up to and including termination of any offending employee. The term controlled substances refers to drugs and chemical substances that are considered controlled substances under the Controlled Substances Act (CSA), a complete list of the schedules of controlled substances is published annually in Title 21 Code of Federal Regulations (C.F.R.) §§ 1308.11 through 1308.15. Controlled substances include but are not limited to, marijuana, cocaine, crack cocaine, heroin, peyote, mescaline, LSD, methamphetamine, etc.
3. As a condition of employment with the City, each employee must abide by the terms of this statement, and must notify the City of any conviction for violating a criminal drug statute while on City premises or while conducting City business. Such notice to the employee's supervisor, the Mayor, or the mayor pro-tem (in the Mayor's absence) must be not later than five (5) days after such conviction.

Reasonable Accommodation Notice

Consistent with the Americans with Disabilities Act and the Michigan Handicappers Civil Rights Act, Michigan Act 121 of the Public Acts of 1990, employees are hereby notified that if an employee believes that the employee needs an accommodation to perform the essential functions of the employee's job or that the City has failed to make an accommodation in accordance with state and federal laws, the employee must notify the City in writing for the need for accommodation within 182 days after the date the employee knew or reasonably should have known that an accommodation was needed by the employee in order to perform the essential functions of the job that the employee holds or seeks.

An accommodation request form can be obtained from the City and must be completed by the employee to request accommodation from the City for the employee's handicap or disability. The employee requesting such accommodation must submit any written notification to the mayor.

Nursing Mothers

Employees who need to express milk for the purposes of breast feeding up to one year after a child's birth will be provided a reasonable amount of time to do this (unpaid if beyond the breaks normally allowed) and will be provided a private area other than the bathroom to do so."

EMPLOYMENT DEFINITIONS

Full-time Employee

An employee who works an average of at least 30 hours of service per week. A full-time employee is generally entitled to employee benefits as outlined in this policy.

Part-time Employee

An employee who works less than an average of 30-hours per week. Part-time employees are not typically entitled to employee benefits, however if a part-time employee works in excess of 41 weeks annually, based on their anniversary date, he or she may be eligible for employee benefits on a pro-rata basis at the discretion of the City Commission. The eligibility for such benefits will be outlined in the job offer letter.

Seasonal Employee

An employee who has scheduled work weeks for 40 weeks or less in the City's Fiscal Year. Unless otherwise required by law, seasonal employees are not eligible for benefits.

GENERAL INFORMATION

Job Descriptions

Job descriptions are available for all positions. The job description shall include: the title of the job, a brief description of the duties and responsibilities, the essential functions and physical requirements of the position, the minimum requirements of training, experience, skills, knowledge and abilities, and other qualifications necessary for each job. It is important to recognize that job descriptions are not intended to be an all-inclusive list of duties and responsibilities, but rather a description of the nature and level of work required by each position. Employees must meet the minimum qualifications as stated in the job description, unless approved by the supervisor and/or the City Commission if needed.

The City will make every effort to keep the job descriptions current. And, as the City evolves, will make revisions to the job descriptions as appropriate.

Probationary Period

The first ninety (90) calendar days of an employee's employment with the City. At its discretion, the City may extend an employee's probationary period for additional ninety (90) days with written notice to the employee.

Anniversary Date

An employee's anniversary date is the date he or she becomes an employee of the City.

Wages

Pay raises will be based on supervisors' or Personnel Committee's evaluations of employees and subsequent recommendations to the City Commission. The City Commission reserves the right to approve, disapprove or modify any recommended rate of pay.

Employee Evaluations

The Personnel Committee will evaluate the City Administrator. The City Administrator will evaluate the City Clerk/Treasurer and DPW Foreman. The Chief of Police will be evaluated by the Chairman of the City Services Committee.

The DPW Foreman under the guidance of the City Administrator will evaluate the employee's in their department i.e. equipment operator/laborer, seasonal persons hired to mow, paint, remove snow or other jobs in the maintenance department of the City.

Evaluations of each employee must be made at least one time each year and may be made more frequently if the situation requires it or if the employee requests an evaluation. All evaluations will be referred to the Personnel Committee and will become a part of each employee's personnel file.

Scheduled Work Hours & Breaks

Supervisors will advise employees of their individual work schedules. Staffing and operational needs, as determined by the supervisor, may necessitate variation in starting and ending times, as well as variation in the total hours that may be scheduled each day and week. The hours of work may vary day to day at the discretion of the supervisor. However, the normal work day for office employees is 8:00 a.m. to 4:30 p.m. with a half hour unpaid lunch break and Public Works employees' normal work day is from 7:00 a.m. to 3:30 p.m. with a half hour unpaid lunch break.

Each employee will be allowed a 15-minute break for every four (4) hours worked; if a break is not taken, it is forfeited. An employee may not accumulate their breaks and then leave work early, unless approved by his or her supervisor.

Hourly employees are expected to clock in and out at their regularly scheduled times, as close to the beginning and end of their shift as possible. Employees should punch in no sooner than seven (7) minutes prior to the beginning of their shift and punch out no later than seven (7) minutes after their shift ends. Employees who continually punch in late or punch out early are subject to disciplinary action.

Premium Pay

Compensation paid to an employee at one and one-half times the employee's regular rate of pay for hours the employee actually works certain holidays (New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day).

Overtime Pay

Although the City will make every effort to keep it to a minimum, there may be certain circumstances in which an employee will be required to work in excess of their standard forty (40) hour work week. Overtime will be mandatory if an employee is directed to work by his supervisor, the mayor, or the mayor pro-tem (in the mayor's absence). Refusing to work overtime will be treated as an unexcused absence.

Hourly employees shall be paid one and one-half (1 ½) times their regular straight time rate of pay for all hours worked in excess of forty (40) in any work week. For purposes of overtime computation, hours worked includes paid time off taken in accordance with these policies and all hours actually worked, provided however, that hours compensated at time and one-half (1 ½) for work on holidays shall not again be counted as hours worked for overtime calculation purposes.

Compensatory Time for Non-exempt Employees

Hourly employees who are required to work overtime in any work period may elect to receive compensatory time in lieu of receiving overtime pay for the hours worked. This compensatory time shall be credited at the rate of one and one-half (1 ½) hours for every hour worked in excess of forty (40) hours in any workweek.

The scheduling of compensatory time off shall be arranged in advance by the employee with their supervisor. A request for use of compensatory time may be denied, or canceled if it would unduly disrupt the City's operations. Compensatory time may be accumulated to a maximum of eighty (80) hours. Employees may request payment of accrued but unused compensatory time during the year that it is accrued which will be paid as part of their regular paycheck. All accrued but unused compensatory time as of June 30 of each year will be paid to the employee at the rate of pay in effect as of that date. Employees whose employment with the City is terminated shall receive pay for accrued but unused compensatory time at the average regular rate received as of the date of termination.

On-Call Pay

The Department of Public Works requires that one employee with skill levels sufficient to cope with emergencies must be available within the general area of the City on weekends and holidays to respond should such emergency occur. An employee who is assigned to be on-call status must be continuously available to be contacted by the City through a telephone, able to report to work immediately, but in no event later than thirty (30) minutes of receiving a request, and must report in a physical condition which allows the efficient performance of the employee's job classifications.

The DPW Foremen under the direction of the City Administrator will assign one employee for on call duty each week. The on-call employee is expected to report to work once each day on-call to perform the daily checks on the water system. The employee so assigned will be paid for four

(4) hours at the employee's regular hourly rate times one and one-half for each day the employee is on-call.

Termination of Employment

All employment with the City is "at will", and therefore an employee's employment and compensation with the City can be terminated, with or without notice and with or without cause, at any time, at either the employee's or the City's initiative. No representative of the City, absent specific direction from the City Commission, has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to this paragraph.

Pay Periods, Paychecks, and Timecards

All employees are paid on a weekly basis. Each paycheck will include earnings for all work performed through the end of the previous payroll period. Pay periods cover Monday through Sunday each week. Payday is every Wednesday. When a payday falls on a holiday, employees will be paid the day before. If the City Hall is closed on both Monday and Tuesday due to holidays, payday will fall on Thursday.

The City offers direct deposit as a convenient option for receiving paychecks and encourages employees to utilize this option. Employees who opt out of direct deposit will receive a physical paycheck by the end of the pay day. Paychecks will not be released to anyone other than the employee unless a written note, signed by the employee, is provided. Lost or destroyed checks should be reported immediately to the City.

It is the City's policy to comply with the Fair Labor Standards Act (FLSA), court-ordered garnishments, tax levies, and other legally required deductions from employee's wages. An employee who believes that an improper deduction from his or her wages has been made should contact the City Administrator or City Clerk/Treasurer. Upon determination that an improper deduction has been made, the amount of the deduction will be reimbursed to the employee.

An employee who believes that any other overpayment or underpayment of his or her wages has been made should contact the City Administrator or City Clerk/Treasurer immediately. Corrections will be made as expeditiously as possible.

PAID AND UNPAID ABSENCES

Holidays

City Employees, other than seasonal or part time employees- shall receive holiday pay for the following holidays:

New Year's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Day after Thanksgiving

**Christmas Eve
Christmas Day
New Year's Eve**

Should a holiday fall on a Saturday, then the Friday prior to the holiday shall be considered the holiday. Should a holiday fall on a Sunday, then the following Monday shall be considered the holiday. However, if the Friday and/or Monday are already a holiday, then the day before and/or after shall be considered the holiday.

In order for an eligible employee to receive pay for a holiday, the employee must work the last scheduled working day before the holiday and the first scheduled working day after the holiday, unless prior arrangements have been made with the employee's supervisor, the mayor, or the mayor pro-tem (in the mayor's absence). Further, an employee must work a holiday if required by the City in order to be eligible for any holiday pay pertaining to the holiday.

Paid Time Off

The City of Fennville will provide Paid Time Off (PTO) to its full time employees in place of the formerly used short term sick leave, long term sick leave and personal leave. PTO accrues and is credited to eligible employees each pay period immediately upon hire at a rate of 1.154 hours per pay period (totaling 60 hours per year).

PTO will replace the following types of leave that were previously used: short term sick, long term sick, personal, PTO, and sick. For any employee that any of these previously used banks, those banks will be converted to PTO. For the conversion, all the applicable banks as of the effective date of this policy will be added together and converted to PTO leave with a maximum conversion of 240 hours allowed.

PTO Leave Requests

PTO, which can be taken in quarter-hour increments, should be requested at least one week in advance. The request should be directed to the eligible employee's supervisor. The City reserves the right to deny a request to take paid time off at the time requested if the paid time off would interfere with the efficient operation of the City.

In the case of unplanned PTO, for illness, unanticipated personal business or other emergent reasons, employees should give as much advance notice as possible to their supervisor. Employees are expected to call in each day of unplanned absence to their immediate supervisor, unless specific arrangements are made with their supervisor for a return to work date.

Carryover & Pay Out

Employees will be allowed to carry over up to a maximum of 240 hours PTO each anniversary year, but all PTO accrued in excess of the 240 hours at the employee's anniversary date shall be forfeited.

Employees who leave the employ of the City may receive pay for accrued but unused PTO in any of the following circumstances:

- If an employee retires in accordance with the retirement plan currently in effect.
- If an employee voluntarily resigns and provides a minimum of 2 weeks' notice.

- If an employee is laid off and requests payment of PTO pay, provided that such pay will be designated to the period of the layoff.
- In the event of the death of an employee, PTO pay will be made to the employee's estate.

Injury Leave

An employee who receives an injury or has an illness which is compensable under the Worker's Disability Compensation Act of 1969, as amended, and who has paid leave time accrued or accumulated, may elect to receive paid injury leave in conjunction with the following terms and conditions:

- (a) During the first seven days of the compensable disability (i.e. before Worker's Compensation benefits commence), an employee eligible for and electing such paid injury leave shall have his accrued and accumulated paid leave time charged at the full rate for those days until such accrued and accumulated paid leave time is exhausted.
- (b) After the first seven days of the compensable disability (i.e. after Worker's Compensation benefits commence), an employee eligible for and electing such paid injury leave shall be paid an amount equal to the difference between his Worker's Compensation benefits and his normal salary and shall have his accrued and accumulated paid leave time charged on a pro-rated basis proportionate to the City's payment until such accrued and accumulated paid leave time is exhausted.
- (c) When and if an employee having received paid injury leave without setoff of Worker's Compensation benefits becomes eligible for Worker's Compensation benefits covering the same disability period, the City shall be entitled to a credit, by refund or otherwise, of paid injury leave in an amount equal to the Worker's Compensation benefits payable during said period. It is intended hereby that no employee shall receive more in paid injury leave and Worker's Compensation benefits than he would normally receive if working.
- (d) If such paid injury leave is not elected, or if an employee has no paid leave time accrued and accumulated, or if such paid leave time has been exhausted, then an employee shall receive only the payable Worker's Compensation benefits.
- (e) Employees shall promptly report work-related injuries or illnesses to their supervisor.

Vacation

Vacation is accrued each pay period immediately upon hire until the end of the first year of service and then on the employees anniversary date each year after based on continuous service according the schedule shown below.

Years of Continuous Service	Vacation Accruals
Upon Hire – Year 1:	.77 hours (40 hours yr) per pay period
Start of Year 2 – Year 5:	80 hours year
Start of Year 6 – Year 10	120 hours year
Start of Year 11 +	160 hours year

Vacation time, which can be taken in half-hour increments, must be requested at least one week in advance. The request should be directed to the eligible employee's supervisor. The City retains the right to refuse any requested vacation at a particular time and to reschedule such vacation at a time mutually convenient to the City and the employee.

Employees are encouraged to use all of their vacation by the end of their anniversary year. Any vacation days remaining at the end of the employee's anniversary year will be forfeited.

Employees who leave the employ of the City may receive pay for accrued but unused vacation in any of the following circumstances:

- If an employee retires in accordance with the retirement plan currently in effect.
- If an employee voluntarily resigns and provides a minimum of 2 weeks' notice.
- If an employee is laid off and requests payment of vacation pay, provided that such pay will be designated to the period of the layoff.
- In the event of the death of an employee, vacation pay will be made to the employee's estate.

Absenteeism

The City may, in its discretion, require an employee to submit competent medical verification of any absenteeism for a claimed illness, injury or disability, if the absence exceeds two consecutive scheduled work days; and/or the absence equals or exceeds a total of six scheduled work days (whether or not consecutive) per calendar year; and/or the employee demonstrates an absentee pattern (e.g. missing Fridays or Mondays on a recurring basis).

Medical verification of illness, injury, or disability in connection with absenteeism shall be in the form of a doctor's certificate if the employee was seen by a doctor. If the employee was not seen by a doctor, such medical verification shall be in the form of a signed statement by the employee, specifying the nature and duration of the illness, injury or disability. In addition, the City may require the employee to submit to an independent medical examination by a doctor designated and paid by the City.

In addition to requiring an employee to submit competent medical verification of certain absenteeism for a claimed illness, injury or disability, the City may also require such employee to appear before the Personnel Committee to explain the reason(s) for any absenteeism. The Personnel Committee shall have discretion to recommend to the City Commission what, if any; action should be taken against the employee. Notwithstanding, anything contained herein to the contract, an employee's absence for three consecutive scheduled workdays without proper notification to the City shall be deemed to be a voluntary quit.

Extended Illness or Injury

If an employee is absent from work due to illness, injury or disability beyond a period of 30 days or beyond the exhaustion of his paid leave time, whichever is greater, the employee's supervisor, the mayor, or the mayor pro-tem (in the mayor's absence) shall work with a physician to determine a previously injured or ill employee's fitness for duty before allowing them to return to work. If it is determined that the employee cannot return to work after 30 days or after the exhaustion of his paid leave days, whichever is greater, or cannot do so without excessive absenteeism, the employee's supervisor, the mayor, or the mayor pro-tem (in the mayor's absence) shall meet with the employee. Thereafter, the City will determine whether to

continue the employee's employment with the City. The City will not guarantee the availability of the same job or any job to an employee who has been off work 30 or more days because of illness, injury or disability, unless the employee is an eligible employee under the Family Medical Leave Act of 1993.

Leave of Absence for Death in Family

In the event of the death of an immediate family member (i.e. wife, husband, father, mother, brother, sister, child, stepmother, step-father, stepchild, stepbrother, or stepsister), a full-time employee shall be given three days off with pay. For a death of a grandmother, grandfather, grandchild, aunt, uncle or in-laws a full-time employee shall be given a day off with pay. Bereavement leave will not be counted as vacation or PTO time. An eligible employee shall receive pay, at his or her straight time rates, for the days of bereavement leave; if and to the extent he was regularly scheduled to work and would have worked but for the bereavement leave. In addition to the one day paid bereavement leave described above, the City may in its discretion agree to provide an eligible employee with up to two additional days of bereavement leave for the death of grandmother, grandfather, grandchild, aunt, uncle or in-laws, with or without pay, if the City determines that the circumstances warrant.

If an employee wishes time off to attend the funeral of someone other than an immediate family member, or if a non-full-time employee wishes time off to attend the funeral of an immediate family member, the employee must make prior arrangements with his supervisor, the mayor, or the mayor pro-tem (in the mayors absence). Any such time off to attend such a funeral shall be discretionary with the City and leave time banks should be used. If no leave time remains, it may be taken without pay if granted by the City.

Jury Duty

If a full-time employee is summoned to perform jury duty, the City shall give the employee the necessary time off and shall pay the employee the wages he would have earned for the hours they were regularly scheduled to work and would have worked but for the jury duty. No employee will be paid more than eight hours per day while performing jury duty. The employee must return to the City any jury fee received. If the employee is released from jury duty before the end of his work shift on that day, they must report directly to work for their regularly scheduled hours (or as many hours which remain to be worked), provided that the employee's combined hours of jury duty and work for that day may not exceed the number of hours the employee is regularly scheduled to work.

Leaves of Absence

Applications for the leaves of absence must be submitted in writing or in person to the City Commission. The City Commission has discretion to determine whether the leave will be granted and/or extended and if so for how long.

The City Commission has the right to approve or disapprove any request. If a leave of absence is granted, it shall be without pay, unless the employee is on a medically related leave and is eligible for leave time pay in accordance with these Policies. Employees shall not earn or accrue vacation, paid holidays, or paid time off while on any leave of absence granted hereunder.

The City will not guarantee the availability of the same job or any job to an employee who has taken a leave of absence of 30 or more days unless the employee is an eligible employee under

the Family Medical Leave Act of 1993. The provisions concerning leaves of absence shall also apply to absences caused by extended illnesses or injuries under Article IX.

Military Leave

An employee, who enters active service with the armed forces of the United States, or with National Guard or Reserve, will be granted a military leave of absence according to federal law.

Family Medical Leave Act Notice

All of the provisions in these Policies concerning leaves of absence are subject to the Family and Medical Leave Act of 1993 ("FMLA"). Regardless of what is stated in these policies, the City must comply with the applicable requirements of the FMLA pertaining to eligible employees, as the FMLA states now or as it may be subsequently amended. The City has posted a poster notifying employees of their rights under the FMLA, and upon request, the City will provide any employee with a fact sheet containing further details and explanation concerning the FMLA. In the event an employee requests a leave under the FMLA, the City will give the employee more specific information, as well as a certification to be completed by a licensed physician or health practitioner if appropriate.

Crime Victim and Subpoena Leave

Employees who have been a victim of a crime or been subpoenaed as a witness in any legal action will be granted a reasonable amount of unpaid time off to participate in legal proceedings. Reasonable notice of the need for leave should be provided to the employee's supervisor. Accrued vacation time may be used for this purpose.

GROUP HEALTH & RELATED BENEFITS

The City of Fennville strives to provide a program of health, retirement, and general benefits that protects employees and their families, promotes healthy lifestyles, and ensures an available and productive workforce. The City values its employees and their health, and attempts to be fair in the scope and cost of benefits offered, while also being prudent and fiscally responsible. The City will attempt to consider employee preferences and concerns in selecting insurance plans, balanced against its responsibility to the tax payer.

In some cases, the City may determine that it is necessary to make changes to employee benefits, including, for example, modifying or eliminating benefit offerings, or plan choices, changing related co-pays or deductibles, or requiring employee contributions to the costs associated with insurance. The City reserves the right to modify, revoke, suspend, terminate, change, or amend benefits as they apply to current, former, and retired employees which, at its sole discretion, it deems necessary or desirable.

Eligibility and Enrollment

Full-time and eligible part-time employees are eligible for the insurance benefits outlined within this section. Employees are responsible for completing and updating their enrollment forms, records, and beneficiaries for all benefits.

Full-time and eligible part-time employees are eligible to participate in the group insurance program no earlier than the first day of the month following the commencement of employment with the Employer in a position that is eligible for group insurance or at a date thereafter that may be established by the insurance carrier. Coverage shall end on an employee's last day of employment with the City.

Health, Dental and Vision Insurance

The City provides health, dental, and vision insurance, as well as prescription coverage, to all full-time employees, their spouses, and their dependent children. Coverage begins on the first day of the month following the commencement of employment and will meet all statutory requirements, including those created under the Affordable Care Act (ACA).

An employee contribution toward premiums is required, which is made through a payroll deduction. The amount of the employee contribution is subject to change with each plan year and employees will be notified of the applicable amounts during open enrollment.

Insurance Opt-Out

As required under the ACA, it is expected that all employees maintain health coverage. Employees may elect to opt out of the City insurance plan if the employee receives insurance from another source and provides proof of such coverage. If an employee opts out of the City's insurance plan they will be eligible to receive a stipend in an amount to be determined by the Personnel Committee each year.

Life Insurance

The City provides group life insurance to full-time and eligible part-time employees.

Retirement Benefits

After completion of probationary period, the City will donate to employee's retirement fund a percentage of the employee's annual gross wages. The amount of the percentage will be determined by the City Commission annually.

MISCELLANEOUS WORKPLACE POLICIES

Dress Code

City Office employees, i.e. City Administrator, City Clerk/Treasurer will wear appropriate business casual dress Monday through Thursday; jeans will be allowed on Friday but employees are to avoid torn or ripped jeans. This dress code could, under special circumstances with prior approval of the supervisor, vary for office moving, cleaning, transferring information to locations outside of the office, etc. The Department of Public Works employees, i.e. Equipment Operator/Laborers and Foreman will be required to wear City of Fennville uniforms. The City will furnish six (6) pairs of pants, three (3) long-sleeve shirts, three (3) short-sleeve shirts, six (6) t-shirts and a winter jacket, as needed. DPW Employees are required to wear closed toe shoes. For DPW Employees, safety toe work boots are strongly encouraged.

Customer Service

Employees are expected to be customer-focused and service-oriented; treating customers and residents in a courteous and respectful manner at all times. To promote excellent relations with our residents and customers, all employees must represent the City in a positive manner and make residents and customers feel appreciated when dealing with the organization.

Attend to customers immediately; nothing is more important than providing first-class service. If you see a customer waiting, even if it is “not your department” or “not your job,” greet the customer and try to help or direct them.

Even though City business is a daily routine for employees, most residents interact with City just a few times a year. Their interaction with you will shape their opinion of the City. Please do all that you can to make it a positive experience for them.

If they have a complaint or concern, listen patiently and provide feedback or explanation of City policy in a constructive, professional manner. Remember, it is not the customer’s job to know the City’s policy or process; don’t treat them as if they are at fault for not understanding. It is your job to help them understand, and to leave them feeling good about their government.

If the issue cannot be resolved at your level, or if the person becomes disgruntled, a supervisor should be called in immediately. Employees are not expected to accept abuse or harassment and should immediately refer belligerent customers to their supervisor. In the most extreme circumstances, and especially if you feel endangered, call 911 immediately.

Employees are encouraged to report recurring customer-related problems to their supervisor and to make suggestions for changes in City policies or operating procedures to solve problems. Continuous improvement in customer service is only possible with employees’ constructive input.

Gifts and Gratuities

As public servants, services must be rendered and business contracts awarded without favoritism or the suggestion that gifts and/or gratuities are expected in return. The City Administrator may approve the acceptance of gifts presented for the benefit of the City as a whole, its employees, and the public (such as a food basket that can be set out for general consumption.) If a situation should arise that an employee considers inappropriate, they should promptly report it to the City Administrator.

Professional Memberships, Training, Licensing and Certification

The City may pay the cost of certain job-related memberships to professional organizations, job-related trainings, seminars, conferences and related events that enhance the employee’s job knowledge and performance. As well, the City may pay the cost to become licensed or certified in a job-related field, and may pay the cost to remain so qualified. Employer-paid memberships, training, licensing and certifications are subject to budgetary approval and require advance approval.

DISCIPLINE POLICY

Applicability

This discipline policy applies to all employees of the City of Fennville. The City expects all employees: (a) to conform to established policies, procedures and rules; and (b) to perform their assigned duties in an efficient, effective, and competent manner. When it is necessary to formally address and correct employee behavior and/or performance, the City may impose disciplinary action up to and including discharge. This policy shall not change the at-will status of its employees.

Corrective Action

- A. General – Disciplinary measures may be imposed against an employee when deemed appropriate, including but not limited to: violation of the Personnel Ordinance, or of these Policies and Procedures, or any department or Personnel rules and/or regulations; any act of insubordination (failing to follow the direct lawful order of a supervisor) or act detrimental to the public service of the City or any departmental policy or failure to adhere to or follow policies and rules; insulting or demeaning the authority of a supervisor or manager or displaying discourteous treatment of the public or other employees; refusal or inability to comply with the duties of the position occupied by the employee, including inefficiency; or any other type of misfeasance, malfeasance or nonfeasance relating to the employee's duties, office or position. Although the City retains the right to immediately discharge an employee pursuant to the “at-will” relationship, the City will generally attempt to first utilize corrective disciplinary action. However, the decision to discipline or discharge an employee lies with the City’s sole discretion, and use of corrective action in lieu of discharge will not in any way affect or alter the “at-will” employment relationship.
- B. Corrective Action Steps – When corrective action is utilized by the City, it will generally be according to the following procedures (there is, however, no guaranteed progression of disciplinary steps, and the type of corrective action utilized will depend on what is deemed appropriate under the circumstances).

Each case where discipline may be imposed is unique and turns on its own set of facts. Therefore, progressive discipline shall be considered, but is not a mandate. The types of disciplinary actions included under this Policy are:

- Verbal Warning
 - Written Notice/Reprimand
 - Unpaid Suspension
 - Termination of Employment
1. As noted above, progressive discipline is not mandated and the City is not required to take disciplinary actions in sequential order. Depending upon the specific circumstances of the violation, the supervisor will determine which action(s) is (are) appropriate. As each type of disciplinary action becomes progressively more severe, certain due process procedures will be followed at each step based on the property or liberty interest of the employee that is at stake. These due process procedures will include giving the employee notice of the alleged facts and circumstances that the

supervisor believes warrants the discipline to be imposed, and an appropriate opportunity to respond to the allegations before the discipline is imposed..

- C. Recourse – If the employee feels that the corrective action taken is inappropriate or too severe, the employee may appeal the discipline to the Mayor or Mayor Pro-Tem. This request for an appeal must be submitted no later than five (5) working days from the date the corrective action was imposed. The Mayor or Mayor Pro-Tem must respond to the employee and, if appropriate, the supervisor, within ten (10) working days from the day of the review.

Complaint Procedure

- A. The steps for resolution of an employee's complaint regarding internal City matters are as follows:
1. The employee will first ask for a conference to discuss his/her complaint with the appropriate supervisor. Said conference will be scheduled and executed within three (3) working days.
 2. If no resolution can be reached in this conference, the complaint will be reduced to writing and will be submitted to the Mayor or Mayor Pro-Tem or the Personnel Committee.
 3. The Mayor or Mayor Pro-Tem or Personnel Committee will convene a conference, including the employee and the supervisor to address the complaint.
 4. If a resolution satisfactory to the Mayor, the supervisor, and the employee is not reached, a second conference including these three parties and the Personnel Committee or a Council Member appointed to act in his/her stead will be convened. Decisions reached at this conference will be final.

Definitions of Offenses

A. MINOR OFFENSES

1. General Conduct – loafing, interference with other employees at their work, throwing articles.
2. Smoking – Only will be permitted on break time and lunch time, and only in designated areas.
3. Tardiness – Three (3) days out of any forty-five (45) calendar day period (this does not include time being used as compensated time due to covering meetings).
4. All employees must work until established quitting time unless prior approval has been granted from supervisor (this does not include time being used as compensated time due to covering meetings.)
5. Soliciting, selling, distributing of literature and pamphlets, collection of funds, or posting notices or exhibits without permission.

6. Removal of City property without authorization.
7. Intentional waste of time.
8. Gambling on City property.
9. Profane language directed toward another person.
10. Ringing or registering time card of another employee, or influencing another employee to register a time card other than his own.
11. Chewing and spitting on floors, in water fountains, and throwing empty food wrappers, etc., on the floors.
12. Absence – Any employee who for any reason is unable to report for work, shall notify the office of such condition by no later than (30) minutes prior to the start of their regular scheduled shift, unless the reason for non-reporting would be beyond the employee's control.
13. Failure to report for work after notifying the office that will be in to work without a reasonable excuse.

B. MAJOR OFFENSES

1. Disorderly conduct, fighting, wrestling, horseplay
2. Disrespect to management – disobedience, not submitting to authority and not following through with orders that are issued unless by doing so would be putting the City in jeopardy.
3. Concealing defective work.
4. Violation of Safety Rules and Practices. Safety Rules will be posted.
5. Negligence of duty (failure to exercise the care that the circumstances justly demand).
6. Threatening or coercing others.
7. Intentional waste of material.
8. Falsifying records.
9. Defacing walls, bulletin boards or restroom facilities.
10. Sleeping on the job.
11. Unexcused absences limited to six (6) in a fiscal twelve (12) month period.

C. SERIOUS OFFENSES

1. Refusal to perform work assigned, or refusal to follow instructions.
2. Bringing intoxicating beverages, and /or illegal drugs onto City property and /or using either on the premises.
3. Damaging or destroying City property, buildings, equipment, or malicious damage of company materials.
4. Theft of City property
5. Theft of property of another employee while on City premises
6. Immoral conduct, if of serious nature, during working hours
7. Failure to submit to or testing positive for Drug or Alcohol if job requires drug testing.
8. Bringing weapons such as knives in excess of 4", guns, bow and arrow, fireworks, blasting agents or any other instrument as a weapon onto City property whether shown or concealed unless used for hunting in which case state mandates weapons to be cased, unloaded, and remain in a locked vehicle.

ACKNOWLEDGMENT OF RECEIPT

As an employee of the City of Fennville, I hereby acknowledge that I have this date received a copy of the City's Employee Handbook. In consideration of my employment, I agree to conform to the directives of the City and its representatives, and I acknowledge that my employment and compensation can be terminated with or without notice and with or without cause, at either my option or the City's option, as set forth in the Employee Handbook.

Date: _____ Employee: _____