Wexford County

HUMAN RESOURCES/PUBLIC SAFETY COMMITTEE

Mike Bengelink, Chair

NOTICE OF MEETING

The Human Resources/Public Safety Committee of the Wexford County Board of Commissioners will hold a regular meeting on Tuesday, June 23, 2020 beginning at 4:00 p.m. in the Commissioner's Room, Third Floor, 437 E. Division St., Cadillac, Michigan.

TENTATIVE AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. ADDITIONS / DELETIONS TO THE AGENDA

D. APPROVAL OF THE AGENDA

E. APPROVAL OF THE MAY 26, 2020 REGULAR MEETING MINUTES.....1

F. PUBLIC COMMENTS

The Committee welcomes all public input.

G. AGENDA ITEMS

1. Sheriff's Office Monthly Report *(Sheriff/Undersheriff – May 2020)* 6
2. North Flight Monthly Update *(P. Owens – May 2020)* 12
3. Emergency Management Monthly Report *(T. Baker – May 2020)* 15
4. Central Dispatch Monthly Report *(D. Alworden – May 2020)* 16
5. Veterans Services Monthly Report *(K. Myers – May 2020)*.....18
6. Employee Recognition 19
7. Administration Reclassification/Position Description Request.....20
8. Support of House Resolution No. 277.....25
9. Policy Reformatting 27

H. CORRESPONDENCE

I. PUBLIC COMMENTS

J. ADMINISTRATOR'S COMMENTS

K. COMMITTEE COMMENTS

L. CHAIR COMMENTS

M. ADJOURN

In compliance with the Americans with Disabilities Act, persons with physical limitations that may tend to restrict access to or participation in this meeting should contact the County Administrator's office (231-779-9453) at least twelve (12) hours prior to the scheduled start of the meeting.

E.

WEXFORD COUNTY
HUMAN RESOURCES/PUBLIC SAFETY COMMITTEE
REGULAR MEETING MINUTES
MAY 26, 2020

The meeting was called to order by Chair Bengelink at 4:00 p.m. in the Circuit Court Room of the Courthouse, 437 E. Division, Cadillac, Michigan.

Members Present:	Michael Bengelink, Michael Bush, Brian Potter and Gary Taylor
Absent:	None
Also Present:	Duane Alworden, Dispatch Director (virtual); Travis Baker, Emergency Manager (virtual); Jami Bigger, Executive Assistant; Janet Koch, Administrator; Kent Myers, Veterans Services Director (virtual); Alaina Nyman, Clerk; Krisi Nottingham, Treasurer; Keith O'Neil, North Flight Base Coordinator (virtual); Paul Owens, North Flight General Manager (virtual); Sally Randall, Friend of the Court (virtual); Lorie Sorensen, Register of Deeds; Members of the public

ADDITIONS OR DELETIONS TO THE AGENDA
Added: G.9. Employee Recognition – Attachment 1

APPROVAL OF THE AGENDA
A motion was made by Taylor and supported by Bush to approve the Agenda, as amended. A roll call vote was requested. Motion passed 4-0.

APPROVAL OF MINUTES
A motion was made by Taylor and supported by Potter to approve the February 25, 2020, Regular Meeting Minutes. A roll call vote was requested. Motion passed 4-0.

PUBLIC COMMENTS
None.

AGENDA ITEMS
G.1. Sheriff's Department Monthly Report (April 2020)
A representative from the Sheriff's Office was unavailable to attend the meeting. A report was provided in the packet.

G.2. North Flight Monthly Update (April 2020)
Paul Owens, General Manager, reported EMS has seen a decrease in numbers due to the stay-at-home order. North Flight had a 30% drop in volume. Mr. Owens reported although they did transport some patients with COVID-19, no North Flight EMS personnel contracted the virus. April financials are in the negative. So far, May financials have been 2.5% better that April. North Flight will be updating their budget every 90 days.

Mr. Owens also reported:
- Response times are now presented in a different format that shows the current month compared to the average for the year.
- North Flight has furloughed 1.5 staff members.
- They did one intercept with Mesick Rescue.

DRAFT

G.3. Emergency Management Monthly Report (May 2020)
Travis Baker, Emergency Manager, reported:

- He has been dealing with the COVID-19 pandemic.
- He is working with FEMA and the State on a grant application for reimbursement of COVID- 19 related issues and needs.
- The CodeRED system is up and running.

G.4. Central Dispatch Monthly Report (April 2020)
Duane Alworden, Dispatch Director, reported call numbers are down significantly as well as LEIN responses due to the courts not issuing many warrants. He also stated there are no issues with the new building.

G.5. Veterans Services Monthly Report (April 2020)
Kent Myers, Veterans Services Director, reported:

- Calls were down for the month of April and they had no office traffic.
- His department is working both remotely and in the office.
- He has been working to rewrite the grant. He explained since there will be no Veterans' Expo this year, the funds allocated for the Expo will be used in other ways to help veterans.
- Commissioner Taylor has been working hard on the WWII memorial.

G.6. Resolution 20-15 Extending Appreciation for Janet Kelly's Dedicated Service
A motion was made by Taylor and supported by Bush to forward a recommendation to the full board to approve Resolution 20-15 Extending Appreciation for Janet Kelly's Dedicated service. A roll call vote was requested. Motion passed 4-0.

G.7. Friend of the Court Employee Reclassification Request
A motion was made by Potter and supported by Taylor to forward a recommendation to the full board to approve the Friend of the Court eliminate the L2 Department Aide position from their roster permanently.

Ms. Koch explained the request is split into two motions because in accordance with policy, the elimination of the position needs BOC approval, but the reclassification and position descriptions can be approved by this committee.

Ms. Koch informed the committee she has been working with Sally Randall, Friend of the Court, on this request since December and stated she believes it will be a good resolution for their office. She noted that one step equals roughly $1,000. With the elimination of this position and the other position levels increased, the County will save roughly $44,000. Ms. Koch contacted the union and they are in favor of the request.

Ms. Randall stated since 2014, they have restructured their office and brought in new programs. All employees at the Friend of the Court are cross-trained. Positions have been fine-tuned. The duties of the proposed eliminated position, L2 Department Aide, have been disbursed among the current employees.

A roll call vote was requested. Motion passed 4-0.

DRAFT

A motion was made by Taylor and supported by Potter to approve the Friend of the Court's request for reclassification of seven positions and their associated position description effective June 7, 2020, as presented.

Current Staffing and Requested Change	
Support Investigator – L4	Senior Support Enforcement Analyst – L6
Enforcement Support – L4	Intergovernmental-Case Manager – L5
Enforcement Support – L4	Account Rev/Mod Specialist – L5
Bookkeeper – L4	Senior Account/Auditor Specialist – L5
Enforcement Account Clerk – L3	Locate Specialist/Support Staff – L4
Enforcement Clerk – L3	SMILE Coordinator/Support Staff – L4
Enforcement Clerk – L3	Order Entry/Transfer/Sup Staff – L4
Department Aide – L2	Eliminate Position

It was noted a budget amendment will be presented to the Finance Committee at a later date.

A roll call vote was requested. Motion passed 4-0.

G.8 Additional Prosecuting Attorney Discussion
Jason Elmore, Prosecutor, informed the committee they have an intern coming this summer. They have also hired a part-time clerk who has not yet started. Mr. Elmore stated there is a need for four prosecutors in the office. A discussion took place.

A motion was made by Potter and supported by Taylor to send a recommendation to the Finance Committee to approve the Prosecutor's Office to hire a full-time prosecutor for training to replace the outgoing prosecutor. A roll call vote was requested. Motion passed 4-0.

G.9. Employee Recognition
A motion was made by Taylor and supported by Potter to present certificates of appreciation to Richard Olson, Robert Scarbrough, John Waddell at the first BOC meeting that is non-virtual. A roll call vote was requested. Motion passed 4-0.

CORRESPONDENCE
Medical Examiner's Office Report (L. Kaspriak – April 2020)

PUBLIC COMMENTS
None.

ADMINISTRATOR'S COMMENTS
Ms. Koch informed the committee a new lock will be going on the old jail building. She also mentioned the leaks at the new jail.

COMMITTEE COMMENTS
None.

DRAFT

CHAIR COMMENTS
Commissioner Bengelink thanked everyone for attending.

ADJOURNMENT
A motion was made by Potter and supported by Taylor to adjourn at 4:25 p.m. A roll call vote was requested. Motion passed 4-0.

_____ _____
Michael Bengelink, Chair Jami Bigger, Recording Secretary

DRAFT

G.9.
Attachment 1

BOARD OF COMMISSIONERS COMMITTEE AGENDA ITEM

COMMITTEE: HR/Public Safety Committee

FROM: Administration

FOR MEETING DATE: May 26, 2020

SUBJECT: Employee Recognition Certificates

SUMMARY OF ITEM TO BE PRESENTED:

Wexford County would like to recognize employees for their service, per County policy B.13-0, at 10, 15, 20, 25, 30 and 35 years. The following employees should be recognized at a Board of Commissioners meeting for their service as follows:

EMPLOYEE NAME	DEPARTMENT	YEARS OF SERVICE
Richard Olson	Prosecutor's Office	10 Years
John Waddell	Building Department	10 Years
Robert Scarbrough	Building Department	20 Years

RECOMMENDATION:
Presentation of the Certificate of Appreciations to the above employees at the next non-virtual BOC meeting.

G.1.

OFFICE OF THE SHERIFF • WEXFORD COUNTY

Trent J Taylor
Sheriff

Richard R. Doehring
Undersheriff

Wexford County Office of the Sheriff

Monthly Report

May

2020

1015 Lincoln St. • Cadillac, Michigan 49601 • 231-779-9216 • FAX: 231-779-0218
www.wexfordsheriff.org

LAW ENFORCEMENT DIVISION

The Wexford County Sheriff's Office, Law Enforcement Division, is comprised of 26 sworn Officers; the Sheriff, Undersheriff, 1 Law Enforcement Lieutenant, 1 Detective Lieutenant, 1 Detective Sergeant, 4 Law Enforcement Sergeants, 15 Deputies and 2 Court Bailiff's.

In May, the Law Enforcement Division received 622 calls for service. Of those calls, 192 reports were taken. As a result of those complaints taken, 22 arrests were made, and 56 citations were issued.

Law Enforcement Statistic Re-Cap:

Total Calls for Service	622
Total Complaints Taken	192
Felony/Misdemeanor Arrests	22
Citations Issued	56

COURT SECURITY/DEPUTY ARRESTS

Court Arrests	0

TNT:

The Wexford County Sheriff's Office has one Deputy assigned to the Traverse City Narcotic Team.

Original Reports	3
Intelligence Reports	18
Arrests	2
Assist Other Agencies	11

CIVIL PROCESS:

The Law Enforcement Division provides Civil Process Services within the county for citizens, as well as for Courts and Prosecutor's Offices.

Total Civil Papers Received	40
Total Civil Papers Completed	37

ADDITIONAL SERVICES:

In addition to the many services provided by the Wexford County Sheriff's Office, the Office provides Live Scan Fingerprinting, and Pistol Purchase Permits for individuals who wish to purchase a handgun from an individual. The office is also responsible for registering firearms purchased from citizens with the State of Michigan Firearms Unit.

Live Scan Fingerprint:

Michigan School Employment	3
Concealed Pistol Licensing	2
Other	2
Total Prints.....	**7**

Pistol Information:

Permits/Sales Records entered	0
Indiv. Sales registered	56

ANIMAL CONTROL DIVISION:

The Wexford County Animal Control Division is comprised of two Animal Control Officers and is overseen by the Law Enforcement Lieutenant. The Animal Shelter has many volunteers that assist in taking care of the animals and advocating for their adoptions. In May, the shelter took in 19 animals, adopting 9 and reuniting 7 with their owner(s).

ACTIVITY:

Total Calls	50
Total Complaints/Reports	3
Animal Bites	4
Citations Issued	1
Animals Lodged in Pound	19
Animals Adopted Out	9
Animals Transferred to Rescue	1
Animals Claimed By Owners	7
Animals Euthanized	0

CORRECTIONS DIVISION:

The Wexford County Corrections Division is comprised of, 4 Sergeants, 20 Correctional Officers and is overseen by the Jail Lieutenant.

Average Daily Inmate Headcount	44
Total number of inmates Booked	22
Total Inmates Booked –Year to date	445
Total Number of Inmates Released	31
Number Released-Year to date	484
Transportation Costs/Month	$0
Transportation Costs/Year	$0
Jail Overcrowding/State of Emergency	NO

TRAININGS/RECOGNITIONS:

- May 5, 2020- MDOC was onsite and conducted an inspection per E0 2020-62. Jail was found to be in full compliance. (see attached)
- May 18, 2020 Corrections Sergeants Vanhaitsma, Piskor, Vermeulen and Batten attended training at the WCJ for warrant entry/removal. Training was provided by Wexford County Central Dispatch Assistant Director Travis Baker
- Law Enforcement Division participated in several celebration parades county wide for community members
- All of Law Enforcement Division participated in firearms training.
- Voluntary COVID testing of staff and inmates- nearly 50 individuals—all negative results.

Wexford County Animal Shelter	Reporting Month May 2020

The Wexford Count Board of Commissioners requires monthly submission of the following information in accordance with County Ordinance #35 Section3 (B).5 as amended. This report must be submitted to the Wexford County Board of Commissioners with 15 days of the end of the month. This is to be completed according to the guidelines for the Animal Shelter Annual Report -per Act 287. Section9(a) but on a reporting month basis.

Type of Companion Animal received into the shelter reporting month	Total number of animals received by the shelter during the reporting month less than 6 months of age	Total number of animals received by shelter during reporting month at 6 months of age & older	Total number of animals by type received into the shelter during reporting month	Total number of animals type adopted during reporting month (at the time of adoption) per ref 1		Total number of animals by type sold during reporting month per ref 2	Total number of animals by type transferred to allowable entities during reporting month per ref 3	Total numbers of animal by type euthanized during reporting month	
				Altered	Not Altered			Shelter Animals	Owner Requested
Dogs	1	11	12	2	3	5	1	0	0
Cats	4	3	7	1	3	4	0	0	0

Financial Results	Cats Altered	Cats Not Altered		Dogs Altered	Dogs Not Altered		Total
Adoption Fees	0.00	0.00		30.00	45.00		75.00
Sterilization Deposits	0.00	75.00		0.00	75.00		150.00
Ordinance Fee Refunds							
Reclaim Fees	7 animals reclaimed						210.00
Donations Received							

References:
1. MCL 287.338.8a Sec (1)
2. MCL 287.388
3. MCL 287.338.7;MDARD-registered shelters, law enforcement agencies, or service dog organizations

Printed Name of Person Submitting the Report	Date Submitted
Jamie Geeseman	06-03-2020
Submitter's Signature Jamie Geeseman	Phone 231-779-9530

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

GRETCHEN WHITMER
GOVERNOR

HEIDI E. WASHINGTON
DIRECTOR

May 7, 2020

Sheriff Trent Taylor
Wexford County Sheriff's Office
1015 Lincoln Street
Cadillac, Michigan 49601

RE: MDOC EO 2020-62 Covid Protocol Inspection

Dear Sheriff Taylor,

On Tuesday, May 5, 2020 Regulations Agents conducted an inspection of the Wexford County Jail as provided for by Act No. 232 of the Public Acts of 1953, as amended, being section 791.262 of the Michigan Compiled Laws and the Governor's Executive Order 2020-62.

The inspection was conducted by Ron Trachet, Regulation Agent with the County Jail Services Unit.

Inspection Findings

On the date of inspection, the Wexford County Jail was in **FULL COMPLIANCE** with the MDOC Covid-19 Protocols.

Transfer of Inmates to MDOC

You can now contact the Charles E. Egler Reception and Guidance Center (RGC) to schedule transfer of MDOC prisoners. You must contact Rachel Johnson at 517-780-6463 to schedule.

RGC will need the following information from your county.

- Exit screening information for all transfers.
- Number of MDOC prisoners you have for transfer.
- Any Person Under Investigation (PUI) or Covid positive transfer.

Sincerely,

Ron Trachet

Ron Trachet
Regulation Agent
Michigan Department of Corrections
County Jail Services Unit
(517) 282-6096
Trachetr@Michigan.gov

Great Job !!! Everyone ... Keep up the good work.

NORTH FLIGHT EMS

To: Wexford County Board of Commissioners

From: Paul Owens, General Manager

Date: June 16, 2020

SUBJECT: 911 Requests/Response Time Average Report

Attached are ***911 Requests/Response Time Average Reports*** *based on month of May 2020 and cumulative report of January - May 2020.*

Operations: There were no concern reports for May 2020.

Financials for May 2020:

- Year-to-date total unrestricted revenue was $2,144,407. The budgeted amount was $2,353,989, which resulted in a variance of ($209,582).

- The total "requests for service" for May was 287. Prior year requests was 441.

- The total "billable requests for service" for May was 244. This total, compared with the budgeted total of 379, resulted in a decrease of (135) calls. "Requests for service" for the prior year was 373.

- ***Miscellaneous for May:***

- (2) MEI's: (1) City of Cadillac, (1) Cedar Creek Township
- (4) Intercepts with Mesick Rescue

Wexford Response Times May 2020

Response Times May		
Township	**Requests**	**Time**
Antioch	0	0
Boon	2	12.73
Cadillac	120	3.94
Cedar Creek	8	8.54
Cherry Grove	13	8.41
Clam Lake	13	6.81
Colfax	4	16.42
Greenwood	8	10.47
Hanover	0	0
Haring	21	6.62
Henderson	0	0
Liberty	5	8.06
Manton	9	5.01
Selma	12	12.84
Slagle	0	0
South Branch	1	15.1
Springville	0	0

Wexford Board Response Times Jan through May 2020

Response Times Jan through May		
Township	**Requests**	**Time**
Antioch	0	0
Boon	0	0
Cadillac	648	4.34
Cedar Creek	61	7.89
Cherry Grove	75	11.46
Clam Lake	93	6.64
Colfax	19	13.09
Greenwood	17	11.66
Hanover	0	0
Haring	175	6.59
Henderson	3	12.65
Liberty	25	9.19
Manton	50	6.35
Selma	80	11.85
Slagle	4	12.37
South Branch	42	20.58
Springville	0	0

G.3.

Wexford County Emergency Management Report

May 2020

- Dealing with COVID-19 pandemic, finishing up paperwork and phone conferences, finalizing reports and inventory from SEOC.
- Have masks on hand for all county employees to receive 5 or 6 masks if needed.
- CodeRED is up and running, doing trainings when I can on how to run the system and set up more advanced alerts.
- Working with FEMA and State on the grant application, trying to gather all documentation we need to submit for reimbursement.
- Monitoring the protest events in the area and will activate the EOC if needed

Travis Baker 06/17/2020

Wexford County

Central Dispatch

Public Safety Report

M ay 2020

CENTRAL DISPATCH

Total LEIN Responses	13439
CAD GENERATED: INCIDENTS:	
Sheriff Department	689
Animal Control	50
Michigan State Police	534
Cadillac Police Department	804
Manton Police Department	04
EMS Calls	463
Fire Calls	153
Support Services Calls	68
Central Dispatch	86
911 Hang up/Text Back	309
TOTAL CALLS FOR SERVICE	3160
TELEPHONE CALLS RECEIVED:	
9-1-1 calls	1374
Administrative Calls	3782
TOTAL CALLS RECEIVED:	5156

G.5.

Wexford County Veterans Services

401 N. Lake Street, Cadillac, MI 49601
231-775-6654

Kent Myers, Director

10 June, 2020

ORIGINAL

Veterans Services Monthly Report

May 2020 Overview

- Veterans in office visits-0
- Logged phone contacts-unable to track due to phone issues
- Veterans who received emergency assistance -0
- Veterans ineligible/denied for emergency assistance - 0
- County Burial benefits and letters have been initiated-0

Due to Covid 19 this office was not open to the public. We did, however come into work several days a week and we did work from home with our laptops. We were able to assist Veterans over the phone. We meet with just a few at the door to have them sign forms.

There were no burials reported and no emergency assistance applied for.

Kathy's Federal Training in Atlanta, GA was cancelled. It will not be available again until next June when it will be held in Madison, Wisconsin.

Kent has been working on reallocating Grant funds as the Expo has been cancelled for this year.

Respectfully,

Kent Myers, Director

Kathy Cline
Veteran Service Officer

Taking care of our American Heroes...past...present...future...

BOARD OF COMMISSIONERS COMMITTEE AGENDA ITEM

COMMITTEE: HR/Public Safety Committee

FROM: Administration

FOR MEETING DATE: June 23, 2020

SUBJECT: Employee Recognition Certificates

SUMMARY OF ITEM TO BE PRESENTED:

Wexford County would like to recognize employees for their service, per County policy B.13-0, at 10, 15, 20, 25, 30 and 35 years. The following employees should be recognized at a Board of Commissioners meeting for their service as follows:

EMPLOYEE NAME	DEPARTMENT	YEARS OF SERVICE
David Batten	Corrections	15 Years
Melissa Bismack	Community Corrections	20 Years

David Batten began his employment with Wexford County on June 26, 2005 as a Corrections Officer. On October 14, 2019, David was promoted to Corrections Sergeant and continues to work in the position.

Melissa Bismack began her employment with Wexford County on June 21, 2000 as a Deputy Clerk in the District Court. On June 5, 2008, Melissa was hired as the Community Corrections Senior Officer in the Community Corrections Department and continues to work in this position.

RECOMMENDATION:
Presentation of the Certificates of Appreciation to the Mr. Batten and Ms. Bismack at the next BOC meeting.

BOARD OF COMMISSIONERS COMMITTEE AGENDA ITEM

COMMITTEE: HR/Public Safety Committee

FROM: Administration

FOR MEETING DATE: June 23, 2020

SUBJECT: Administration Reclassification/Position Description Request

SUMMARY OF ITEM TO BE PRESENTED:

The position of Executive Assistant to the County Administrator is currently an L3 position. With the recent reconfiguration at Friend of the Court, this is the only remaining L3 position at Wexford County. There are no L2 or L1 positions. Please see the following page, which supports the request to reclassify this position from L3 to L5.

The Executive Assistant's regular duties vary tremendously. A few include reconciling health insurance statements, "onboarding" of new personnel, liaising with employees and insurance companies, assembling agenda packets, taking meeting minutes, and troubleshooting technical issues that range from telecommunications to internet connectivity.

Another regular—and critical—duty of the Executive Assistant is communicating with commissioners, department heads, employees, outside agencies, and the general public, many times in a confidential manner, and always professionally. The Executive Assistant is also expected to fill in for the Senior Executive Assistant (an L5 position) when required.

The duties of the Executive Assistant have expanded in the ten years since the position description was last revised (see following). Given these changes, I am recommending a new title of Executive Assistant/HR Coordinator and new position description (following).

A full year of wage increases for this request would be a cost to the County of $2,164.50. However, given the time of year, the 2020 increase is estimated at $1,082.25. A budget amendment will be needed to shift funds within the 101-172 Administration Department, but no additional funds from outside the department's budget are required. The shift will come from 101-172-860 Travel & Conferences, since the majority of the 2020 conferences I expected to attend have been cancelled.

I strongly believe this level increase is appropriate for this complex position. The increase would assist with retaining a high quality employee. Additionally, in the unfortunate event that replacing the current employee becomes necessary, the increase would help attract qualified candidates.

RECOMMENDATION:

Administration recommends the HR/Public Safety Committee approve the reclassification and position description request, effective July 5, 2020, to coincide with payroll.

Position: **Executive Assistant to the County Administrator**

Date: **June 18, 2020**

Category	
1) Education	48
2) Work Experience	90
3) Freedom of Action	60
4) Complexity/Problem Solving	80
5) Accountability/Error Potential	60
6) Contacts	100
7) Responsibility for Others	26
8) Number of Personnel Supervised	12
9) Environmental Factors	32
10) Technical Knowledge	60
Total	**568**
Compensation Level	**L5**

Review Level: **Department Head & County Administrator**

Approved? Y/N **Yes**

Signature

WEXFORD COUNTY POSITION DESCRIPTION

Position: Executive Assistant

Adopted: June 2, 2010

A. **Summary**. Under minimal supervision of the County Administrator, provides administrative functions that assist the County Administrator in the daily functions of the department.

B. **Supervision Received.** Work is performed under the general supervision of the County Administrator or Senior Executive Assistant.

C. **Supervision Exercised.** None.

D. **Responsibilities and Essential Duties and Functions.** An employee in this position may be called upon to do any or all of the following essential duties. These examples do not include all of the duties which the employee may be expected to perform.

- Provide general office support and use of word processing, spreadsheets and presentation software. Duties will include telephone calls (including providing back-up material for call-backs), filing, mail, FOIA requests, internet research and data entry. May assist with the overflow work from the Senior Executive Assistant.
- Assure discreet and confidential handling of all business on a need to know basis.
- Record keeping and preparing agendas and minutes of various Committees.
- Contacting other agencies for best practices.
- Respond to inquiries from the public, vendors and various County Officials.

E. **Essential Functions, Qualifications and KSAs for Employment.** All of the following qualifications are essential. An employee in this class should have the equivalent of the following:

- Advanced computer skills in Microsoft Office ™ and BS&A software
- High school diploma and some post high school education
- Skills in assembling data and preparing accurate records and reports
- Cooperative and team approach to daily duties

The qualifications listed above are intended to represent the minimum skills and experience levels associated with performing the duties and responsibilities contained in this job description. The qualifications should not be viewed as expressing absolute employment or promotional standards but as general guidelines that should be considered along with other job-related selection or promotional criteria.

Wexford County Position Description
Position: Executive Assistant/HR Coordinator
Adopted: _____, 2020

Summary: Under minimal supervision of the County Administrator, provides administrative functions that assist the County Administrator in the daily functions of the department.

Supervision Received: Work is performed under the general supervision of the County Administrator

Supervision Exercised: None.

Responsibilities, Essential duties and Functions: An employee in this position may be called upon to do any or all of the following essential duties. These examples do not include all of the duties which the employee may be expected to perform.

1. Responsible for managing employee insurance benefits including enrollment, adjustment, termination, COBRA and reconciling health insurance invoices.
2. Responsible for discreet and confidential handling of business on a need to know basis.
3. Onboards new employees by describing insurance information, County policies, etc.
4. Responsible for FOIA requests, internet research, filing, mail, and data entry.
5. Responsible processing purchase orders for all county departments.
6. General office support and use of word processing, spreadsheets, and presentation software.
7. Assist with the overflow work from the Senior Executive Assistant.
8. Responsible for understanding general duties and responsibilities of all County departments.
9. Record keeping and preparing agendas and minutes of various Committees.
10. Contact other agencies for best practices.
11. Respond to inquiries from the public, vendors, and various County Officials.
12. Professionally answer the department's multi-line and multi-function telephone system.
13. Work effectively with the commissioners, department head, outside agencies, and all County employees.
14. Troubleshoots technical issues, e.g., telecommunications, internet connectivity.
15. Regularly adapt to changes in County policies, State statutes, and Federal legislation.

DRAFT

Essential Functions, Qualifications, and KSA's for Employment: All of the following functions, qualifications, knowledge. skills, abilities (KSAs) and duties are essential. An employee in this class, upon appointment, should have the equivalent of the following:

1. Must have the ability to maintain confidential information.
2. Must be proficient with the Microsoft Word, Excel, and Outlook.
3. Experience with BS&A software is highly desired.
4. Capacity to function at a high level in an occasionally stressful environment.
5. Skills in assembling data and preparing accurate records and reports
6. Must possess a high degree of professionalism.
7. Must have the ability to work effectively with employees and the public.
8. Ability to type accurately and speedily.
9. Must have the ability to organize, process, and coordinate office work.
10. Ability to pass a background and security check.
11. Educational requirement; high school graduation or equivalent.
12. Additional educational requirement; formal education from an accredited college in business administration, administrative assistant, legal assistant, or related field.

The qualifications listed above are intended to represent the minimum skills and experience levels associated with performing the duties and responsibilities contained in this job description. The qualifications should not be viewed as expressing absolute employment or promotional standards but as general guidelines that should be considered along with other job-related selection or promotional criteria.

DRAFT

G.8.

BOARD OF COMMISSIONERS COMMITTEE AGENDA ITEM

COMMITTEE: HR/Public Safety Committee

FROM: Administration

FOR MEETING DATE: June 23, 2020

SUBJECT: Support of House Resolution No. 277

SUMMARY OF ITEM TO BE PRESENTED:

Commissioner Bengelink requested the following, House Resolution No. 277, be presented to the Committee for consideration.

HOUSE RESOLUTION NO.277

Rep. Berman offered the following resolution:

A resolution discouraging local units of government from defunding or abolishing their local police departments.

Whereas, Recent incidents of injuries to and deaths of civilians in encounters with law enforcement officers have justifiably drawn attention to the organization and funding of police departments. Some advocates for change are going beyond calls for reforms, however, by demanding that local police departments be defunded or abolished; and

Whereas, Law enforcement is a necessary and vital function of our government at all levels. Police departments enforce the laws enacted by the Legislature to ensure public safety, protect the health and possessions of our citizens, and to prevent crime and civil disorder; and

Whereas, Michigan law enforcement officers are highly-trained and courageous individuals working in dangerous situations to protect the residents of Michigan; and

Whereas, The egregious misconduct and bias of some law enforcement officers demonstrates the need for reform, but efforts to defund or abolish local police departments gives credence to the incorrect notion that law enforcement generally is harmful to local communities, rather than a cornerstone of a safe and prosperous society; and

Whereas, Defunding or abolishing local police departments will burden remaining departments that may be called upon to provide assistance within municipalities that no longer have the resources to respond to emergency calls. Lack of policing resources will put citizens at risk, creating chaos and disorder; and

Whereas, The absence of law enforcement personnel in our cities and rural areas could affect the state's economy, discouraging businesses from locating here and out-of-state residents from visiting. An increase in crime would affect every Michigan resident's quality of life; now, therefore, be it

Resolved by the House of Representatives, That we discourage local units of government from defunding or abolishing their local police departments; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Townships Association, the Michigan Municipal League, the Michigan Association of Counties, the Michigan Association of Mayors, and the Michigan Association of Township Supervisors.

G.9.

BOARD OF COMMISSIONERS COMMITTEE AGENDA ITEM

COMMITTEE: HR/Public Safety Committee

FROM: Administration

FOR MEETING DATE: June 23, 2020

SUBJECT: Policy Reformatting

SUMMARY OF ITEM TO BE PRESENTED:

All County policies have been nicely reformatted and are attached for review. Changes to policy Sections A, C, D & E have already been approved by the Board. No changes have been made to the content of section B, only reformatting. The Policy Committee will meet on July 7 to address Section B.

RECOMMENDATION:
Review the formatting of the policies and note any revisions that may be needed.

Wexford County Policies and Procedures Manual

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A-0.0 Code of Ethics and Conduct for Wexford County Commissioners

County Board Approval: December 4, 2019

A. Preamble.

1. The citizens of Wexford County are entitled to have a just, ethical and accountable local government that has earned the public's full confidence for integrity.
2. Furthermore, the effective functioning of government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; public officials be independent, impartial and just in their judgment and actions; public office be used for the public good, not for personal gain; and public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.
3. To this end, the Wexford County Board of Commissioners adopts this Code of Ethics and Conduct to assure public confidence in the integrity of local government and its effective and just operation.

B. Code of Ethics and Conduct.

1. Acts in the public interest. Recognizing that stewardship of the public interest must be their primary concern, County Commissioners will work for the common good of the people of Wexford County and not for any private or personal interest, and they will assure just and equal treatment of all persons, claims, and transactions coming before the Board of Commissioners.
2. Compliance with law. County Commissioners shall comply with the laws of the nation, the State of Michigan, and Wexford County, in the performance of their public duties. Commissioners shall also comply with the Rules of Procedure as adopted by the Board.
3. Respect for process. County Commissioners shall perform their duties m accordance with the Rules of Procedures established by the County Board of Commissioners governing the deliberation of public policy issues and meaningful involvement of the public.
4. Conduct of public meetings. County Commissioners shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.
5. Communication. County Commissioners shall publicly share substantive information that is relevant to the matter under consideration by the Board, which they may have received from sources outside of the public decision-making process.
6. Full disclosure.
   a. A County Commissioner in the performance of his/her public duties shall not act upon any matter in which he/she may have a material financial interest, or where he/she may have a legal or fiduciary duty to another organization or entity or personal relationship that may give the appearance of a conflict of interest, without disclosing the full nature and extent of the interest to the other members of the County Board of Commissioners on the official record. Such disclosure must be made before the time to perform their duty or concurrently with the performance of the duty.

b. The disclosure required by this section shall not supplant, but instead shall supplement any disclosure of a personal, contractual, financial, business, employment or pecuniary interest required by state statute and the Rules of Procedure A-1.0.6.a-b.

7. Gifts, favors, and loans.

a. A County Commissioner shall refrain from financial and business dealings that would tend to reflect adversely on the Commissioner's impartiality, interfere with the performance of his/her public duties or exploit his/her official position. A County Commissioner should not take any special advantage of services, goods, or opportunity for personal gain that is not available to the public in general.

b. A County Commissioner, a family member of a County Commissioner, a Trust in which a County Commissioner or other family member may be considered as a beneficiary of a Trust, and an entity (corporation, partnership, sole proprietorship, LLC) in which the County Commissioner or other family member has a financial interest, shall refrain from soliciting any gifts, loans or favors except that a Commissioner and a family member may:

1) Accept a gift or honorarium, not exceeding a value of twenty-five dollars ($25.00), for services rendered in the performance of their public duties or other activity devoted to the improvement of communities and the lives of citizens.

2) Accept ordinary social hospitality; a gift, bequest, favor or loan from a relative; a wedding or engagement gift; a loan in the regular course of business from a lending institution on the same terms as generally available to the public; and a scholarship, grant or fellowship awarded on the same terms as applied to other applicants.

3) Accept any other gift, favor or loan only if the donor is not a person or entity whose interests have come or are likely to come before the Board of Commissioners.

4) Solicit and accept campaign contributions in accordance with federal and state law.

8. Confidential Information. County Commissioners shall respect the confidentiality of information concerning the property, personnel or affairs of the County. They shall neither disclose nor divulge to an unauthorized person confidential information acquired in the course of their duties in advance of the time prescribed for its authorized release to the public without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

9. Use of public resources. Public resources, including County staff time, equipment, supplies, and facilities, not available to the public in general shall only be used for the benefit of the public. County Commissioners may not use public resources for personal or private use.

10. Representation of private interests. In keeping with his/her role as stewards of the public interest, a County Commissioner shall not appear on behalf of the private interests of third parties, including a family member, a Trust in which a County Commissioner or other family member may be considered as a beneficiary of a trust, and an entity

(corporation, partnership, sole proprietorship, LLC) in which the County Commissioner or other family member has an interest, before the Board of Commissioners or any board, committee, commission or proceeding of the County.

11. Advocacy. County Commissioners shall represent the official policies or positions of the Board of Commissioners to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, County Commissioners shall neither state nor imply that they represent the opinions or positions of the Board of Commissioners or Wexford County, and must affirmatively state that it is their own opinion or position, and not that of the Board of Commissioners. Commissioners shall always be mindful of the needs of the entire county, and not just the district they represent.

12. Policy Role of Board of Commissioners.

    a. County Commissioners shall respect and adhere to the Board-Administrator structure of Wexford County government. In this structure, the County Board of Commissioners, by its votes taken at properly noticed public meetings, determines the policies of the County with the advice, information, and analysis provided by the administrator, the public, subordinate boards, committees and commissions, and County Staff.

    b. County Commissioners, individually or as a group, shall not interfere with the administrative functions of the County or the professional duties of County staff; nor shall they impair the ability of the County Administrator to implement Board of Commissioners policy decisions.

13. Independence of Boards, Committees and Commissions. Because of the value of the independent advice of subordinate boards, committees, and commissions to the public decision-making process, members of the Board of Commissioners shall, except when the Commissioner is a member of the public body, limit their participation in the proceedings of such subordinate public bodies to the communication of requested information and providing factual information relevant to the discussion at hand and shall not otherwise attempt to unduly influence the deliberations or outcomes of the proceeds. The Board shall be vigilant to maintain a sense of independence, and monitor board appointments to ensure that no conflicts are present in committee appointments, keeping in mind that any family, business, or personal relationships with committee members.

14. Positive workplace environment.

    a. County Commissioners shall support the maintenance of a positive and constructive workplace environment for County employees and for citizens and businesses deal with the County. County Commissioners shall recognize their special role in dealings with County employees so as to in no way create the perception of inappropriate direction to staff nor give specific orders to subordinates of the County Administrator or County Counsel.

    b. Because County Commissioner actions and comments contribute to the environment in which all County employees must work, in order to create and promote a positive work environment, no Board member shall give orders or direction to any subordinate of the County Administrator, either privately or publicly. Elected Officials may make inquiries or exchange information but cannot issue directives.

15. Compliance and enforcement.

a. This Code of Ethics for Wexford County Commissioners expresses standards of ethical conduct expected for members of the Board of Commissioners themselves have the primary responsibility to assure that they understand and meet the ethical standards expressed in this code of ethics and that the public can continue to have full confidence in the integrity of government.

b. All County Commissioners have a responsibility to act when they learn of actions of another County Commissioner that appear to be in violation of the Code of Ethics. Upon being notified of reasonable suspicion of a violation of the Code of Ethics, the Chairperson shall set, or any three Commissioners, by submission of a letter signed by the three Commissioners, may require the setting, of a public hearing at a regular or special meeting of the County Board of Commissioners to determine whether a violation of the Code of Ethics occurred and, if so, what sanctions shall be imposed for the violation.

c. The Board of Commissioners may impose sanctions on County Commissioners whose conduct does not comply with the County's ethical standards by a super-majority vote of two-thirds voting in favor of such sanctions. Sanctions may include reprimand, formal censure, loss of committee assignment, restrictions on budget or travel, and removal from office by the governor in the manner and for the causes provided by law.

d. A violation of this code of ethics shall not be considered a basis for challenging the validity of a County Board of Commissioners decision.

16. Implementation.

a. As an expression of the standards of conduct for county Commissioners expected by the public, this Code of Ethics and Conduct is intended to be self-enforcing. It therefore becomes most effective when County Commissioners are thoroughly familiar with it and embrace its provisions.

b. For this reason, ethical standards shall be included in the regular orientations for newly elected or appointed County Commissioners. At the first organizational meeting of the Board of Commissioners in January of each year, County Commissioners entering office shall sign a statement affirming that they have read and understand the Code of Ethics for Wexford County Commissioners.

c. In addition, the Board of Commissioners shall annually review the Code of Ethics and Conduct for Wexford County Commissioners.

Commissioner Statement of Acknowledgment

As a member of the Wexford County Board of Commissioners, I agree to uphold the Code of Ethics and Conduct adopted by the County Commission and conduct myself by the following model of excellence. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where individual members, County staff, and the public are free to express their ideas and work to their full potential;
- Respect the dignity and privacy of individuals and organizations;
- Respect and maintain the nature of confidential and privileged information and opinions acquired as a result of my position;
- Conduct my public affairs with honesty, integrity, fairness and respect for others;
- Avoid and discourage conduct that is divisive or harmful to the best interests of Wexford County; and
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit.

I affirm that I have read and fully understand the Code of Ethics and Conduct for Wexford County Commissioners:

Signature:_____Date:_____

A-1.0 Board and Committee Procedures, General

County Board Approval: April 17, 1996; Amended February 16, 2000; January 29, 2003; August 7, 2013; April 20, 2016; Amended December 4, 2019

A. Rules of Procedure.

1. Meetings. All meetings of the County Board of Commissioners and the Board's Standing Committees shall be conducted in accordance with such rules of procedure as may be required by the State of Michigan and by local policy as adopted by the Board. Where no law or policy provides for the procedural conduct of meetings, *Robert's Rules of Order* will be followed.

2. Quorum. By state statute, a majority of the County Board of Commissioners (currently five of the nine-member Board) shall constitute a quorum for the transaction of County business, **EXCEPT** for final passage of a measure, resolution, appointment, or claim against the County. **Final passage** of a measure, resolution, appointment, or claim against the County requires a majority vote of the members elected and serving, which means five affirmative votes from our currently constituted nine-member Board.

3. Change to Procedures. The Board may, by resolution, remove, amend, suspend or temporarily waive a local procedural rule as required to facilitate the conduct of County business.

4. Procedural Failure. Should any Board member, Standing Committee or specially designated Committee fail to carry out their responsibilities under the currently approved County policies and procedures without just, proper and documented cause, the Board may take whatever remedial action deemed necessary to ameliorate this failure.

5. Motions and Voting.

   a. Committee Chairs may make and second motions.

   b. During Board meetings, any roll call vote will begin with a different district at each vote. Subsequent roll call votes will rotate in sequence. However, the Chairman of the Board will always vote last. The sequence rotation will continue through Liaison Reports and Board Comments.

6. Abstentions from Voting

   a. Financial Conflict of Interest: By state statute, County Commissioners as public servants are specifically prohibited from taking "any part in negotiations of a contract, or approval of a contract" in which he or she has any financial interest. In such instances, a commissioner must abstain from voting. EXCEPTION: by statute, if abstentions reduce the number of commissioners available for a required two-thirds vote, those who abstained may vote if their direct financial benefit from the matter before the Board is less than $250.00, less than 5% of the public cost of a contract and if the member files a sworn affidavit to the Board which shall be made a part of the minutes.

   b. Ethical Conflict of Interest: In situations in which personal bias, prejudice or family relationship might make it difficult for a commissioner to render a "reasonable and impartial decision", the commissioner may request approval from the Board to abstain. Such a request must clearly state the nature of the conflict, and approval must be by a majority of the members present.

7. First Board Meeting. The first Board meeting in a calendar year will be an organizational meeting and will be held on the first Wednesday in January (except when that day is New Year's Day in which case the first meeting of the calendar year will occur on the first Thursday in January). This meeting will be conducted by the County Clerk until such time during the proceedings that a Chairman is elected, at which time the Chair will assume the conduct of the meeting. At a minimum, the following actions will be considered and/or accomplished during this first meeting:

   a. Election, by the Board members, of a Board Chair and Vice Chair for the calendar year.

   b. Establishment of Standing Committees for the calendar year.

   c. Assignment of Committee members and designation of Committee Chairs.

   d. Adoption of Board and Committee policies and procedures for the calendar year.

   e. Establishment of the Board and Committee meeting schedule for the calendar year.

   f. Establishment of liaison assignments to other regional Boards and Committees for the calendar year.

   g. Approval of the fiscal year Wexford County Budget Resolution/General Appropriations Act.

   h. Approval of the Employee Roster for the calendar year.

8. Transfer of Business

   a. From Board to Committee. Should the Board Chair determine that agenda items before the Board require further study, evaluation or explanation, the Chair will refer these items to the appropriate Committee with a specific tasking that will include actions desired, recommendations required, and a deadline for action.

   b. From Committee to Board. Should a Committee Chair determine that agenda items before his/her Committee require review or further action by the Board or that actions previously directed to his/her Committee by the Board Chair (for study, evaluation or explanation), the Committee Chair will refer these items to the County Administrator's office for inclusion on the agenda for the next (or specified) regular Board meeting. It will be the responsibility of the Committee Chair to present and lead the discussion at the Board meeting for the items on the Board agenda from his/her Committee.

   c. From Committee to Committee. Should a Committee Chair determine that any business before his/her Committee be more appropriately addressed by another Standing Committee, the Chair will bring that business to the Board Chair for reassignment.

B. Board of Commissioners.

1. Duties of the Chair. The Chair shall:

   a. Take the Chair as soon as elected by the Board at the annual organizational Board meeting.

   b. Conduct the order of business as follows:

      1) Call to order.

      2) Roll call.

3) Pledge of allegiance.

Note: At the first meeting of the calendar year, the County Clerk will act as temporary Chair and carry out the order of business to this point, at which time he/she will call for election of a Board Chair by secret ballot. Upon election, the new Chair will carry out the remainder of the order of business as on the agenda and as generally outlined below.

4) Additions or elections to the agenda.

5) Approval of the agenda.

6) Approval of minutes from previous meeting(s).

7) Presentations and Reports.

8) Public comments.

9) Employee Recognition

10) Agenda items.

11) Report from Administrator.

12) Correspondence.

13) Reports from Committees.

14) Reports from liaisons.

15) Public comments.

16) Board comments.

17) Chairman's comments.

18) Adjournment.

c. Preserve good order at all Board meetings.

d. Speak on points of order in reference to other Board members and rule on questions of order as brought forth by Board members.

e. Vote last on all questions before the Board except where, in the judgment of the Chair, a conflict of interest or an ethics in government situation exists.

f. Authorize attendance of other Board members in an official capacity (as a representative of the County) at any meeting, convention or gathering deemed important to the conduct of County business.

1) Members so assigned shall report back in writing or orally to the Board as to their participation in said meeting, convention or gathering.

2) This report is to be made at the first Board meeting following attendance at the event.

2. Duties of the Vice Chair. When the Chair is absent from Board meetings or otherwise incapacitated, the Vice Chair, during the interim will assume all of the duties, responsibilities of the Chair. The Vice Chair will not serve as Chair of the Finance Committee.

3. Temporary Chair. Both the Chair and the Vice Chair, when presiding over the Board, have the right to name any member of the Board to perform the duties of the Chair temporarily.

4. Succession to the Chair. When both the Board Chair and the Vice Chair are absent from a Board meeting, the succession to the Chair will be the Finance Committee Chair followed by the Human Resources and Operations Committee Chair.

5. Quorum. A majority of all of the duly elected Board of Commissioners shall constitute a quorum.

6. Special meetings. Special meetings of the Board, when required, will be held in compliance with Public Act No. 267 of 1976 as amended (the Open Meetings Act). The Clerk or a representative approved by the Clerk must be available.

   a. Special committee meetings may be called by the Board Chair or the Chair of the committee. An approved representative from the Administration Office must be available.

C. Agenda Preparation.

1. Board of Commissioners.

   a. The Board Chair is responsible for developing a meeting agenda (Vice Chair in the absence of the Chair) in conjunction with the office of the County Administrator.

   b. Agenda materials are to be submitted to the County Administrator's office by 5:00 PM on the seventh (7th) calendar day prior to the scheduled Board meeting.

   c. The meeting agenda and related materials will be made available by the County Administrator's office to the Board members, to other elected officials, to County Department Heads and to the general public at least three (3) business days prior to a scheduled meeting. A copy of these materials will also be retained by the County Administrator as part of the historical file of County Business.

2. Committees.

   a. The Committee Chair is responsible for developing a meeting agenda in conjunction with the office of the County Administrator.

   b. Agenda materials are to be submitted to the County Administrator's office by 5:00 PM on the third (3rd) business day prior to a scheduled meeting.

   c. The meeting agenda and related materials will be made available by the County Administrator's office to the Committee members, to remaining Board members, to County Department Heads and to the general public at least one (1) business days prior to a scheduled meeting.

D. Minutes.

1. Recording Format. (Note: all Board and Committee meetings are to be recorded for later transcription.)

   a. Board.

      1) Draft resolutions will be included in agenda books for all resolutions brought before the Board for consideration. Motion sheets will be provided to Commissioners to properly record motions that are proposed and acted on by the Board. These documents will form the basis for the County Clerk to record Board proceedings and prepare minutes for subsequent approval. To this end, the actions, decisions, motions and resolutions of the Board are to be clearly stated to ensure proper recording in the minutes.

2) Discussion and comment during Board meetings will be summarized in the minutes as required to ensure clear meaning and intent for record purposes.

b. Committees.

1) An employee of the County Administrator's office will normally act as Committee Secretary to record Committee proceedings and prepare minutes for subsequent approval by the Committee. (Note: in the absence of an employee from the Administrator's office to act as Secretary, a voice recording and handwritten notes are to be turned over to the Administrator's office for later transcription.)

2) The actions and decisions of Committees may be recorded by motion or statement of consensus in the minutes.

3) Discussion and comment during Committee meetings will be summarized in the minutes as required to ensure clear meaning and intent for record purposes.

2. Review, Authentication and Retention.

a. Board.

1) The minutes of the Board and Committee of the Whole will be prepared as soon as possible (and normally not later than three business days) following a Board meeting and signed by the County Clerk following which they will be distributed to Board members for review and approval at a subsequent Board meeting.

2) Once they are approved by the Board, they will then be signed by the Board Chair and retained in the County Clerk's office as a permanent record of County business.

b. Committees.

1) The minutes of Committees will be prepared and signed by the Committee Secretary as soon as possible (and not later than three business days following the Committee meeting) after which they will be distributed to each Committee member for review and approval at a subsequent meeting.

2) Once they are approved by the Committee, they will then be signed by the Committee Chair and retained in the County Administrator's office as a permanent record of Committee business.

A-1.1 Executive Committee Guidelines

County Board Approval: April 17, 1996; Amended January 29, 2003, March 5, 2003; Reviewed on December 4, 2019

A. Committee composition.

The membership of the Executive Committee (EC) will consist of the Board Chair and the Chairs of the:

1. Finance and Appropriations Committee.
2. Recreation and Building Committee
3. Human Resources and Safety Committee

B. Chair.

The Chair of the Board of Commissioners will Chair the Executive Committee.

C. Meetings.

1. The EC will meet monthly on a day of the month and at a time as determined by the Board.
2. The EC will be governed by procedures as outlined in this and other Sections of this Manual.

D. Purpose.

1. The EC will meet for the purpose of providing guidance to the County Administrator regarding the day-to-day work effort of the Administrator's office.
2. The EC will formulate guidance to the County Administrator regarding special tasks to support pending or current Board or Committee issues and initiatives.
3. The EC will coordinate inter-Committee communications on issues being worked by the Board, its Committees and the County staff.

E. Responsibility.

1. The EC will assist the Board Chair in the coordination of Committee work on issues that require consideration by more than one Committee.
2. Where multiple Committees are deadlocked on an issue, the EC is responsible to the Board for recommending courses of action regarding the issue in question.

F. Authority.

1. With respect to issues before it, the EC does not have authority to commit County resources to resolve those issues but may make recommendations to the Board with respect to County resource allocation/utilization in resolution of these issues
2. As discussed above, the EC does have the authority to work directly with the Administrator regarding specific matters under the purview of the Administrator and to provide special tasking to the Administrator as required.

A-1.2 Finance and Appropriations Committee Guidelines

County Board Approval: March 20, 1996; Amended January 29, 2003; Amended May 2, 2007; Amended December 4, 2019

A. Committee Composition.

The membership of the Finance and Appropriations Committee (FAC) will consist of those Commissioners so designated by the Board Chair and ratified by the Board.

B. Chair.

As designated by the Board Chair.

C. Meetings.

1. The FAC will meet bi-monthly on a day and time as determined by the Board. Normally, the meeting will be to conduct regular FAC business (utilizing an agenda) and to review financial paperwork, sign billing requirements and perform other administrative actions as required by the County Staff.
2. The FAC will be governed by procedures as outlined in this and other Sections of this Manual.

D. Purpose.

1. The FAC will manage the Annual Budget Development Process as presented in Policy No. E-8.1 of this Manual.
2. On behalf of the Board, the FAC will coordinate the development of the annual Budget.
3. The FAC will exercise fiscal oversight of the approved County Budget and General Appropriations Act as delineated Policy No. A-5.0 of this Manual.
4. The FAC, on behalf of the Board, will provide guidance to the County Administrator, County Treasurer, and the County Clerk regarding the day-to- day management of County finances and budget.
5. Per the County Purchasing Policy, Policy No. D-1.0 of this Manual, the FAC, will recommend to the Board, payments for goods and services in excess of $5,000.
6. The FAC will monitor the County standard workweek and overtime compensation for designated departments as established by Policy No. B-10.7 of this Manual.

E. Responsibility.

1. The FAC is the financial and budgetary watchdog of the Board of Commissioners and as such, the FAC will:
   a. Perform such minor financial and budgetary functions so as to ensure that the County operates correctly and smoothly in its fiscal environment, and:
   b. Make recommendations to the Board regarding such budgetary issues as requiring action by the Board.
2. By using the Administration Office, the FAC will monitor all County revenue and financial management operations. This responsibility will include, periodically and when required, surprise in-house audits of County offices and agencies that deal with County financial management and revenue responsibilities.

F. <u>Authority.</u>

1. The FAC is empowered with the authority to execute the County Budget Resolution/General Appropriations Act (BR/GAA) after it has been approved by the Board.
2. The FAC, is empowered, in consonance with other standing Committees as outlined elsewhere in this manual, to act on behalf of the Board, with the authority to review and approve or disapprove variances from established fee schedules at all County facilities or offices which have been requested by prospective clients.
3. To ensure smooth and efficient fiscal operation within the County, the Administration & Treasurer's Office is authorized to manage all budgetary reprogramming under the approved BR/GAA provided that budgetary reprogramming is within the guidelines established by the annual appropriations act. Procedures for budget amendments must be in compliance with the Annual Appropriations Act.

A-1.3 Human Resources and Safety Committee Guidelines

County Board Approval: March 20, 1996; Amended January 29, 2003; Amended August 7, 2019; Amended December 4, 2019

A. Committee Composition.

The membership of the Human Resources and Safety Committee (HRS) will consist of those Commissioners so designated by the Board Chair and ratified by the Board.

B. Chair.

As designated by the Board Chair.

C. Meetings.

1. The HRS will meet monthly on a day and at a time as determined by the Board.
2. HRS meetings will be governed by procedures as outlined in this and in other Sections of this Manual.
3. The Committee Chair, with the assistance of the County Administrator's Office, will finalize the agenda for the meeting at least 3 business days prior to the meeting so that the agenda package can be prepared and distributed to meet the guidelines elsewhere in this manual.

D. Purpose.

1. The HRS will meet to review, discuss, and examine issues relating to County human resources and operations as assigned by the Board or as brought forward by County staff.
2. The HRS will provide guidance in the areas of Sheriff's Department operations, including Jail and Animal Control; Community Corrections, Central Dispatch, Emergency Preparedness, Public Safety, Veterans Services and coordination with Probate, District and Circuit Courts.
3. The HRS will provide recommendations to the Board on issues when tasked to by the Board and/or where the Committee deems it appropriate.
4. The HRS will review the County Policies and Procedures Manual and recommend changes (if any) to the Board for final approval.

E. Responsibility.

The HRS provides guidance on policy matters to the County Administrator and recommendations to the Board in the following areas:

1. County personnel management (see Subsection F for expanded authority in this area).
2. Monitoring of Jail population.
3. Act as representative of the Board designated to coordinate with Probate, District and Circuit Court operations.
4. County administrative and service operations.
5. Intergovernmental relations with local, regional, State and Federal agencies and organizations.
6. The HRS Chair is a member of the Collective Bargaining Negotiation Team (See Policy C-9.0 Collect Bargaining).

F. <u>Authority.</u>

1. The HRS is empowered as the final authority to resolve grievances brought forward under the procedures outlined in Policy No. B-19.0 of this Manual. The HRS is also empowered to resolve grievances as described in mutually approved collective bargaining agreements.

2. The HRS has the authority to perform the following administrative, personnel and operational management functions on behalf of the Board, subject to the conditions of the Annual Appropriations Act.

   a. Review and approve routine changes to County Position Descriptions (PDs).

   b. Review and approve new County PDs.

   c. Review and approve requests for PD reclassification.

   d. Review and approve all County employee recognition actions.

A-1.4 RESERVED

A-1.5 Recreation and Building Committee Guidelines

County Board Approval: August 15, 1996; Draft Changes through February 8, 2000; Reviewed December 4, 2019

A. Committee Composition.

The membership and chairmanship of the Recreation and Building Committee (RBC) will consist of those Commissioners recommended by the Board Chair and ratified by the Board.

B. Meetings.

The RBC will meet at least monthly on a day and at a time as determined by the Committee and approved by the Board.

C. Purpose.

1. The RBC will meet for the purposes of:
   a. Managing long term plans to meet County recreation and recreation facility needs.
   b. Managing long term plans to meet County facility and space needs.
   c. Reviewing leases affecting County property.
   d. Considering the acquisition and disposition of County facilities and real property.
2. On behalf of the Board, the RBC will provide guidance to the County Administrator in the day- to-day management of the County physical plant and associated buildings and grounds and their maintenance.
3. The RBC will review the requirements for and the operations of County recreational facilities.
4. The RBC may appoint, as required, a citizens advisory committee to identify and resolve recreation related issues affecting the County.

D. Responsibility.

1. The RBC, utilizing the County staff and other sources, is responsible for development of recommendations to the Board regarding the resolution of short- and long-term needs for recreation, the management of buildings and grounds and managing long term plans to meet County facility and space needs.
2. By using the County General Accounting Office as the auditing agent, the RBC will monitor County revenue receipts and expenditures for County owned and/or operated recreational facilities.

E. Authority.

1. The RBC does have the authority to review and forward to the full Board (with or without an accompanying recommendation):
2. Requests for variances from established fee structures at County recreational facilities (Civic Arena and others) which have been requested by prospective clients/renters.
3. Any and all matters pertaining to County recreation, facilities, space needs and building management.

A-1.6 Public Participation

County Board Approval: April 17, 1996, Amended: August 20, 2008; Reviewed December 4, 2019

A. Public Comment.

1. Frequency. A person shall be permitted to address the Board of Commissioners during each regular and special meeting of the Board and during any Committee meeting.

2. Time limits. Public comment shall be reserved for two designated periods, one near the beginning and one near the end of each meeting. The public comments period near the beginning will be designated for topics on the agenda only, and the one near the end will be open for any public comments, not addressed during the first public comments period.

   a. Each period shall be limited to 15 minutes in total.

   b. Each person shall be limited to one three minute comment per period.

   c. A group representative shall be limited to one five minute comment per period.

   d. These time limits will be printed on the Board agenda along with the following notation: "**The Board welcomes all public input and appreciates adherence to the time limits established.**"

   e. When a number of people wish to address the Board, the Chair may pro-rate such time within the limits of each public comment period.

   f. Such time limits shall not be applied to a person asked to appear before the Board to address a topic of business, make a presentation, provide a report or to answer questions from the Board.

3. Presentation.

   a. Each person appearing before the Board will state his or her name and address before making a public comment.

   b. Each person appearing before the Board is asked to stand at the podium, however, he or she may remain seated if physically restricted or unable to stand.

   c. All public comments shall be addressed to the Board Chair.

   d. If required, persons making public comment will be asked to fill out a name and address card to facilitate a written response.

   e. In response to public comment, the Chair will determine if action is required by the Board or by County staff and he/she will forward such action to the appropriate committee, Elected Official or County Department Head.

   f. Official responses to the person making the public comment will be made by the Chair or by other Commissioners or staff members when recognized by the Chair.

4. Addressing an agenda topic. A person wishing to address a specific topic on the meeting agenda shall indicate thusly to the Chair during the first public comment period.

   a. The Chair may allow such a request (provided that the person has a direct interest in the topic) or the Chair may determine that such comment should remain within framework of the public comment period.

   b. Written public comment:

1) A person shall be permitted to present or send written materials and comments to the Board or Committee.

2) Materials not received in time to be distributed for one meeting (see Policy No. A-1.0, Subsection C, of this Manual for submission deadlines) will be disseminated at the next regular meeting.

3) The Chair will determine the order in which written submissions will appear on the agenda and also whether written submissions will be read aloud for record purposes.

B. <u>Public Order During Meetings.</u>

1. <u>Out of order.</u> Any person who is unruly or otherwise disturbs the orderly conduct of meetings will be ruled out of order by the Chair.

2. <u>Actions to be taken.</u> In the event that a person is disruptive to the orderly conduct of meetings and he/she has been ruled out of order, the Chair may take further actions as follows:

   a. Issue of a verbal warning (that continued unruliness will result in removal from the premises).

   b. Calling a recess while the situation is resolved.

   c. A request for the person to voluntarily leave the premises.

   d. Forcible ejection of the person from the premises.

   e. If, in the opinion of the Chair, a breach of peace has occurred, the Chair may direct a law enforcement official to take action as required.

A-2.0 County Board Liaison Requirements

County Board Approval: April 17, 1996; Amended November 17, 1999, December 15, 1999; January 29, 2003, January 3, 2007, December 4, 2019

A. <u>General.</u>

1. The primary purpose of a liaison representative is to facilitate communication between the Board of Commissioners and the organization to which the liaison is appointed. Communication of this nature is essential for good relations, effective operations and efficient interoperability, all of which affect the ability to meet the needs of the general public.
2. Liaisons are expected to attend assigned meetings whenever possible.
3. Reports to the Board.
   a. Private citizen liaisons are expected to report back to the Board at a minimum of quarterly.
   b. Commissioner and County staff liaisons are expected to report back to the Board as soon as practicable after attendance at the meeting.
   c. Reports may be either oral or in writing. Oral reports should be given during the time set aside in the Board agenda for "Reports".
4. Compensation.
   a. Liaisons are compensated for expenses incurred as a liaison. Expense vouchers should be submitted for approval and liquidation as presented in Policy No. A-3.0 of this Manual. Mileage compensations is allowed.

B. <u>Current Liaison Requirements.</u>

1. Attachment (1) to this Policy contains the current listing of liaison requirements.
2. Under normal circumstances, assignments to liaisons summarized in Attachment (1) will be made in conjunction with the first Board meeting of the calendar year during which Board organizational requirements are reviewed, discussed and approved.
3. On an annual basis, the County Administrator will validate the list of liaison requirements as outlined in Attachment (1) to this policy.

Attachment (1) - County Board of Commissioner Liaison Requirements

Organization	Meeting Requirement	Liaison Requirement
911 Committee	Even months	One Commissioner
Airport Authority	Monthly	One Commissioner
Area Agency on Aging (AAA)	Monthly	One Commissioner or one citizen
Cadillac Area Manufacturing Association	Monthly	One Commissioner
Cadillac Wexford Public Library Board	Monthly	One Commissioner
Cadillac/Wexford Transit Authority (CWTA)	Monthly	One Commissioner
Clam Lake Downtown Development Authority	Monthly	One Commissioner
Council on Aging	Monthly	One Commissioner
Department of Veterans Services	Monthly	One Commissioner
District Health Department No. 10	Monthly	Two Commissioners
Emergency Food and Shelter Board	Monthly	One Commissioner
Emergency Preparedness (Local Planning Team)	As needed	Board Chair & one Commissioner
Human Services Leadership Council	Monthly	One Comm. or elected/appt'd official
Lake Mitchell Improvement Board	Monthly	One Commissioner
MSU Extension Council	4 times per year	One Commissioner
Networks Northwest	Monthly	One Commissioner
Northern Lakes Community Mental Health (CMH)	Monthly	One Commissioner and one citizen
Northern Michigan Counties Association	Monthly	One Commissioner
Northern District Fair	Monthly	One Commissioner
North Flight-Quality & Communications Relations Committee	Quarterly	One Commissioner
Northern Michigan Regional Entity	Bi-monthly	One Commissioner or one citizen
Northwest Community Action Agency	Monthly	One Commissioner or one citizen
West Michigan Forensic Pathology Services Authority	Monthly	One Commissioner
Wexford County Road Commission	Monthly	One Commissioner
Wexford Conservation District	Monthly	One Commissioner
Wexford Missaukee Community Corrections Advisory Board	Quarterly	One Commissioner

A-3.0 Commissioner Per Diem, Expenses, and Official Business Travel

County Board Approval: April 17, 1996; Amendments: November 17, 1999, May 17, 2000, September 18, 2002, January 20, 2010, October 15, 2014; December 4, 2019

A. Compensation.

1. Commissioner. Basic salary: $4,833 per annum ($402.75/month).
2. Board Chair. Basic salary: $5,333 per annum ($441.41/month).
3. Presence. All Commissioners are duty bound to be present at regular meetings of the County Board of Commissioners. Anticipated absence from a regular meeting must be coordinated in advance with the Board Chair.

B. Per Diem.

1. Rate. Full day: $50; One-half day: $25. Extended sessions lasting more than eight consecutive hours will be compensated for at the rate of additional per diem at the half day rate for each two hour block of additional time.
2. Special meetings. Per diem will be allowed for special meetings.
3. Other meetings.
   a. Per diem will be allowed for all standing Committee meetings, Michigan Association of Counties (MAC) meetings, assigned district and regional meetings, special budget assignments, work sessions, labor negotiations or other circumstances of direct Commissioner responsibility.
   b. Note: If a Board member attends more than one meeting within a given four hour block, he/she is eligible for only one per diem covering that period.
   c. Only assigned delegates to District or Regional Agencies may be paid per diem for regular or special meetings of those organizations unless specifically approved in advance by the Board Chair.
   d. If specifically approved by the Board Chair in advance, Commissioners may be paid per diem for attendance at seminars, orientation meetings, briefings and conventions.

C. Mileage reimbursement.

Payment for mileage claims for use of privately owned vehicles by Commissioners to conduct official County business will conform to the current County Schedule of Travel Rates which is included as Attachment (1).

D. Rules.

1. The Board Chair will review and approve all per diem requests prior to payment.
2. All requests for reimbursement must be directly related to the conduct of official County business. Receipts must be submitted with travel expense vouchers. Requests for reimbursement must be submitted within 30 days after completion of the event in question. Travel expenses shall be reimbursed in the budget year in which expenses are incurred.
3. Mileage claims will be allowed for Liaison and Committee meetings. No mileage claims will be permitted from home to the BOC meetings.

4. Attachment (1) contains additional policy statements governing official business travel by County officials including Commissioners, other elected officials and non-elected County staff members.

Attachment (1) - Table of Reimbursable Expenses for Wexford County Officials Traveling on Official Business

A. Policy Notes.

1. Travel expenses directly related to official County business are reimbursable. Expenses for incidental travel and alcoholic beverages will not be reimbursed. Original itemized receipts must accompany all requests for reimbursement.
2. When practical, sharing of transportation and lodging is encouraged.
3. County Department Heads are the approval authority for travel plans and travel reimbursement claims within their respective departments.
4. The Chairman of the County Board of Commissioners will approve travel plans for Elected Officials and the County Administrator, except that Judges of their respective Courts will approve travel plans and travel reimbursement claims for their Court employees.
5. The County Administrator will approve travel plans and travel reimbursement claims for non-elected County Department Heads.
6. Travel plans and travel reimbursement claims for the Chairman of the Board of County Commissioners will be approved by the Chairman of the standing Finance Committee.
7. Claims for travel reimbursement shall be submitted by the traveler within 30 days after completion of travel. Travel expenses shall be reimbursed only in the budget year in which expenses are incurred. On approval by the authorizing official as outlined above, travel claims will be forwarded to the Clerk's Office for payment.

B. Reimbursement Rates.

1. Meals (gratuity included):
   a. Breakfast: $15.00
2. Lunch: $20.00
3. Dinner: $30.00
4. Accommodations: $ 140.00 (tax included)

   Reimbursement for accommodations may be higher when associated with a workshop or conference, with advance authorization from the designated approval authority.
5. Approved private vehicle mileage shall be equal to the private vehicle premium reimbursement rate as approved by the IRS and will be reviewed during the annual budget process and annually approved in the appropriations act, unless otherwise approved by the Board of Commissioners.

A-4.0 Commissioner's Day

County Board Approval: April 17, 1996; Amended November 17, 1999; Reviewed December 4, 2019

A. Commissioners' Day.

On a periodic basis, the County Board of Commissioners will meet with County staff personnel in a general and open forum for the purpose of a direct exchange of information.

B. Responsibilities.

When a Commissioners' Day is established, the County Administrator will accomplish the following preparatory actions:

1. Reserve appropriate meeting space(s).
2. Arrange for refreshments.
3. Coordinate the closure or reduced operating status of County offices (to enable maximum attendance).
4. Publish information to the general public regarding office operating hours and conditions.
5. Document and arrange for longevity awards to be presented to County employees.

A-5.0 Annual Budget Resolution / General Appropriations Act

Policy Number: A-5.0

County Board Approval: January 4, 1995; Reviewed on December 4, 2019

A. <u>Annual Budget Resolution/General Appropriations Act.</u>

Each year the Board of Commissioners adopts a resolution which formally approves the budget and spending plan for County general operating funds, special revenue management and debt service appropriations. The Board of Commissioners shall follow this resolution in the implementation and conduct of County operations for the fiscal year.

A-6.0 Standing and Special Committees, Boards, and Commissions

County Board Approval: May 3, 2000; Amended September 1, 2004, Amended November 1, 2006; Amended December 4, 2019

A. General.

This policy is intended to address those standing and special committees, boards and commissions whose existence and membership are determined by the Board of Commissioners. It does not pertain to the standing committees of the Board of Commissioners established in Policies A-1.1 through A-1.5 of this *Manual*.

B. Resolution.

All standing and special committees, boards and commissions shall be established by the County Board by way of a Resolution which states the purpose of the group, its specific authorities, and other such matters as deemed appropriate by the Board.

C. Appointment Process.

1. To be considered for nomination/appointment, a citizen must be a resident of Wexford County and must have an application on file with the Wexford County Administration office. Applications will be accepted at all times. All applications will be kept on file for a period of at least one year.

   a. Only qualified applicants will be considered for appointment.

2. Input from corresponding agencies (e.g., COA, DHD, NLCMH), is imperative.

3. The Human Resources Subcommittee, consisting of two (2) members of the Human Resources Committee and one (1) member with institutional background, will review applications and may interview the candidates using the standard interview questions established by the subcommittee.

4. A recommendation will then be made by the Subcommittee to the Board of Commissioners with the expectation that the recommendation will be unanimously approved.

5. If there is only one candidate for an open position or less candidates than open positions, the Human Resources Committee may waive the interview process.

6. County Commissioner Appointments. County Commissioners may be appointed to serve on standing and special committees, boards and commissions where such service is not prohibited by law. For such Commissioners, said appointment shall continue only so long as the Commissioner continues in office. At the point a Commissioner so appointed vacates the office of County Commissioner, all appointments enjoyed by virtue of that office shall also terminate.

7. Full Term Vacancies. Appointments to standing and special committees, boards and commissions shall be made with approval of the full Board upon completion of the appointment process above.

8. Partial Term Vacancies. Partial term vacancies on standing and special committees, boards and commissions may be filled at any regular Board meeting upon approval of the full Board. Such appointments shall be for the balance of that term only.

D. Notice of Appointment.

Appointees to standing and special committees, boards and commissions will be so notified by the

Administration office following appointment.

E. Terms of Office.

1. The term of office for all appointments to standing and special committees, boards and commissions shall be as adopted in each group's charter resolution.

2. A listing of the various boards and commissions throughout County government will be published periodically and will contain a statement of the Board's commitment to secure qualified and interested citizens to participate in public service through appointment to the various boards and commissions. A brief narrative description will be included for each organization, along with a list of locations where applications and a copy of the Board of Commissioners appointment process are available.

F. Duration.

Except as otherwise prescribed by state statute, standing committees, boards and commissions shall function until such time as the Board determines otherwise. Special committees, boards and commissions shall be dissolved at the completion of the assigned task or by a set date as determined by the County Board.

G. Posting Meetings.

All meetings of standing and special committees, boards and commissions shall be posted and/or published in coordination with the County Clerk, as required by the Open Meetings Act (MCL 15.261 - 15.275).

H. Authority.

No standing and special committee, board or commission shall exercise governmental or proprietary authority nor make final decisions, unless otherwise specified by state statute. These powers shall be expressly reserved to the full County Board, except as otherwise prescribed by state statute.

I. Rules of Procedure.

The rules of procedure for standing and special committees, boards and commissions shall be as established by the County Board, except as otherwise prescribed by state statute.

J. Recognition of Services.

The Board of Commissioners shall recognize the services to the County by retiring members of boards and commissions by issuance of a letter and/or a certificate of service.

K. Removal from Office.

Members of standing and special committees, boards and commissions may be removed by the Board for cause, subject to a hearing of the County Board and in compliance with MCL 46.11.

A-7.0 RESERVED

B-1.1 Introduction to Personnel Policies

County Board Approval: May 15, 1996

It is the intention of Board of Commissioners that the Wexford County administrative structure, as a continuously changing and growing organization, be a good employer with progressive personnel policies, procedures and working conditions. The County personnel management system is designed for and will be operated to ensure employee satisfaction and effective employee performance in support of the County staff's mission of serving the public.

It is also the intention of the Board that the staff be kept fully informed of policies, procedures, programs, problems and developments as they occur. It is desired that the constructive ideas of all staff members will become an active part of the County personnel management system. The County expects to maximize productivity by fully utilizing the skills, abilities and efforts of all employees, both supervisory and non-supervisory.

In general, the County Administrator directs the supervisory staff in achieving these objectives and provides for a continuing evaluation of County staff performance, both individually and collectively. Employees are expected to conduct themselves as responsible business people engaged in an effort of significant importance to the citizens of the County and also to focus their efforts and interests on the realization of the County's goals.

The County makes every effort to treat each employee fairly and with integrity. Nonetheless, employees sometimes leave because of family considerations, changing career goals, or some reason which is personal in nature. Likewise, the County retains the right to enlarge, reduce, make changes in or terminate from the staff. Employment with Wexford County, therefore, is considered "at will" permitting either party to end the employment relationship at their discretion with or without cause. No one other than the Board of Commissioners has authority to enter into an agreement for employment with the County for a specified period of time or to make any agreement which is contrary to this statement. Any such agreement made with the Board must be in writing or it shall not be binding.

This section of the *Manual* has been prepared to outline, for all employees, the personnel policies and procedures covering the employees of Wexford County.

B-1.2 Rights of the Employer

County Board Approval: May 15, 1996

A. Rights of the Employer.

Wexford County, as the Employer, reserves and retains, solely and exclusively, all of its inherent and customary rights, powers, functions and authority of management to manage the governmental operations of the County and its judgement in these respects shall not be subject to challenge.

The rights vested in the Employer include, but are not limited to, those provided by statute or law, along with the right to direct, hire, promote, transfer, assign, and retain employees in positions with the Employer. These rights further include the right to suspend, demote, discharge for just cause or take such other disciplinary action which is necessary to maintain the efficient administration of County business.

The Employer further has the right to:

1. Determine the methods and means (personnel or otherwise) by which the business of the County shall be conducted and to take whatever action is necessary to carry out the duty and obligation of the Employer to the taxpayers of the County.
2. Determine the size of the work force and to increase and decrease the number of employees retained.
3. Adopt, modify, change or alter the budget of the County.
4. Combine or reorganize any part or all of its operations.
5. Determine the location of work assignments and related work to be performed.
6. Determine the number of employees to be assigned to operations.
7. Determine the number of supervisors.

B. Applicable Collective Bargaining Agreements.

The exercise of the foregoing powers, rights, authority, duties and responsibilities of the Employer, the adoption of policies, rules, regulations and practices in furtherance thereof, and the use of judgement and discretion in connection therewith shall be limited only by the specific and express terms of applicable collective bargaining agreements and then only to the extent that such specific and express terms are in conformance with the Constitution and the laws of the State of Michigan and the Constitution and the laws of the United States.

B-2.0 Personnel Policy Concepts

County Board Approval: May 15, 1996

A. Purpose.

The personnel management policies and procedures of Wexford County are intended to:

1. Serve as a basis for a comprehensive personnel management system to aid the County Board of Commissioners and the County Administrator in the management of County governmental affairs.
2. Establish and maintain uniform personnel policies and procedures regarding aspects of personnel management pertaining to job classification, recruitment, discipline and compensation.
3. Establish and maintain uniform hours management, payroll practices, absence from the workplace regulations and other areas so outlined.

B. Authority.

1. The policies and procedures contained in this section of the *Manual* are effective upon adoption by the Wexford County Board of Commissioners. Where conflict exists between this document and previous policies and procedures, including past practice, the policies contained in this document take precedence.
2. The County Administrator is designated as the primary administrator of these policies and procedures. Under emergency conditions, Department Heads and Elected Officials may grant individual exceptions to the policies and procedures contained in this *Manual*. When these exceptions are granted, the Department Head or Elected Official shall notify the Administrator within three days as to the nature and reason for granting the exception to the policy or procedure.
3. Nothing contained in this *Manual* is intended:
   a. To limit the right of the County Board of Commissioners to direct the affairs of the County, including the direction of employees.
4. To limit the right of the County Board of Commissioners to exercise any authority given to them under statute, including (but not limited to) the right to create departments, abolish departments, merge departments, to add or subtract duties from jobs or to change the duties and/or requirements of various jobs within the County structure.
5. The County Board of Commissioners reserves the right to change, make additions to or deletions from the policies, procedures and programs described within this *Manual* at any time.

C. Scope of Policy.

1. The policies contained in this *Manual* apply to all full-time and part-time personnel in all departments, all offices and positions in the County structure including the employees of elected officials.
2. County elected officials, including the members of the Board of Commissioners and elected County Department Heads (County Clerk, County Treasurer, Register of Deeds, Drain Commissioner, Sheriff, Surveyor, Prosecuting Attorney and the Judges of the Circuit, District and Probate Courts) are not specifically bound by the requirements of this *Manual.*

3. Where policies contained in this *Manual* are in conflict with an approved or effective contract or agreement between the County and a recognized Union, association or organization or a personal employment contract, the provisions of the contract or agreement shall prevail.

D. <u>Policy Amendment.</u>

1. The personnel policies and the system for administering them are reviewed and revised from time to time. Employee ideas and comments are strongly encouraged in the form of written suggestions to the County Administrator who shall forward them for consideration by the appropriate standing committee.
2. Amendments to policies and procedures contained in this manual will be approved through Committee and the Board as appropriate and then distributed to each Department and posted on appropriate official bulletin boards.
3. As County policies and procedures are subject to change, an employee cannot rely on custom or prior practice. Should there be doubt as to whether a particular policy or procedure is effective, the County Administrator will maintain master copy of the *Wexford County Policies and Procedures Manual* for use in determining the status of a policy or procedure in question.

B-3.0 Union Membership

County Board Approval: May 15, 1996; Amended: June 6, 2007

A. Recognition.

The County Board of Commissioners recognizes the following labor Unions for collective bargaining purposes with respect to County personnel:

Union	Staff Personnel Represented
International Union of Operating Engineers (IUOE)	Department of Public Works hourly wage positions.
International Union of Operating Engineers (IUOE)	Landfill hourly wage positions.
Police Officers Association of Michigan (POAM 312 & Non-312)	Sheriff's Department road patrol, corrections, dispatch, animal control and staff hourly wage positions
Command Officers Association of Michigan (COAM)	Sheriff's Department salaried supervisory Lieutenant positions (total: 3).
Technical, Professional Officeworkers Association of Michigan (TPOAM – Supervisory) Unit)	Salaried positions of Maintenance Supervisor, Civic Arena Manger, General Accounting Office Supervisor, Community Corrections Coordinator, Building Official, Electrical Inspector, Plumbing/Mechanical Inspector, and Community Senior Officer
Technical, Professional Officeworkers Association of Michigan (TPOAM General Unit)	General unit consisting of certain hourly wage positions that are not associated with the Courts or other Unions
Technical, Professional Officeworkers Association of Michigan (TPOAM - District Court)	84th District Court hourly wage positions
Technical, Professional Officeworkers Association of Michigan (TPOAM - Circuit Court)	28th Circuit Court hourly wage positions.

B. Membership.

Membership in labor Unions is not compulsory. All employees in positions identified as Union positions have the right to join, not join, maintain or drop their membership in the Union as they see fit.

B-4.0 Personnel Management Responsibilities

County Board Approval: May 15, 1996

A. Board of Commissioners.

As the elected body with the statutory responsibility for managing the County, the Wexford County Board of Commissioners is the approval authority for all County policy and procedure matters including those affecting personnel management.

B. County Administrator.

The County Administrator is designated as the Personnel Officer for the County and as such is designated as the primary manager and adjudicator for the administration of County personnel related policies and procedures.

C. Elected Officials, Non-elected Department Heads and Supervisors.

1. Elected Officials and non-elected Department Heads have full responsibility for the day-to-day management of the employees who carry out the basic assignments and requirements of the County within their respective departments. It is expected that all heads of departments will devote maximum attention to the development and supervision of their staffs in this regard. Heads of departments are encouraged to call on the County Administrator for assistance in personnel management when it is required.
2. Each Elected Official and non-elected Department Head is authorized to establish work rules and procedures which apply to the day-to-day performance of work in their respective department. Such rules and procedures will be consistent with the provisions of this *Manual* and where there is a conflict, the provisions of this *Manual* shall prevail.
3. Elected Officials and non-elected Department Heads are expected to treat employees at all times with understanding and respect for the employee's personal worth and dignity.

D. Employees.

Each employee has multi-faceted responsibilities in the area of personnel management:

1. To keep himself/herself fully informed as to the personnel policies and procedures in force for the County staff.
2. To keep up with developments in his/her field of work as they affect the ability of the Department and County to work toward goals.
3. To seek self-improvement in his/her area of work.
4. To perform his/her assigned work as an effective and productive member of the departmental team.
5. To bring problems and suggestions for streamlined or increased work production to the attention of the supervisor.
6. To work to foster a dignified, respectful work environment.

B-5.0 Definition of Employment Terms / Categories

County Board Approval: May 15, 1996; Amended December 15, 1999; Amended July 5, 2007, Amended June 4, 2008

A. Regular Full-time Employee.

Works the full term of the defined work period (that is, 37.5 or 40 hours per week depending on the requirements of the position) in a position authorized by the Board of Commissioners. Full employee benefits normally accrue with full-time positions.

B. Regular Part-time Employee.

Works on a continuous, regular basis but at a level less than the defined work period and normally less than 30 hours per week in a position authorized by the Board of Commissioners. Partial employee benefits normally accrue with part-time positions.

C. Irregular Part-time Employee.

Works on a non-continuous, irregular basis at a level less than a regular part-time employee in a position authorized by the Board of Commissioners. Employee benefits do not normally accrue with irregular part-time employees.

D. Temporary Employee.

Works as a short term (usually less than 90 days) replacement for a full or part- time employee or is hired on an irregular basis for work during special employment periods. Employee benefits are subject to negotiation with temporary employees.

E. Grant Employee.

Hired pursuant to a Federal, State or local grant program. Continued employment in a grant position is contingent on the continued funding of the grant by the grantor. Employee benefits for grant employees are commensurate with those of regular full or part time employees depending on the number of hours that the grant employee works.

F. On-call Employee.

Does not have regularly scheduled hours but works when required. Fringe benefits include only social security and workers' compensation and no others.

G. Additional Definitions.

1. Supervisor. A supervisor is any person who possesses the authority to hire, fire, transfer, lay off, discharge, promote, demote or discipline employees or who has the responsibility to direct employees or recommend such action if, in connection with the foregoing, the exercise of such authority or responsibility is not a mere routine or clerical act, but requires the use of independent judgement and/or managerial skill. The following positions are considered supervisors:

Office	Supervisor Position
Building Official	County Administrator
Circuit Court	Circuit Court Judge
Civic Center	County Administrator
Community Corrections	Circuit Court Judge
County Administrator	County Administrator
County Clerk	County Clerk
County Maintenance	County Administrator
County Prosecutor	County Prosecutor

County Treasurer	County Treasurer
District Court	District Court Judge
Drain Commissioner	Drain Commissioner
Emergency Management	County Administrator
Equalization	County Administrator
Friend of the Court	Friend of the Court
General Accounting Office	County Administrator
MSU Extension Office	County Extension Director for MSU employees; County Administrator for County employees
Probate Court	Probate Court Judge
Probation & Parole	Probation & Parole Agent in Charge
Register of Deeds	Register of Deeds
Sheriff's Department	Sheriff
Public Works Employees	Director of Public Works
Director of Public Works	*County Administrator/BPW

(*As directed by the Board of Commissioners regarding compliance with Policies and Procedure including, but not limited to County Operations and Facilities Management policies, County Personnel policies including salary and wage structure, sexual harassment, drug-free workplace, health insurance and paid and unpaid absence from work. Policies established under General Administrative Management and Operations include the County's policies on travel reimbursement and Freedom of Information Act (FOIA). Examples of the policies under Facilities and Equipment Management include the County's policies on purchasing, contracts and sales, inventory, smoking, use of county vehicles and the County facility fee structure.)

2. Immediate Supervisor. A person for whom an employee works directly. Supervisors, as outlined above, are considered immediate supervisors as are the following positions:

Office	Immediate Supervisor
Building Department	Building Official
Circuit Court	Circuit Court Administrator
Civic Center	Civic Center General Manager
Community Corrections	Community Corrections Coordinator
County Clerk	Chief Deputy County Clerk
County Maintenance	Maintenance Supervisor
County Prosecutor	Deputy County Prosecutor
County Treasurer	Chief Deputy County Treasurer
District Court	District Court Administrator
Emergency Management	Director of Emergency Management
Equalization	Equalization Director
Friend of the Court	Friend of the Court
General Accounting Office	Accounting Supervisor
Probate Court	Probate Court Administrator
Public Works	*Board of Public Works (BPW)
Department of Public Works Director	Board of Public Works (BPW)
Sheriff's Department	Per departmental organization chart
Zoning Administrator	Building Official

(*For BPW-related projects such as, for the undertaking, maintaining and operating of BPW systems, subject to any limitations placed upon it by the Board of Commissioners (BOC). Systems include, but are not limited to Mesick Waste Water, Haring Township

Water Supply, Haring Township Waste Water and Cherry Grove, Clam Lake, Selma Waste Water, and Cedar Creek Municipal Water Supply, and Landfill.

3. Date of Hire. The date an employee was most recently hired by the Employer.

4. Seniority Date. Usually the same as the date of hire.

5. Anniversary Date. Usually the same as the date of hire, however, anniversary dates, in some cases dealing with compensation or benefits, may be administratively adjusted to coincide with the start of the calendar or fiscal year.

B-6.1 Job Classification Procedures

Policy Number: B-6.1

County Board Approval: February 21, 1996

A. Position Descriptions.

The County Administrator, as the Personnel Officer for the County, will maintain the master file of all position descriptions (PDs) in use throughout the County organization.

1. This master file will be maintained so that each PD is a current reflection of the work tasks that the employee is required to perform along with the knowledge, skills and abilities (KSAs) that the employee is required to possess for the position.
2. The County Administrator, as the Personnel Officer, will periodically review the file of PDs and all other County personnel management documents outlined in this Section to ensure that each currently reflects existing conditions and needs of the organization. If changes are warranted, a joint effort of the appropriate Elected Official/non-elected Department Head, Union representative (where appropriate) and the County Administrator will be undertaken with a recommendation forwarded to the standing Human Resources and Operations Committee for review and action.
3. Position descriptions are discussed in greater detail in another section of this Manual

B. Position Evaluation and Point Accumulation Review.

1. To determine the appropriate wage or salary compensation level for each position, each PD will be "pointed out" (that is, numerically weighted point values will be assigned to statements in the PD) for each of the below listed categories.
2. There are a total of 1000 points available. Factors and weights are as indicated:

FACTOR	WEIGHT
Education	12%
Work Experience	15%
Freedom of action	10%
Complexity/problem solving	10%
Accountability/error potential	10%
Contacts	10%
Responsibility for others	13%
Number of employees supervised	6%
Environmental factors	4%
Technical knowledge	10%

3. Attachment (1) to this Section provides a detailed summary of each of these categories.
4. Attachment (2) to this Section provides a PD Classification Work Sheet to facilitate the PD classification process.

C. Classification.

1. Attachment (3) to this Section provides a summary of total PD point value ranges and corresponding job classification levels.
2. Another section of this Manual outlines the current Classification Plan and Work Group Category Listing for the County.

3. Formal placement of PDs on the Classification Plan and Work Group Category Listing is subject to approval of the standing Finance Committee and will be based on recommendations of the Elected Official or Department Head (under whom this position falls) and the County Personnel Officer (Administrator). Requirements of a bargained contract with employees will be referenced where appropriate.

D. <u>Classification and Compensation Schedule.</u>

1. Each employee who fills a classified County PD will be compensated in accordance with the County Classification/Compensation Schedule in effect (as approved by the Board of Commissioners):

   a. Hourly Wage Earner Classification/Compensation Schedule (attachment (4)).

2. Salaried Employee Classification/Compensation Schedule (attachment (5)).

3. Sheriff's Department Hourly Wage Earner Classification/Compensation Schedule (attachment (6)).

4. Wage Scale for non-Union, Part-time Employees not Warranting the Higher Rates Paid on the Hourly Wage Earner Schedule (attachment (7)).

5. Note: With reference to the Sheriff's Department, job positions that are included in the table of organization for the Sheriff's Department are not governed by this classification policy and procedure.

6. The Classification and Compensation Schedules are adopted by the Board of Commissioners periodically and may be amended as required to reflect cost of living conditions. Such adjustments affect all employees under the classification system and is separate from changes in step due to longevity or changes in classification (procedures for which are outlined in another section of this Manual).

7. New employees will generally be placed on the beginning step of the appropriate salary/wage level for the position for which the employee was hired unless the credentials of the new employee are clearly in excess of the minimum requirements of the classification of the position.

   a. In cases of this nature, the hiring official may recommend to the County Personnel Officer (Administrator) that the new hire be placed at higher step along the appropriate level.

8. In cases where the Administrator agrees, he/she may set the salary/wage at an appropriate level other than at the beginning step provided that it is within the authorized salary range for the position. In cases where the desired starting salary/wage does not fall within the authorized range, establishment of the starting salary/wage will require approval of the standing Finance Committee.

E. <u>Definitions.</u>

1. <u>Regular Full-time Employee</u>. Works the full term of the defined work period (that is, 37.5 or 40 hours per week, depending on the requirements of the position) in a position authorized by the Board of Commissioners. Full employee benefits normally accrue with full-time positions.

2. <u>Regular Part-time Employee</u>. Works on a continuous, regular basis but at a level less than the defined work period and normally less than 30 hours per week in a position authorized by the Board of Commissioners. Partial employee benefits normally accrue with part-time positions.

1. Irregular Part-time Employee. Works on a non-continuous, irregular basis at a level less than a regular part-time employee in a position authorized by the Board of Commissioners. Employee benefits do not normally accrue with irregular part-time employees.
2. Temporary Employee. Works as a short term (usually less than 90 days) replacement for a full or part-time employee or is hired on an irregular basis for work during special employment periods. Employee benefits are subject to negotiation with temporary employees.
3. Grant Employee. Hired pursuant to a Federal, State or local grant program. Continued employment in a grant position is contingent on the continued funding of the grant by the grantor. Employee benefits for grant employees are commensurate with those of regular full or part time employees depending on the number of hours that the grant employee works.

Attachment (1) - County Position Description Numerical Classification Procedures

1. **General.** This attachment provides the discussion and procedures for assignment of point values to position description statements for the purposes of job classification level determination.

2. **Education.** This factor measures the level of formal schooling necessary to successfully perform the work:

Level Required	Points Assigned
Equivalent to a high school degree including sound reading, math and communication skills.	24
Equivalent to a high school degree and some additional formal education in a specialized area (such as bookkeeping, clerical procedures, etc.).	48
Equivalent to an associate degree in an area of expertise (such as accounting, bookkeeping, etc.).	72
Equivalent of a bachelor's degree.	96
Equivalent of a master's degree.	120

3. **Work Experience.** This factor measures the normal amount of time required to learn a specific job so as to be able to complete minimum requirements. Factors to be considered are pre-job training, on-the-job training and related professional work experience.

Level Required	Points Assigned
Up to 1 month	30
From 2 months to 1 year	60
From 1 to 2 years	90
From 3 to 5 years	120
More than 5 years	150

4. **Freedom of Action.** This factor measures the responsibility for the individual initiative as a measure of self-reliance, enterprise and adaptability required by the position for initiating, monitoring and completing work actions that are independent of guidance or supervision.
The nature of the function and the nature of the desired results place limitations on the freedom of action. When assigning points in this trait, consider the degree to which independent action is limited by instructions or the degree to which a supervisor outlines the method to be followed and the results to be obtained. Existing policies, rules, routines and precedents are also limitations to independent action.

Level Required	Points Assigned
Work is performed under immediate and constant supervision or is a simple routine that allows little initiative.	20
Work is repetitive and well covered by instructions but may require some initiative in obtaining information or scheduling details of the person's own work.	40
Work is variable but methods have been established. Supervision consists	60

of general instruction and review. Initiative is necessary to maintain the flow of work.	
Duties involve a sequence or variety of operations in a limited field where procedures are established but conditions change. Initiative must be exercised to overcome minor obstacles. Supervision is generally present but not particularly active. Would also pertain to those employees who are cross-trained and who are required to function in multiple capacities regularly.	80
Problems are of a difficult nature within an established field with conditions frequently changing. Supervision is limited to assignment and discussion of problems.	100

5. **Complexity/Problem Solving.** This factor measures the ability required to solve the problems inherent in the duties and responsibilities of the position by employing proper discrimination to reach sound conclusions or making necessary decisions as to alternative avenues of action (including the judgement required to reach objectives).

Level Required	Points Assigned
Processing work following specific and detailed instruction.	20
Selection of pertinent data and arrangement into presentable form or summary. Simple analysis involving only a choice of a few standard procedures. A supervisor would be contacted if decisions outside of the normal guidelines need to be made.	40
Problem solving requires analysis of some data or information which may be varied. Also required is the use of some judgement based on precedent or procedure in summarization or action. A supervisor would be contacted if decisions outside the normal guidelines need to be made.	60
Problem solving or the completion of tasks requires interpretation and analysis and an ability to anticipate effects. More than one path of action may be available in following prescribed daily operations. Diverse tasks or situations must be analyzed and solved and then remedial steps taken as they arise.	80
Complex tasks must be analyzed and planned ahead of execution, frequently without precedent. Trends must be evaluated to reach sound conclusions and to frame recommendations in specific matters.	100

6. **Accountability/Error Potential.** This factor measures the responsibility for results, for getting work done and for exercising the necessary degree of care in the process. It reflects the need for attention to detail and concentrated focus in order to avoid errors which would result in needless expenditure of resources.

When assigning points to this trait, consider the effects of improper management of important resources in the job (money, man hours, confidential information, computational errors, actions resulting from misinformation, etc.).

Level Required	Points Assigned
Work involves minor opportunity for error or errors are systematically picked up by having work checked by others or by internal office safeguards or by subsequent operations within the department. Cost of error correction is negligible.	20
Work is generally confined to a small portion of the activity of the department and is subject to overall review or verification against some other well-defined standards. Errors would affect the work of others to the extent of requiring time and effort to trace and correct. Errors generally would affect an individual as opposed to a larger group or organization.	40
Work involves a moderate but constant opportunity for error, limited only by periodic (daily, weekly, etc.) spot check or examination. Such errors would have limited impact and are generally confined within the department or would affect an individual rather than a larger group or organization.	60
Work involves a regular opportunity for error that would be subject to review only when something was in question. Errors could become serious and affect more than one person or department.	80
Work is judgmental in nature and complete and correct performance is not subject to specific controls. Probable errors would be difficult to detect but are generally confined within the organization or have limited public impact.	100

7. **Contacts.** This factor measures the importance of effective handling of business relationships that are essential to adequate performance of the job. It includes face-to-face, telephone and mail communications. The level of contact, the complexity of the subject matter and the necessity for influencing others are considerations when assigning points in this trait. Aspects that are not regular, routine parts of the position description should not be considered.

Level Required	Points Assigned
Contacts with own associates within the department to seek and supply information. Incidental or infrequent outside contact.	20
Limited or routine contacts with employees of other departments or the public. Information given or received is of a specific or routine nature.	40
Contacts or communications with other employees and/or the public are of a service nature pertaining to the regular flow of work and involves the ability to present problems and/or resolve questions.	60
Frequent and specialized contacts with other employees and/or the public where it is necessary to secure concurrence or cooperation on a course of action or to provide a significant service.	80

Frequent contacts with other employees and/or the public are required on involved and possibly controversial matters. Coordinates important matters across departmental lines and/or with the general public. Establishes and maintains goodwill with all parts of the organization and/or the public.	100

8. **Responsibility for Others.** This factor measures the responsibility of the position for training, guidance, leadership and direction and control of others in the achievement of organizational goals. Included are: organizing work, making plans and schedules, developing and managing movement toward organizational goals.

Level Required	Points Assigned
Provides assistance by answering questions and assigning work. Acts for supervisor in his/her absence.	26
Supervises the work of others, allocates work, provides training, determines compliance with prescribed procedures. Performs detailed work of the same or closely allied nature.	52
Exercises leadership and true supervisory control over others doing closely related work. Assigns and applies directions originating at a higher level within a department.	78
Supervises others in a number of departments within the organization. Has shared responsibility for performance and control of employees. Appraises individuals and makes recommendations relating to salary increases, transfer requests, promotions and disciplinary actions.	104
Total supervisory and managerial responsibility for a multi-departmental organization and/or position requires multiple cross-boundary functions (such as personnel management, budgetary control, policy and procedure development and enforcement, etc.).	130

9. **Number of Personnel Supervised.** This factor measures the magnitude of the leadership and management required of the position in terms of personnel supervised. Included in this factor is a combination of the number of personnel directly supervised as well as the number of personnel indirectly supervised (meaning the sum total of all of the personnel in the organizational structure below the position being classified).

Level Required	Points Assigned
1 to 5	12
6 to 10	24
11 to 20	36
21 to 30	48
Over 30	60

10. **Environmental Factors.** This factor measures the physical, visual and mental demands of the position. Occasional demands would be evaluated as high as a job requiring almost constant demand. The following definitions should be used when discussing demand versus time:

a. Incidental: up to 15% of the time.

b. Occasional: from 16% to 30% of the time.

c. Frequent: from 30% to 60% of the time.

d. Regular: over 60% of the time.

Level Required	Points Assigned
Varied work with normal expenditure of energy and little or no unusual physical, visual or mental effort. Work involves occasional walking, sitting or standing. Work may involve incidental machine operation or public contact.	8
Incidental physical, visual and mental effort required in working with the public, materials and supplies or occasional operation of machines requiring dexterity and coordination.	16
Physical, visual and/or mental effort in occasional lifting/carrying, working with records/reports and making decisions; or requires occasional dexterity for operation of machines and equipment. May involve regular standing or walking.	24
Physical effort required in frequent lifting, carrying and moving of materials and supplies. Frequent mental effort involved in making decisions and working with fellow employees and the general public. Regular need for visual attention, dexterity and coordination in the operation of machines and equipment.	32
Physical effort required in regular lifting, carrying and moving of materials and supplies. Regular mental effort involved in making decisions and working with fellow employees and the general public. Regular severe visual demands.	40

11. **Technical Knowledge.** This factor measures the quantity and complexity of knowledge required to perform the job. This factor relates to both knowledge of procedures and practices as well as knowledge of equipment. The range of knowledge is evaluated on a continuum from simple to complex and on a continuum from predictable and repetitive to non-predictable and non-repetitive.

Level Required	Points Assigned
Little technical knowledge required. Work is routine and requires an understanding of simple, repetitive procedures.	20
Simply technical knowledge is required to apply a limited number of principles such as is required to repair and maintain physical structures, tending a machine and driving a vehicle. Position requires an ability to understand written and oral instructions. Position is generally involved with a set of principles and practices that are applied repeatedly.	40
Moderate technical knowledge of an increased number of principles related to the job. Ability to use specialized equipment, understand	60

moderately repetitive procedures and occasionally apply procedures in new or non-repetitive situations. Examples are: telephone operator, stenographic worker, inspection worker.	
Relatively complex technical knowledge of a greater number of principles in situations which are frequently new and non-repetitive. Examples are: applying financial principles and practices, setting up procedures and knowing when procedures require differential application or modification. Such tasks may include reading and interpreting blueprints, operating and controlling complex mechanical and electrical equipment (such as boilers, turbines, generators, and auxiliary equipment). Understanding, operating and training others on equipments common to the organization (such as office equipment, computers, phones, etc.) is also a factor as is the ability to read and understand documents relating to the operation of the organization.	80
Complex technical knowledge of varied and numerous principles, procedures and management techniques in situations which are new and/or often unpredictable. Examples include knowledge required to administer the personnel or budgetary function of the organization, knowledge of specialized rules/regulations/procedures, knowledge of investment procedures, etc.	100

Attachment (2) - Position Description (PD) Classification Work Sheet

Position:_____ **Date:** _____

Category		Points Available					Score
1.	Education	24	48	72	96	120	_____
2.	Work Experience	30	60	90	120	150	_____
3.	Freedom of Action	20	40	60	80	100	_____
4.	Complexity/Problem Solving	20	40	60	80	100	_____
5.	Accountability/Error Potential	20	40	60	80	100	_____
6.	Contacts	20	40	60	80	100	_____
7.	Responsibility for Others	26	52	78	104	130	_____
8.	Personnel Supervised	12	24	36	48	60	_____
9.	Environmental Factors	8	16	24	32	40	_____
10.	Technical Knowledge	20	40	60	80	100	_____
						TOTAL:	_____

Result: Position points out at_____on the:

Hourly Wage Earner / Salaried Employee Compensation / Classification Schedule (circle one)

RECOMMENDATIONS/APPROVAL:

Date	**Status**	**Initial**	**Review Level**
_____	YES/NO	_____	Recommendation from Dept. Head/Elected Official
_____	YES/NO	_____	Review by Union Representative (if applicable)
_____	YES/NO	_____	Recommendation from County Administrator
_____	YES/NO	_____	Approved by Finance Committee
_____	YES/NO	_____	Approved by Human Resources and Operations Committee (if applicable)

Attachment (3) - Position Description Point Values Versus Classification Level

CLASSIFICATION POINTS	COMPENSATION LEVEL
220 to 275	Hourly wage schedule level 1 (L1)
276 to 350	Hourly wage schedule level 2 (L2)
351 to 425	Hourly wage schedule level 3 (L3)
426 to 500	Hourly wage schedule level 4 (L4)
501 to 575	Hourly wage schedule level 5 (L5)
576 to 639	Hourly wage schedule level 6 (L6)
640 to 674	Hourly wage schedule level 7 (L7)
675 to 724	Salary schedule level 1 (M1)
725 to 774	Salary schedule level 2 (M2)
775 to 824	Salary schedule level 3 (M3)
825 to 874	Salary schedule level 4 (M4)
875 to 924	Salary schedule level 5 (M5)
925 to 974	Salary schedule level 6 (M6)
975 to 1000	Salary schedule level 7 (M7)

Note: Positions in the Sheriff's Department Table of organization are not governed by this classification policy and procedure.

Attachment (4) - County Hourly Wage Earner Classification and Compensation Schedule

1. The following hourly wage schedule is effective on January 1, 1995:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
L1	$7.61	$8.09	$8.54	$9.01	$9.48
L2	$7.92	$8.40	$8.88	$9.39	$9.84
L3	$8.21	$8.74	$9.20	$9.72	$10.19
L4	$8.51	$9.05	$9.53	$10.08	$10.58
L5	$8.82	$9.38	$9.87	$10.42	$10.94
L6	$9.12	$9.66	$10.21	$10.78	$11.32
L7	$9.41	$9.96	$10.53	$11.12	$11.69

---

2. With a 2.75% increase, the following hourly wage schedule is effective on January 1, 1996:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
L1	$7.82	$8.31	$8.77	$9.26	$9.74
L2	$8.14	$8.63	$9.12	$9.65	$10.11
L3	$8.44	$8.98	$9.45	$9.99	$10.47
L4	$8.74	$9.30	$9.79	$10.36	$10.87
L5	$9.06	$9.64	$10.14	$10.71	$11.24
L6	$9.37	$9.93	$10.49	$11.08	$11.63
L7	$9.67	$10.23	$10.82	$11.43	$12.01

3. With a 2.75% increase, the following hourly wage schedule is effective on January 1, 1997:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
L1	$8.04	$8.54	$9.01	$9.51	$10.01
L2	$8.36	$8.87	$9.37	$9.92	$10.39
L3	$8.67	$9.23	$9.71	$10.26	$10.76
L4	$8.98	$9.56	$10.06	$10.64	$11.17
L5	$9.31	$9.91	$10.42	$11.00	$11.55
L6	$9.63	$10.20	$10.78	$11.38	$11.95
L7	$9.94	$10.51	$11.12	$11.74	$12.34

---

4. With a 2.75% increase, the following hourly wage schedule is effective on January 1, 1998:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
L1	$8.26	$8.77	$9.26	$9.77	$10.29
L2	$8.59	$9.11	$9.63	$10.19	$10.68
L3	$8.91	$9.48	$9.98	$10.54	$11.06
L4	$9.23	$9.82	$10.34	$10.93	$11.48
L5	$9.57	$10.18	$10.71	$11.30	$11.87
L6	$9.89	$10.48	$11.08	$11.69	$12.28
L7	$10.21	$10.80	$11.43	$12.06	$12.68

5. With a 2.75% increase, the following hourly wage schedule is effective on January 1, 1999:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
L1	$8.49	$9.01	$9.51	$10.04	$10.57
L2	$8.83	$9.36	$9.89	$10.47	$10.97
L3	$9.16	$9.74	$10.25	$10.83	$11.36
L4	$9.48	$10.09	$10.62	$11.23	$11.80
L5	$9.83	$10.46	$11.00	$11.61	$12.20
L6	$10.16	$10.77	$11.38	$12.01	$12.62
L7	$10.49	$11.10	$11.74	$12.39	$13.03

---

6. With a 2.75% increase, the following hourly wage schedule is effective on January 1, 2000:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
L1	$8.72	$9.26	$9.77	$10.32	$10.86
L2	$9.07	$9.62	$10.16	$10.76	$11.27
L3	$9.41	$10.01	$10.53	$11.13	$11.67
L4	$9.74	$10.37	$10.91	$11.54	$12.12
L5	$10.10	$10.75	$11.30	$11.93	$12.54
L6	$10.44	$11.07	$11.69	$12.34	$12.97
L7	$10.78	$11.41	$12.06	$12.73	$13.39

Attachment (5) - County Salaried Employee Classification and Compensation Schedule

(Revised July 24, 1996)

1. The following annual salary schedule is effective on January 1, 1995:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS	MAXIMUM
M1	$19,635	$20,695	$21,813	$22,991	$24,233	$25,501
M2	$23,050	$24,295	$25,607	$26,990	$28,447	$29,935
M3	$26,465	$27,894	$29,401	$30,989	$32,662	$34,370
M4	$29,880	$31,493	$33,194	$34,987	$36,876	$38,805
M5	$33,296	$35,093	$36,988	$38,985	$41,090	$43,240
M6	$37,563	$39,592	$41,730	$43,983	$46,358	$48,784
M7	$42,686	$44,991	$47,420	$49,981	$52,680	$55,436

---

2. With a 2.75% increase, the following annual salary schedule is effective January 1, 1996:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS	MAXIMUM
M1	$20,175	$21,264	$22,413	$23,623	$24,899	$26,202
M2	$23,684	$24,963	$26,311	$27,732	$29,229	$30,758
M3	$27,193	$28,661	$30,210	$31,841	$33,560	$35,315
M4	$30,702	$32,359	$34,107	$35,949	$37,890	$39,872
M5	$34,212	$36,058	$38,005	$40,057	$42,220	$44,429
M6	$38,596	$40,681	$42,878	$45,193	$47,633	$50,126
M7	$43,860	$46,228	$48,724	$51,355	$54,129	$56,960

3. With a 2.75% increase, the following annual salary schedule is effective January 1, 1997:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS	MAXIMUM
M1	$20,730	$21,849	$23,029	$24,273	$25,584	$26,923
M2	$24,335	$25,649	$27,035	$28,495	$30,033	$31,604
M3	$27,941	$29,449	$31,041	$32,717	$34,483	$36,286
M4	$31,546	$33,249	$35,045	$36,938	$38,932	$40,968
M5	$35,153	$37,050	$39,050	$41,159	$43,381	$45,651
M6	$39,657	$41,800	$44,057	$46,436	$48,943	$51,504
M7	$45,066	$47,499	$50,064	$52,767	$55,618	$58,526

---

4. With a 2.75% increase, the following annual salary schedule is effective January 1, 1998:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS	MAXIMUM
M1	$21,300	$22,450	$23,662	$24,941	$26,288	$27,663
M2	$25,004	$26,354	$27,778	$29,279	$30,859	$32,473
M3	$28,709	$30,259	$31,895	$33,617	$35,431	$37,284
M4	$32,414	$34,163	$36,009	$37.954	$40,003	$42,095
M5	$36,120	$38,069	$40,124	$42,291	$44,574	$46,906
M6	$40,748	$42,950	$45,269	$47,713	$50,289	$52,920
M7	$46,305	$48,805	$51,441	$54,218	$57,147	$60,135

5. With a 2.75% increase, the following annual salary schedule is effective January 1, 1999:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS	MAXIMUM
M1	$21,886	$23,067	$24,313	$25,627	$27,011	$28,424
M2	$25,692	$27,079	$28,542	$30,084	$31,708	$33,366
M3	$29,498	$31,091	$32,772	$34,541	$36,405	$38,309
M4	$33,305	$35,102	$36,999	$38,998	$41,103	$43,253
M5	$37,113	$39,116	$41,227	$43,454	$45,800	$48,196
M6	$41,869	$44,131	$46,514	$49,025	$51,672	$54,375
M7	$47,578	$50,147	$52,856	$55,709	$58,719	$61,789

---

6. With a 2.75% increase, the following annual salary schedule is effective January 1, 2000:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS	MAXIMUM
M1	$22,488	$23,701	$24,982	$26,332	$27,754	$29,206
M2	$26,399	$27,824	$29,327	$30,911	$32,580	$34,284
M3	$30,309	$31,946	$33,673	$35,491	$37,406	$39,362
M4	$34,221	$36,067	$38,016	$40,070	$42,233	$44,442
M5	$38,134	$40,192	$42,361	$44,649	$47,060	$49,521
M6	$43,020	$45,345	$47,793	$50,373	$53,093	$55,870
M7	$48,886	$51,526	$54,310	$57,241	$60,334	$63,488

Attachment (6) - Sheriff's Department Hourly Wage Earner Classification and Compensation Schedule

1. The following hourly wage schedule is effective January 1, 1995:

LEVEL	START	6 MONTHS	1 YEAR	2 YEARS	3 YEARS	4 YEARS
Deputy*	$11.26	$11.57	$12.15	$12.74	$13.42	$14.02
Corrections Officer*	$10.19	$10.47	$10.98	$11.50	$12.13	$12.63
Marine/Snowmobile	$ 8.71	$ 8.92	$ 9.30	$ 9.72	$10.28	$10.74
Animal Control/Civil Process	$ 9.60	$ 9.82	$10.25	$10.73	$11.28	$11.79
Dispatcher*	$ 8.33	$ 8.53	$ 8.83	$ 9.30	$ 9.80	$10.28
Cook (= L1)	$ 7.61	$ 7.61	$ 8.09	$ 8.54	$ 9.01	$ 9.48
Cook & Dept. Assistant (=L3)	$ 8.21	$ 8.21	$ 8.74	$ 9.20	$ 9.72	$10.19
Department Secretary (=L5)	$ 8.82	$ 8.82	$ 9.38	$ 9.87	$10.42	$10.94

Note: * Employees who are Sergeants (Road Patrol, Detectives, Corrections, Dispatch) will be compensated with an additional $.70/hour over the rate of the base wage for their category (Deputy, Corrections Officer or Dispatch).

Attachment (7) - Wage Scale For Non-Union, Part-Time Employees Not Warranting The Higher Rates Paid On The Hourly Wage Earner Schedule

1. The following hourly wage schedule is effective January 1, 1995:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
0	$5.30	$5.70	$6.10	$6.50	$6.90

2. With a 2.75% increase, the following hourly wage schedule is effective January 1, 1996:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
0	$5.45	$5.86	$6.27	$6.68	$7.09

3. With a 2.75% increase, the following hourly wage schedule is effective January 1, 1997:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
0	$5.60	$6.02	$6.44	$6.86	$7.28

4. With a 2.75% increase, the following hourly wage schedule is effective January 1, 1998:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
0	$5.75	$6.19	$6.62	$7.05	$7.48

5. With a 2.75% increase, the following hourly wage schedule is effective January 1, 1999:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
0	$5.91	$6.36	$6.80	$7.24	$7.69

6. With a 2.75% increase, the following hourly wage schedule is effective January 1, 2000:

LEVEL	START	1 YEAR	2 YEARS	3 YEARS	4 YEARS
0	$6.07	$6.53	$6.99	$7.44	$7.90

B-6.2 Employee Classification Plan and Work Group Categories

County Board Approval: February 21, 1996; Amended July 5, 2007

A. <u>Employee Work Categories.</u>

For purposes of definition, the below listed employee work categories are established:

1. Notations in parenthesis after the job title indicate the source and level for salary/wage compensation using the following abbreviations:
   a. **SCAO**: salary set by State Court Administrator's office.
2. **Bd**: salary set by Board of Commissioners.
3. **Cont**: compensation set by contract.
4. **M_**: salary set by established County management salary schedule; level indicated numerically.
5. **IRPT**: Irregular part time.
6. **Court**: salary set by Circuit Court Judge.
7. **L_**: wage set by established County hourly wage scale; level indicated numerically.
8. **PTWB**: part time with benefits.
9. Sheriff's Department notations are shown below.
10. <u>Category A</u>. This category consists of all County elected officials.
    a. <u>Category A1</u>. All elected Commissioners who are paid from an established stipend schedule.
11. <u>Category A2</u>. All other elected officials who are compensated from the established management salary schedule including:
    1) Circuit Court Judge (SCAO)
    2) District Court Judge (SCAO)
    3) Probate Court Judge (SCAO)
    4) County Clerk (Bd)
    5) County Prosecutor (Cont, PTWB)
    6) County Register of Deeds (Bd)
    7) County Treasurer (Bd)
    8) County Drain Commissioner (Bd, IRPT)
    9) Sheriff (Bd)
12. <u>Category B</u>. This category consists of all non-elected County Department Heads who are compensated from the established management salary schedule, including:
    a. Friend of the Court (Court)
13. Circuit Court Administrator/Judicial Secretary (M2)
14. District Court Administrator (M3)
15. District Court Magistrate (M2)
16. County Administrator/Controller (M7)

17. Director of Equalization (M4)
18. Maintenance Supervisor (M2) (*see note)
19. Building Official (M4) (*see note)
20. Civic Arena (M2) (*see note)
21. Undersheriff (M4)
22. General Accounting Office Supervisor (M4) (* see note)
23. Community Corrections Coordinator (M3) (*see note)

    *Note: position included in list of those authorized to join/form a management Union.

24. Category C. This category consists of all non-elected non-Department Head County staff personnel who are compensated from the established management salary schedule), including:

    a. Circuit Court Reporter (M3)

25. District Court Probation Officer (M3)
26. Deputy Friend of the Court (M3)
27. FOC Mediator/Investigator (M3)
28. Probate Court Juvenile Probation Officer (M4)
29. Probate Court Deputy Probation Officer (M2)
30. Circuit Court Family Counseling (M3)
31. Community Corrections Assistant (M1) (** see note)
32. County Building Inspector (M2) (** see note)
33. County Electrical Inspector (M2) (** see note)
34. County Plumbing/Mechanical Inspector (M2) (** see note)

    ** Note: positions included in a list of those authorized to join/form a Union.

35. Category D. This category consists of all non-elected staff personnel who are department heads and who are compensated from the Command Officers Association of Michigan (COAM) Union negotiated salary schedule, including:

    a. Jail Administrative Lieutenant (M3)

36. Sheriff's Department Administrative Lieutenant (M3)
37. Sheriff's Department Detective Lieutenant (M3)
38. Category E. This category consists of all non-elected staff personnel that are hourly employees who are compensated from the County hourly wage schedule but are not in Union positions, including:

    a. Circuit Court Mediation Clerk (L4)

39. Probate Court Bookkeeper (L4)
40. Senior Administrative Assistant to the Administrator (L7)

41. Category F. This category consists of all non-elected non-Department Head staff personnel that are hourly employees who are compensated from the TPOAM negotiated wage scale.

    a. District Court Recorder (L7)

42. District Court Bookkeeper (L4)
43. District Court Deputy Clerk (L4) (three positions)
44. FOC Support Investigator (L6) (two positions)
45. FOC Bookkeeper (L4)
46. FOC Account Clerk (L3)
47. FOC Department Aide (L3)
48. FOC Department Aide (L2)
49. FOC Clerk/Assistant Bookkeeper (L3)
50. GAO Account Clerk (L6)
51. GAO Account Clerk (L4)
52. Chief Deputy County Clerk (L5)
53. Deputy County Clerk (L4)
54. Deputy Equalization Director (L7)
55. Equalization Department Administrative Analyst (L6)
56. Equalization Department Secretary (L5) (two positions)
57. Prosecutor Support Investigator (L7)
58. Deputy Register of Deeds (L4)
59. Chief Deputy Treasurer (L6)
60. Deputy Treasurer (L4)
61. MSU Department Secretary (L5)
62. MSU Department Assistant (L3)
63. Senior Maintenance Worker- Courthouse (L5)
64. GIS Operator (L6)
65. Building/Zoning Department Assistant (L5)
66. Senior Maintenance Worker- Civic Arena (L3)
67. Category G. This category consists of all non-elected non-Department Head staff personnel that are hourly employees who are compensated from the POAM Union negotiated wage scale, including:

    a. Notations are outlined as follows:

        1) **Dep**: Deputy wage scale as established via POAM contract.

        1) _____+: the + indicates additional responsibility pay for employees in supervisory positions.

        2) **DS**: Departmental secretary wage scale as established via POAM contract.

3) **Dis**: Dispatcher wage scale as established via POAM contract.

4) **Cor**: Corrections officer wage scale as established via POAM contract.

5) **DA**: Departmental assistant wage scale as established via POAM contract.

6) **FSS**: Food Service Supervisor (wage scale as established by POAM contract).

7) **Ck**: Cook wage scale as established via POAM contract.

8) **AC**: Animal control wage scale as established via POAM contract.

68. Detective Sergeant (Dep+)

69. Deputy Sergeant (Dep+) (four positions)

70. Deputy (Dep) (ten positions)

71. Department Secretary (DS = L5) (two positions)

72. Dispatcher Sergeant (Dis+)

73. Dispatcher (Dis) (seven positions)

74. Corrections Sergeant (Cor+) (three positions)

75. Corrections Officer (Cor) (eight positions)

76. Department Assistant (DA = L3)

77. Food Service Supervisor (FSS)

78. Cook (Ck)

79. Animal Control (AC) (three positions)

80. Category H. This category consists of all non-elected part-time employees who are compensated from the management salary schedule, including:

    a. Director of Natural Resources (M3, PTWB)

81. Director of Emergency Management (M3, PTWB)

82. County Building Inspector (M2, PTWB)

83. Category I. This category consists of all part-time hourly employees who are compensated from an hourly wage scale but who are not Union employees, including:

    a. Deputy District Court Clerk (L2, PTWB)

84. FOC Department Aide (L2, PTWB)

85. Probation/Parole Department Aide (L3, PTWB)

86. Deputy County Clerk (L4, PTWB)

87. Community Corrections Department Aide (L3, PTWB)

88. Community Corrections Prison Transport (IRPT)

89. Deputy Emergency Management Director (IRPT)

90. Treasurer's Office Accountant (L3, PTWB)

91. Assistant Prosecutors (IRPT, Cont) (two positions)

92. Animal Shelter Attendant (IRPT)

93. Administrative Assistant to the Administrator (L4, PTWB)

94. Category J. This category consists of all part-time hourly employees in the Sheriff's Department who are compensated from the POAM hourly wage scale but who are not Union employees, including:

    a. Dispatcher (Dis, PTWB) (two positions)

95. Marine Patrol (M/S, IRPT) (two positions)

96. Cook (Ck, P/T, IRPT)

B-6.3 Position Description Master File

County Board Approval: February 21, 1996

A. <u>Master Position Description File and Responsibility.</u>

A current master file of all approved position descriptions (PDs) that are in use by the County will be maintained by the County Administrator in his/her capacity as County Personnel Officer.

B-6.4 Reclassification and Position Description Review Procedure

County Board Approval: February 21, 1996, Amended December 2, 2009

A. General.

Requests for reclassification and/or PD review may be initiated by:

1. Supervisors of the position requested for review.
2. The County Personnel Officer (normally the County Administrator) for any position in the County master PD file.

B. Procedures.

1. All requests for reclassification and/or PD review will be initiated and evaluated by utilizing attachment (1) to this Section.
2. All reclassification and/or PD review requests will be evaluated by:
   a. Appropriate supervisor(s).
3. County Personnel Officer.
4. All reclassification and/or PD review requests will be adjudicated by the Human Resources and Operations Committee except as outlined below.
5. Changes to wage/salary as a result of reclassification:
   a. Where a position is reclassified to a lower level because of a decrease in the number or complexity of job tasks, the incumbent in this position will continue to be paid at his/her present level. When that employee vacates the position, the new hire will be compensated at the lower revised classification level.
6. Where a position is reclassified to a higher level because of an increase in the number or complexity of job tasks, the incumbent in this position will be compensated at the higher rate effective on a date specified by the approval authority.
   1) If the increase in compensation can be accommodated by budget reprogramming in the fiscal year in which the change takes place (and therefore a budget amendment is not required), then Board approval is not required to authorize the reclassification.
   2) If the increase in compensation cannot be accommodated by budget reprogramming in the fiscal year in which the change takes place (and therefore a budget amendment is required), then full Board approval is required to authorize the reclassification.
7. Position description reviews and reclassification actions performed under the aegis of this policy will utilize the job classification guidance outlined in another section of this Manual.
8. All position description changes resulting from review action under this Section will be updated in the County Master Position Description File by the County Personnel Officer as discussed in another section of this Manual. Additionally, changes will be reflected in the Employee Classification Plan and Work Group Category Listing contained in another section of this Manual.
9. For County employment positions covered by Union contract:

a. The originator of a request for position description review/reclassification is responsible for informing his/her Union representative as to the initiation of such a request.

10. Prior to the review by the Human Resources and Operations Committee of a request for a position description review/reclassification, the County Administrator will obtain comment/input from the appropriate Union representative for inclusion in the information package to be reviewed by the Human Resources and Operations Committee.

Attachment (1) - Wexford County Position Description Review Form

Date: _____

FROM: _____

TO: Chairman, Human Resources and Operations Committee

VIA: **(1)** _____, **Title** _____

(2) _____, **Title** _____

(3) _____, **Union Representative**
(If Applicable)

(4) _____, **County Administrator**

SUBJECT: REQUEST FOR POSITION DESCRIPTION REVIEW/RECLASSIFICATION

REFERENCE: Wexford County Personnel & Administration Policy, Operations and Procedures Manual

ENCLOSURE:
(1) Copy of current position description (PD)
(2) Copy of proposed new position description (PD)
(3) Originator's justification statement
(4) _____
(5) _____

1. Consistent with the provisions outlined in the above-specified reference, it is requested that the following position be reviewed/reclassified:
   a. Position title: _____
2. Incumbent's name: _____
3. Incumbent's date of employment: _____
4. Incumbent's current wage/salary level: _____
5. Additional information:
   a. Enclosure (1) is provided as the current PD.
6. Enclosure (2) is provided as a proposed new PD.
7. Enclosure (3) is provided as justification for reclassification of this position. (Note: in this enclosure, persons originating a PD review are encouraged to summarize specific reasons why the position in question should be reviewed and/or reclassified.)

a. _____

_____

b. _____

_____

_____
(Signature and date)

REVIEW/RECLASSIFICATION ACTIONS

Concur	**Do Not Concur**	**Reviewer Name**	**Position**	**Date**
_____	_____	_____	_____	_____
(Attach justification comments)				
_____	_____	_____	_____	_____
(Attach justification comments)				
_____	_____	_____	County Administrator	_____
(Comments/point summary attached)				
_____	_____	_____	Chair, HROC	_____
(Normal approval authority)				
_____	_____	_____	Chair, Bd. Of Comm.	_____
(Approval authority if required)				

Effective Date for Pay Purposes: _____

ACKNOWLEDGMENTS

	Signature	**Position**	**Date**
Reviewer on line 1, above	_____	_____	_____
Reviewer on line 2, above	_____	_____	_____
Originator	_____	_____	_____

STATEMENT OF BUDGET IMPACT
(To Be Completed by the Personnel Officer)

1. Increase to line item_____by $_____for Fiscal Year_____.

2. Check one of the following as applicable:

_____ Can be covered by reprogramming per internal budget memo.

_____ Requires Board approved budget amendment.

NOTE: Return this form and all required support documentation to the County Administrator for filing.

B-7.0 Employee Seniority

County Board Approval: May 15, 1996

A. Definition of Seniority.

1. Seniority is defined as the length of continuous service that an employee has with the Employer commencing with the employee's most recent date of hire.
2. The employee's "most recent date of hire" is the most recent date upon which he/she commenced work for the Employer.
3. Employees who commence work on the same date will be placed on the seniority list in alphabetical order of surnames.

B. Probationary Period.

1. All new employees will be considered to be on probation (and thusly, have no seniority) for the first six months of employment of work for the Employer.
2. Until the employee has completed his/her probationary period, he/she may be disciplined, laid off, recalled, terminated or discharged at the Employer's discretion without regard to the provisions of seniority and, in the case of Union members, without recourse to the grievance and arbitration procedures contained within the applicable Union contract.

C. Seniority List.

The County Administrator will maintain seniority lists as outlined below. These lists will be updated every six months.

Seniority List	Remarks
United Steel Workers of America	All units; Union, hourly wage employees
Police Officers Assn. of Michigan	Union, hourly wage employees
Command Officers Assn. of Michigan	Union, salaried employees
Technical, Professional Officeworkers Assn. of Michigan	All Units; Union, salaried employees
Full-time employees	Non-Union hourly wage employees
Part-time employees	Non-Union hourly wage employees

D. Loss of Seniority.

An employee will lose his/her seniority and employment relationship with the Employer for any of the following reasons:

1. The employee quits or is discharged with just cause.
2. The employee retires.
3. The employee is absent from work for 3 working days unless a satisfactory reason for such absence is given.
4. The employee fails to return to work at the specified time upon expiration of a leave of absence, disciplinary suspension, vacation, or recall from layoff unless a satisfactory reason for such absence is given.

5. The employee is on layoff status or sick leave for a period of time equal to his time of seniority or 24 months, whichever is less.

6. In the case of a Union employee, the employee is promoted to a position outside of the collective bargaining unit.

7. The employee fails to notify the Employer for 3 consecutive working days that he/she will not be reporting for work, unless a satisfactory reason for such failure to report to work is given.

E. <u>Benefit Accumulation.</u>

Seniority will continue on all approved leaves of absence unless otherwise specifically provided for in another section of this *Manual* or in a Union contract/collective bargaining agreement. Benefits such as vacation, sick leave and insurance do not normally accrue during any leave of absence which exceeds 30 calendar days.

F. <u>Grant Employees.</u>

Employees in positions which are funded by State or Federal grants are not considered in the employee seniority system. If the grant employee is later retained by the Employer in a regular budgeted position, then full seniority may be given from the employee's original date of hire provided that the employee requests this consideration in writing within 30 days of hiring on in the regular budgeted position.

B-8.0 Salary and Wage Structure

County Board Approval: July 17, 1996, Amended July 2, 2008

A. General.

Where a conflict between this policy and a collective bargaining agreement exists, the collective bargaining agreement shall take precedence.

B. Pay Plan.

The County attempts to pay its employees on a fair and equitable basis. Accordingly, pay scales have been developed as follows:

1. Hourly Wage Earner Classification and Compensation Schedule: Outlined at Attachment (4) to Section 6.1 of this *Manual*.
2. Salaried Employee Classification and Compensation Schedule: Outlined at Attachment (5) to Section 6.1 of this *Manual*.
3. Elected Officials:

C. Pay Plan Changes.

The County pay plans outlined above will be reviewed periodically to determine whether changes are appropriate. Upon adoption of any change to the pay plan:

1. All employees whose pay is less than the new rate of their respective level and step will be raised to that new rate.
2. All employees whose pay is in excess of the new rate of their respective level and step will continue to be paid at their current rate but will not be eligible for any additional pay increases, including cost of living adjustments, until such time as their pay falls back within the new pay range for their classification. This provision, however, does not preclude pay reduction for reasons of demotion for disciplinary reasons.
3. Act 237 of 1919, Section 45.401 (1) The county board of commissioners of each county in this state may direct the payment to the sheriff, under-sheriff, and deputy sheriffs and to the county clerk, county treasurer, register of deeds, and their deputies out of the general fund in the treasury of the county, salaries as the board considers proper. The salaries may be fixed and determined by the county board of commissioners at its annual meeting held in October before the commencement of the terms of the officers. The salaries shall be compensation in full for all services performed by the sheriff, under-sheriff, and deputy sheriffs and by the county clerk, county treasurer, register of deeds, and their deputies. However, this section shall not apply to a county now operating under a local or special act, until the local or special act is repealed. (2) Notwithstanding subsection (1), for a county which has a county officers compensation commission, the compensation of each nonjudicial elected officer of the county shall be determined by that commission. A change in compensation for those officers of a county which has a county officers compensation commission shall commence at the beginning of the first odd numbered year after the determination is made by the county officers compensation commission and is not rejected.

D. Initial Salaries.

New persons appointed to County positions are generally started at the first step of the classification level of the position they are hired into. Appointments at a step above the minimum may be authorized if the Department Head or Elected Official first obtains concurrence of the

County Administrator. Starting a new employee at a step other than the first step will be based on the qualifications of the prospective employee, his/her past work history and experience, the difficulty of finding qualified and employable candidates at the lowest step and the availability of funds budgeted for the position.

E. <u>Salary Increases.</u>

1. Salary step increases within a classification level shall generally occur on the anniversary of the date of hire. These step increases, however, are not automatic but rather are keyed to employee performance. An employee may only be advanced to the next step on the classification upon the written recommendation of his/her supervisor.

   a. An employee so recommended shall receive said step increase during the first pay period following the date of eligibility.

2. An employee not so recommended may have his/her step increase withheld for a specific period of time.

   1) If an employee does not demonstrate the willingness or ability to properly perform the duties of his/her assigned position at the end of this period, consideration should be given to reassignment or disciplinary measures such as outlined elsewhere in this Manual.

   2) If an employee does demonstrate the willingness and/or ability to properly perform the duties of his/her assigned position at the end of this period, the Department Head or Elected Official may recommend the step increase at that time. In such cases, the employee's anniversary date will be changed to coincide with the date that the employee receives this step increase.

3. When an employee reaches the top step of their classification level, they are no longer eligible for step increases but are eligible for across the board salary adjustments (such as a cost of living increase) as granted by the Board of Commissioners pursuant to sub-paragraph 1.b.2.) above.

4. An employee whose performance is exceptional may be considered for more than a one-step increase if so recommended (in writing) by the Department Head or Elected Official for whom he/she works. Final approval for such an increase shall be by the County Administrator.

F. <u>Transfer, Promotion, Demotion and Re-employment.</u>

If an employee is transferred, promoted, demoted or reemployed, his/her pay shall be determined as follows:

1. <u>Transfer</u>.

   a. If the current pay is less than the minimum of the classification of the new position, pay shall be advanced to the minimum of the new classification.

2. If the current pay is more than the maximum rate in the new classification, it shall be reduced to the maximum rate for the new classification.

3. If the current pay falls within and is at the established step of the new class, it shall remain at the current rate.

4. If the current pay falls within the new class but does not correspond to an existing step, it shall be advanced to the next higher step.

5. Promotion.

If the current pay is less than or falls within the range for the new class, it shall be adjusted to the step which provides for at least a 4.5% increase. Consideration shall be given for an extra step increase in the event that the employee would have been eligible for a step increase within the next 6 months of the date of promotion under the guideline that the combination of rate increases does not exceed 10%.

6. Demotion.

a. If the current pay is more than the maximum rate of the new classification, it shall be adjusted to the maximum or to an intermediate step as recommended by the Department Head or Elected Official and approved through the disciplinary review process as outlined in another Section of this *Manual*.

7. If the current pay falls at an established step within the range of the new classification, it shall remain the same or be adjusted to the next lower step as recommended by the Department Head or Elected Official and approved through the disciplinary review process as outlined in another Section of this *Manual*.

8. If the current pay falls within the range of the new classification but doesn't correspond to an established step within that classification, it shall be adjusted to the next lower step.

9. Reemployment.

If an employee is reemployed or reinstated within one year in his/her original position or in another position assigned to the same classification, the employee shall be paid at the same grade and step he/she was paid at the time of termination if this rate does not exceed the current maximum level presently assigned to the classification. If the rate for the level and step at the time of termination exceed the maximum rate assigned to the classification, the employee shall be paid at the maximum rate.

G. Time Sheets.

1. Time sheets will be distributed by the General Accounting Office to each Department.
2. All employees are required to provide the appropriate hours data and sign the sheet.
3. Department Heads and Elected Officials shall review their Departmental time sheet and indicate such review by signing it in the space provided.
4. Time sheets are to be returned to the General Accounting Office by the close of business on Friday, the last day of the pay period.

H. Pay Period.

County employees are paid every other Friday in 26 pay periods per year. Each pay check covers the 2-week period ending at midnight on the Saturday prior to each payday. When Friday is a holiday (as described elsewhere in this *Manual*, the payday will be held on the last work day prior to the holiday.

B-9.0 Job Vacancies

County Board Approval: July 17, 1996

A. General.

1. Where conflict between this policy and a collective bargaining agreement exists, the collective bargaining agreement takes precedence.
2. The steps and responsibilities for the hiring process for vacant positions on the County payroll are generally as outlined below:

Action	Responsibility/Remarks
Identification of vacancy	Immediate Supervisor/Supervisor
Vacancy announcement and recruitment	County Administrator
Candidate screening	Supervisor
Candidate selection/hiring	Supervisor

3. The categorization of "supervisor" and "immediate supervisor" is outlined in Section B-5.0 of this *Manual*.
4. Where appearing in this Section (except as noted), the term "County Administrator" refers to the County Administrator acting in his/her role as County Personnel Officer on behalf of the Employer.

B. Identification of Job Vacancy.

Notification of job vacancies should be provided by Elected Officials and Department Heads to the County Administrator in order to initiate the hiring process.

C. Vacancy Announcement.

1. Job announcement posting.
   a. Notice of County job vacancies will be posted on official County bulletin boards by the County Administrator.
2. Job vacancy notices/advertisements will consist of, at the minimum:
   1) Job title.
   2) Job classification to include range of pay.
   3) Anticipated start date.
   4) A brief summary of the work tasks expected of the position.
   5) Procedures for applying for the position.
3. Vacancies in positions covered by a collective bargaining agreement:
   a. In order to provide advancement opportunities within a collective bargaining unit when a vacancy exists in a collective bargaining unit, the Administrator will post the job vacancy announcement internally on the official County bulletin board a minimum of five (5) work days prior to the start of any external hiring process associated with the vacancy. Hiring priority for vacant positions (that are part of a collective bargaining unit) will be given as follows:
      1) First priority: To applicants from the collective bargaining unit in which the vacancy has occurred.

2) Second priority: To applicants from other collective bargaining units recognized by Employer (as outlined in Section B-3.0 of this *Manual)*.

3) Third priority: To other applicants from the County employee base.

4) Fourth priority: To applicants external to the County employee base.

4. At the time of internal posting, a copy of the job vacancy announcement will be provided to the County staff member(s) who act(s) as the local representative(s) of the collective bargaining unit(s) which are recognized by the Employer (see Section B-3.0 of this *Manual*).

5. Persons within collective bargaining units may make advance application for vacant positions within a collective bargaining agreement by submitting a written statement outlining the person's desire for transfer/promotion into the vacancy along with a summary of his/her qualifications for this position.

6. As stated above, for such collective bargaining unit vacancies, the Employer will give due consideration to applications received from internal candidates prior to giving consideration to applications received from external candidates:

   1) A screening of all internal applicants will be done in order to determine interview candidates for the position. As part of this screening process, the official County personnel record of each internal applicant will be reviewed.

   2) After interviews have been conducted and when it has been determined that internal applicants meet the prerequisites for the position and where their experience, qualifications, work history and abilities are relatively equal, the applicant with the most seniority will be selected for the position.

   3) When it has been determined that no internal applicants meet the prerequisites for the position, the Employer reserves the right to fill the vacancy from external applicants.

7. Employees from other collective bargaining units of the County who are selected to fill vacant positions in another collective bargaining unit may, subject to the approval of both Employers, transfer his/her seniority from one unit to another.

8. Temporary vacancies caused by leaves of absence or vacations will not be posted for fill, however, temporary transfers within or between departments may be made to fill such temporary vacancies.

9. Vacancies in positions not covered by a collective bargaining agreement:

   a. The Employer will post the job vacancy announcement internally on official County bulletin boards at the same time that an external search for candidates commences.

10. At the time of posting, a courtesy copy of the job vacancy announcement will be provided to each County department. A courtesy copy may also be provided to the County staff member(s) who act(s) as the local representative(s) of the collective bargaining units which are recognized by the Employer (per Section B-3.0 of this *Manual*).

11. All candidates expressing an interest in the vacant position will be asked to provide a resume or work history and a completed County employment application form.

1) Candidates already on the County payroll will not be required to fill out a County employment application form provided a relatively current copy is on file in their official County personnel record.

2) The official County personnel record of candidates who are on the County payroll will be reviewed as part of the job screening process.

a. An interview process will be conducted to screen all applicants for the vacant position.

D. <u>Exceptions.</u>

1. Because of the unique nature of the relationship between the Employer and certain County staff positions, the following positions are exempt from the normal hiring process as delineated in this Section:

Position	Elected Official/Hiring Official
Undersheriff	Sheriff*
Chief Deputy Treasurer	County Treasurer**
Chief Deputy County Clerk	County Clerk
Deputy Register of Deeds	Register of Deeds
Assistant Prosecutor	Prosecutor*

* Salaried positions and therefore not subject to a collective bargaining agreement.

** This is the only position that is addressed as such an exception in the current USWA contract. The Chief Deputy County Clerk and the Deputy Register of Deeds positions will be included in discussions for the next set of negotiations with the appropriate bargaining unit.

2. Persons hired into the above outlined positions are appointed by their respective hiring official without regard to the job vacancy provisions of this *Manual*. The incumbent in each of these positions serves at the pleasure of the respective elected official who reserves the right to revoke said appointment at any time.

3. Termination actions by designated Elected Officials for these designated positions are not subject to challenge B-9.0 through grievance and/or arbitration procedures (for those positions on the above list which are covered by a collective bargaining agreement). Persons terminated from the above listed positions for non-disciplinary reasons may exercise displacement rights per the appropriate collective bargaining agreement.

E. <u>Recruitment.</u>

Vacancies on the County staff will be filled by one of the following methods:

1. **Promotion:** Insofar as practical and in the best interests of the Employer, vacancies shall be filled by promotion of regular full or part-time employees per the procedures outlined in this Section of the *Manual*. Factors that will be considered in determining an employee's eligibility for promotion will include:

   a. Performance evaluations.

2. Supervisory recommendation(s).

3. Length of service with the County/seniority.

4. Testing (if required).

5. Evaluation of the applicant's qualifications, work history, abilities, skills, experience, motivation, judgement, adaptability, working and interpersonal relationships, aptitude for the position and potential for future growth.

6. Employees who are promoted into a new position will serve a six-month probation period during which the Employer may demote said employee back to his/her former classification and position. An employee may also exercise the right to voluntarily return to his/her former classification and position.

7. Employees who are promoted into a new position at a higher classification shall be placed at the appropriate step on that classification level so as to not create a loss in pay. Further step increases along the new classification range are discussed elsewhere in this *Manual*.

8. **Transfer.** A vacancy may be filled by transferring an employee from another position on the County staff.

9. **Demotion.** A vacancy may be filled by the demotion of an employee in accordance with the procedure for demotion as outlined in Sections B-8.0 and B-19.0 of this *Manual*.

10. **External Appointment.** When there are no qualified or interested employees on the County staff for a vacant position, an external search will be conducted to find a qualified candidate to fill the position.

11. **Temporary Appointment.** Occasionally an employee may be appointed on a temporary basis to fill a vacancy of known or limited duration or as an interim measure until a permanent appointment is made.

    a. Temporary appointments must be approved in writing by the supervisor or hiring official (as defined in Section B-5.0 of this *Manual*).

12. Employees who are temporarily assigned to a higher classification shall receive the appropriate higher rate of pay for the time worked in that higher classification and shall revert to their previous level of pay on completion of the temporary appointment.

13. **Re-employment.** A vacancy may be filled by the re-employment of a person who had previously separated from employment with the County.

14. **Summary.** Candidates for vacant positions on the County payroll are sought without residential or other arbitrary limitations which could restrict the recruitment of the best available candidate for the job. The County Administrator is responsible for conducting a vigorous and aggressive recruitment program utilizing all possible sources to the maximum extent possible in order to attract the most highly capable candidates for vacant positions.

F. <u>Candidate Screening.</u>

1. County Administrator.

    a. When the prescribed recruitment deadline has passed, the Administrator will assemble all applicant files and present them to the hiring official (Elected Official or Department Head) for review and screening.

2. When the hiring official has completed his initial review of the candidates, the Administrator will coordinate the establishment of the interview schedule with the hiring official.

3. The Hiring Official will review all applicants and select an appropriate number for further research and interview.

G. <u>Candidate Selection/hiring.</u>

1. **General.** Employment and promotion of personnel must be on the basis of merit, potential and suitability for the position. The qualifications of potential employees shall be measured against the written requirements and tasks of the position as established in the position description.

2. Hiring Official:

   a. The supervisor (as listed in Section B-5.0 of this *Manual*) has the final authority to hire or accept a person into a vacant position under his/her purview. The hiring official may be assisted by the County Administrator or other County staff members as desired in completing the selection and hiring process.

3. Upon completion of the screening and selection process the hiring official must notify the General Accounting Office and the Administrator's office in writing as to the new hire. The following information should be included in this correspondence regarding the new hire:

   1) Full name.
   2) Address.
   3) Social Security number.
   4) Telephone number.
   5) Start date.
   6) Starting wage or salary level.
   7) Any other considerations or conditions of hire.

4. **County Administrator.** Upon notification of hiring, the office of the County Administrator will coordinate the appropriate testing and checks as required by the position:

5. Medical screening for all employees.

6. Psychological testing (as designated in Section 10.9 of this *Manual*).

7. Credit checks for any candidate selected for a position at classification level L4 or above that is involved with receipting in cash revenue as part of position description.

H. <u>Probationary Period.</u>

1. **Duration.** All newly appointed employees will serve a six-month probationary period.

2. **Purpose.** The purpose of this probationary period is to provide the employee and supervisor with the opportunity to become acquainted with each other and for the employee to become fully familiar with the duties, responsibilities and demands of the new position. Training that is required by the position may or may not be accomplished during this probation period.

3. **Termination.** Until an employee has completed the probationary period, he/she may be laid off, disciplined terminated at the Employer's discretion without regard to B-9.0 the provisions of a collective bargaining agreement or contract/agreement without recourse to grievance or arbitration procedures.

4. **Seniority.** There will be no seniority between probationary employees.

I. <u>Personnel Files.</u>

1. **General.** A master personnel file is maintained by the County for each employee as follows:

   a. Files for all personnel attached to the Sheriff's Department are maintained by the Sheriff.

2. Files for all other County offices are maintained by the County Administrator in his/her role as the County Personnel Officer.

3. **Responsibility.** Employees are responsible for notifying their respective personnel office (Sheriff or Administrator) of any changes to their tax status, address, telephone number, name, dependents and other pertinent information.

4. **Access.** Access to personnel files is limited to the personnel listed below and then only on a "need-to-know" basis:

   a. County Administrator (Personnel Officer).

5. Senior Administrative Assistant to the County Administrator (Personnel Officer).

6. Employee's supervisor and immediate supervisor (as defined in Section B-5.0 of this *Manual*).

7. Employee.

   1) May review his/her personnel file at any time by making an appointment with the Personnel Officer.

   2) May request in writing at any time that certain specified portions of his/her personnel record be released to a specified individual or organization.

8. County Commissioners (but only on a limited basis when information from a personnel record is required to support the decision-making process relative to a human resources matter affecting an employee or group of employees).

B-10.1 Equal Opportunity and Affirmative Action

County Board Approval: July 17, 1996

A. It is the policy of Wexford County to:

1. Provide equal employment opportunities for qualified persons.
2. Promote the full realization of equal employment opportunity through a positive and continuing program of awareness.
3. Prohibit discrimination, in accordance with State and Federal law, in hiring and advancement of its employees because of race, color, religion, national or ethnic origin, sex, marital status, age as well as any other criteria prohibited by law.

B. The Wexford County Board of Commissioners recognizes the possibility that formal and informal recruitment selections may unknowingly create barriers to equal opportunity for employment by all categories of citizens within the boundaries of the County. The County will, on a continuing basis:

1. Evaluate its recruitment and selection procedures with the goal of eliminating any such inequalities.
2. Continuously monitor its management of employees to ensure that the tenets of this Section of the *Manual* are fully enforced.

B-10.2 Education Requirements

County Board Approval: July 17, 1996; Amendment: August 8, 2001

A. Applicants for employment with Wexford County should have the minimum education levels or equivalent experience as outlined in the position description (PD) for the job which they are applying for.

B. With full understanding of the foregoing statement, the County nonetheless reserves the right to hire the candidate most suited to the job vacancy.

C. Two years of practical on-the-job experience shall be considered equivalent to one year of college or other formal advanced training/schooling.

B-10.3 Age Requirements

County Board Approval: July 17, 1996

A. Wexford County complies with all State and Federal Child Labor Laws.

B. It is the policy of Wexford County not to discriminate against individuals applying for County positions or employees in its work force on the basis of age.

B-10.4 Nepotism

County Board Approval: July 17, 1996

A. General.

1. No person shall be hired or compensated in a department where they have a close personal relationship, close business relationship or are in any other way closely related to or dependent upon another employee where one employee will be put in a position to depend upon the other for his/her success in County employment.
2. A Department Head, whether appointed or an Elected Official, shall not hire or compensate any person who would be under his/her supervision who is either an immediate family member or immediate relative of the Department Head.

B. Definitions.

1. Close personal relationship: Natural, adopted, step- or foster relationship.
2. Immediate family member: A person's spouse, children, stepchildren, parents, stepparents, grandparents, siblings or in-laws.
3. Immediate relative: A person’s cousin, niece or nephew.

B-10.5 Employee Transfers

County Board Approval: July 17, 1996

A. An employee who has been transferred interdepartmentally or intra-departmentally into a classification at the same salary or wage range may receive his/her next step increase on the date which they would have received the step increase prior to transfer.

B. For issues of the transfer of seniority with respect to persons who fill positions within a collective bargaining unit, refer to Section B-9.0 of this *Manual*.

B-10.6 Hours of Operation

County Board Approval: July 17, 1996; Amended December 15, 1999

County offices are generally open for business during the business week (Monday through Friday) as follows:

Offices	Hours of Operation	Remarks
General Administrative	**8:30 a.m. to 5:00 p.m.**	**See note (1)**
1. County Administration		
2. General Accounting		
3. County Treasurer		
4. Register of Deeds		
5. County Clerk		
6. MSU Extension		
7. Planning/Zoning/Building		
8. Equalization		
9. Friend of the Court		
10. Probation/Parole		
11. County Maintenance		
12. Civic Center		
Public Works	**8:00 a.m. to 5:00 p.m.**	**See note (1)**
1. Public Works		
2. Landfill		
Courts	**8:30 a.m. to 5:00 p.m.**	**See note (1)**
1. Circuit		
2. District		
3. Probate		
Sheriff		
1. Administration	8:00 a.m. to 4:00 p.m.	See note (1)
2. Jail	10:00 a.m. to 10:00 p.m.	See note (2)
3. Animal Control	12:00 p.m. to 4:30 p.m.	See note (3)

Notes:

(1) For persons who are prohibited from conducting their business with County offices during regular working hours, after-hours appointments can be made by contacting the office concerned.

(2) The Jail is manned 24 hours a day; hours shown are visiting hours for the general public and these hours are only on Saturday and Sunday.

(3) The animal shelter is only open to the general public during the hours shown.

B-10.7 Standard Workweek and Overtime

County Board Approval: October 16, 1996; Amended December 15, 1999; July 5, 2000

A. <u>Standard Workweek.</u>

1. When required, the employer may redefine or change the official County workweek for any position, classification, department or work group category subject to existing employment contracts.
2. Standard County office hours of operation (as defined by Policy B-10.6) are from 8:30 a.m. to 5:00 p.m., Monday through Friday. In support of this schedule, the normal work week for County employees will be 37.5 hours for regular full-time employees, except as noted below.
3. All County employees, regardless of work group category or classification, are entitled to 2 fifteen-minute work breaks per day: 1 during the first half of the shift and 1 during the second half of the shift. These work breaks are not cumulative and may not be combined with the 60-minute meal period or with quitting time.
4. Likewise, all County employees, regardless of work group category or classification, are entitled to a one 60-minute meal period (unpaid time) which will be scheduled by the appropriate supervisor. Sheriff's Department watch and shift personnel are governed by separate meal period arrangements as outlined in the Sheriff's Departmental procedures manual.
5. Elected officials, non-elected Department Heads and supervisors will arrange work schedules so that offices are appropriately staffed during scheduled hours of operation and so that regular full-time employees achieve a 37.5 hour work week.
6. Exceptions to the 37.5 hour work week are:
   a. Sheriff's Department (road patrol, jail, clerical, etc.).
7. Animal Control.
8. Technical/Mechanical personnel: County Maintenance and Civic Arena maintenance personnel.
9. Community Corrections
10. Department of Public Works
11. County personnel assigned to managerial and supervisory positions and who are paid using the Management salary scale will normally work the same hours as the employees that they generally supervise.

B. <u>Overtime.</u>

1. It is the policy of the Board of Commissioners that employees of the County receive a full day's pay for a full day's work and that the work of the County be so organized so as to avoid the necessity for overtime hours.
2. Notwithstanding the above mentioned policy, it is recognized that certain County governmental operations (such as tax roll preparation, tax collections, election operations, emergency events involving law enforcement/public safety personnel, preparations for audits and for budgets, etc.) will require the use of overtime hours to ensure proper and timely accomplishment of required work in support of these events.

3. Overtime defined: all official work or business performed that is in excess of the standard work period (week or day, as applicable) is considered overtime.

4. Authority to grant overtime: Only the County Administrator or supervisory County staff personnel (that is, Elected Officials and non-elected Department Heads) have the authority to approve overtime.

C. <u>Compensation for Overtime.</u>

1. For those employees who are eligible for overtime compensation (that is, overtime pay) under the Fair Labor Standards Act, supervisory approval and direction to work overtime must be coordinated in advance of performing the overtime.

2. Overtime is compensated at the rate of 1.5 times the regular hourly wage.

3. Employees filling the following positions, as defined in the classification schedule, are not eligible for overtime:

   a. Elected Officials.

4. Salaried staff personnel (that is, professional and managerial personnel on the County staff who are paid using the management salary scale).

5. Exceptions:

   1) Salaried personnel who are subject to Union contract conditions will be compensated for overtime per agreed upon contract stipulations. If no overtime stipulations exist in the contract, then the conditions set forth in this policy apply.

   2) Salaried staff personnel employed by the Courts who, as a part of their regular employment duties, are required to be on call to respond on a 24 hour basis, when compensatory time off is impractical, may receive payment for work outside of and in addition to their normal work period with the approval of the Judge at a rate determined and set annually. The Court shall include an overtime line item in the Court's budget to provide for payment of this overtime so incurred and approved.

   3) Contracted services: Salaried personnel in the Sheriff's Department organization are eligible for and may be paid for services in support of contractual services in accordance with procedures outlined in the Department Manual. This is not a payment for overtime, rather it is a payment for contracted County services that occur outside of and in addition to the officer's normal work period.

D. <u>Expenditure of Funds for Overtime Reimbursement.</u>

When it becomes necessary to reimburse employees for overtime worked, the following guidelines apply:

1. Only those departments with a budget line for overtime are authorized to pay for overtime work.

2. Overtime can routinely be paid <u>only</u> from those budget lines that have been funded for overtime payments by the Board of Commissioners (as part of the annual budget process).

3. In cases where a Department has an overtime budget line that either has not been funded or that has exhausted its approved level of overtime funds and overtime reimbursements

are subsequently needed/projected, the cognizant supervisor must prepare a request and justification memo for review and approval by the standing Finance Committee.

E. <u>Official Travel as it Relates to Overtime.</u>

1. It is an employee's responsibility to keep current with all certifications required by his/her job in order to meet specific conditions of employment. Additionally, there may be other meetings, conferences, classes, etc., that County officials are required to attend to ensure that the County maintains proficiency in certain areas. In each of these instances, attendance at these events may involve travel to/from training sites, classes and conferences during hours other than normal hours of work.

2. Time spent traveling to/from training will be compensated as required by the Fair Labor Standards Act (FLSA).

   a. Where possible, the supervisor will coordinate the travel time to occur during the employee's normal working hours where compensation will be made at the normal pay rate.

3. For required training when the employee must spend the night away from home, FLSA requires <u>all</u> time spent traveling during the employee's normal work time, even on regular days off (but excluding regular meal hours) to be compensated. Example: an employee must travel four (4) hours during a normal day off to attend a conference which begins at 9:00 the next day, a regular work day. That employee is entitled to be compensated for the travel time during his/her normal day off.

4. For required training that does not require an overnight stay, FLSA requires that all travel time (excluding meal periods and travel between home and the point of departure if the employee uses public transportation) to be compensated. Example: An employee is required to travel starting at 7:00 attend a meeting at 8:30. That employee is entitled to be compensated for travel time during this period.

5. Compensation rates (regular or overtime) are determined based on when the travel occurs (outside or inside of normal working hours) and the aggregate number of hours (work and travel) submitted for the particular pay period.

B-10.8 Pre-Employment Physicals

County Board Approval: July 17, 1996

A. All applicants for employment with Wexford County shall be subject to a physical examination by a doctor so designated by the County.

B. This examination is in no way considered a complete physical for the purposes of disease detection, but rather a summary physical for the purpose of determining the applicant's general health and suitability for employment in the position assigned.

C. County employees who accept new positions within the County structure will require an update physical examination if the interval since their last regular physical examination exceeds five years or if the new position presents a significant change in physical activity over the employee's previous position.

D. The record of the examination will be maintained by the doctor as part of the patient's file and a report will be made by the doctor to the County Administrator regarding the results of the examination and the applicant's suitability for the position.

E. Pre-employment physical examinations will include a urinalysis drug screen test for all prospective hires.

B-10.9 Psychological Examinations

County Board Approval: July 17, 1996

A. General.

Wexford County has standards for hiring persons and maintaining a workforce. These standards are designed to promote public service, minimize negative impacts on public safety and the enhance the welfare of citizens of the County. As part of these standards and in order to meet requirements of the State, candidates for employment with the County will be subject to psychological examination.

B. Pre-employment Examination.

1. As part of the pre-employment physical examination, applicants for employment with the County may be required to submit to a psychological examination the cost of which will be borne by the County.
2. Applicants for employment with the County will not be placed on hire should the results of the psychological exam be negative.

C. Current employees.

1. In the event that a current employee exhibits difficulty in the workplace, the Employer may require a psychological exam (at the Employer's cost) to determine the suitability of the employee for continued employment.
2. In the event that the results of the examination so indicate and the doctor who performed the examination so recommends, the employee may be placed on leave of absence pending resolution of the problem(s) identified during the psychological examination.
3. Such leave of absence shall be treated as a medical leave of absence and shall fall under the provisions of the appropriate collective bargaining agreement or the appropriate Sections of this *Manual*.

D. Public Safety Employees.

As may be provided by law or by policy of the Sheriff, employees of the Sheriff's Department may be required to undergo periodic psychological examination at the discretion of the Sheriff. Costs for these exams will be borne by the County.

E. Employee Assistance.

1. A County employee may request psychological counseling by way of the normal County medical benefits plan.
2. An employee who is placed on medical leave of absence as a result of a psychological examination will be required to be reexamined by a doctor (chosen by the Employer) prior to returning to work. Failure to submit to re-examination or to attend recommended counseling may be grounds for disciplinary action up to and including termination.

B-10.10 Employee Residency

County Board Approval: July 17, 1996

A. Residency within the boundaries of Wexford County is not a condition of or requirement for employment with the County.

B. Employees whose jobs affect public safety, where responding to an emergency can become a critical time factor, are encouraged to reside within a reasonable distance from their normal workplace.

B-10.11 Political Campaigning

County Board Approval: July 17, 1996; December 3, 2003

A. Partisan and nonpartisan political materials shall not be displayed or given out in any County building or property during the business hours of that building or property. This does not include bumper stickers displayed on vehicles parked on County property.

B. Persons or groups assigned use of any meeting room after business hours may display materials not in violation of any State law, local code or ordinance, provided such materials are not affixed in such a manner that may cause damage to the building or property and provided that they are removed when the premise is vacated.

C. Employees shall not engage in any partisan or nonpartisan political activity during those hours when they are being compensated for the performance of the employee's duties as member of the County staff.

D. Political campaigning by any candidate is specifically limited to introduction of the candidate. This can be done by the candidate at Board of Commissioner Meetings under “Public Comment” and/or by any department manager or elected official. In the case of the latter, it is the responsibility of the Wexford County appointed or elected person to limit such political activity to introduction, only.

B-10.12 Employee Dress Code

County Board Approval: July 17, 1996

A. It is the policy of the Wexford County Board of Commissioners that employees of the County dress appropriately during the normal business hours of the County.

B. Appropriate dress is defined as clothing which is clean, neat, in good repair and which presents a good appearance to the general public.

C. Persons engaged in office work are encouraged to dress in such a manner so as to present a positive image to the general public.

D. Persons engaged in maintenance or similar work are authorized to wear coveralls and/or work shirts and pants as well as whatever protective devices (such as goggles, gloves, etc.) as required by the work at hand.

B-10.13 Office Decorum

County Board Approval: July 17, 1996

A. General.

It is the policy of the Wexford County Board of Commissioners that the decorum of County offices present a business-like flavor at all times. It is expected that all County employees will act in a professional, competent and friendly manner at all times when dealing with the general public in the performance of the duties of the office.

B. Guidelines.

1. **Conversations.** It is expected that conversations between employees and the general public and between employees themselves will always be on a professional level and that the volume of such conversations will be a low level. When a disagreement occurs, the employee shall take the person aside and attempt to resolve the conflict in a normal tone and level of voice.

2. **Eating.** Eating in the public areas of County offices is generally discouraged. Nothing is more unprofessional looking than an office in which the employees are eating in front of the public or an office in which containers or plates of food are lying around. In this regard, during holiday celebrations (such as Christmas, etc.) when "goodie" baskets abound, good taste and common sense should prevail in relation to this segment of office decorum.

3. Beverages.

   a. The consumption of alcoholic beverages in County buildings and on County property is expressly forbidden except as authorized by approved permit.

4. The consumption of other beverages such as coffee and sodas/pop is permitted in County buildings and offices provided that such consumption is not conspicuous and does not detract from the professional atmosphere in the office.

5. Visitors and Telephones.

   a. It is expected that all County staff members will treat all visitors and telephone callers with the utmost in courtesy and respect.

6. Hostile visitors and callers will be treated with courtesy and respect as well. The key to resolving these situations is to try to remove the hostility by using an excessive amount of courtesy. Once the hostility is removed, then it is an easy matter to identify their need and satisfy it.

B-10.14 Break Time for Nursing Mothers

County Board Approval: April 3, 2013

A. <u>Breaks for Nursing Mothers.</u>

All employees will be provided reasonable break time to express breast milk for her nursing child during the first year of the child's life. If the break is for less than 15 minutes and occurs as part of a scheduled employee break time, non-exempt employees will be paid. Salaried exempt employees will be paid under the provisions of the Fair Labor Standards Act. The County will provide a private area in which the employee may express breast milk. Employees may use their own private office area for milk expression if they prefer. The employee may bring a cooler or other container to work for storing her expressed milk. The supervisor is responsible for ensuring there is adequate space in the employee's general work area to accommodate the cooler or container. If the employer allows employees access to refrigeration for personal use, the supervisor may allow, but cannot require, an employee who expresses milk during work hours to use the available refrigeration for storage.

B-11.0 Employment Conditions

County Board Approval: July 17, 1996

A. Quality Working Environment.

1. It is the policy of the Wexford County Board of Commissioners that a quality working environment be maintained for all employees so that their work may be free from intimidation, humiliation and insult and that employees not be subject to offensive physical or verbal abuse or actions, direct or insinuated of a sexual, ethnic, racial or religious nature.

2. It is also the policy of the Board of Commissioners that the work place consist of a healthy environment, free from substance abuse, disease and other matters which could affect the personal health of employees.

B. Sexual Harassment.

The information contained in this Section of the *Manual* was taken from the Michigan Municipal Risk Management Authority (MMRMA) *Handbook on Sexual Harassment.*

1. General.

   a. The Employer fully supports and complies with the laws of the State and Federal government which are enacted to protect and safeguard the rights of all people to seek, obtain and hold employment without being subjected or exposed to illegal harassment or discrimination in the work place.

2. It is the policy of Wexford County to provide all employees with an environment which is free of harassment based on one's gender.

3. Harassment defined. Sexual harassment is defined as unwelcome sexual advance, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

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

   b. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions such as promotion, transfer, work assignments, termination, etc.

   c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

4. Examples of Harassment. Harassment is unacceptable. Some examples include:

   a. Making derogatory comments, insults suggestive remarks or jokes based on a person’s gender.

   b. Display of photographs, cartoons or drawings that would be offensive to a reasonable person.

   c. Conduct which, when viewed by a reasonable person, would have the purpose or effect of degrading or creating an intimidating, hostile or offensive work environment.

   d. Propositions or requests for sexual favors.

   e. Physical contact which is sexual in nature.

f. Stating or implying that deficient job performance is attributable to a person's gender.

g. Possession, in the workplace, of materials of any kind (such as magazines, calendars, etc.) which are degrading to an individual or group on the basis of gender.

5. Complaint/Investigation Procedures.

a. Employee. Any employee who believes that he or she has been the subject of any harassment should report the incident immediately to his/her immediate supervisor. This report should normally be made within 3 working days of the incident and may be written or oral. (Refer to Section B-5.0 of this *Manual* for the breakdown of supervisor and immediate supervisor positions in each County office.)

6. Immediate Supervisor. The immediate supervisor shall then:

1) Immediately notify the employee's supervisor and the County Administrator.

2) Investigate the complaint.

3) Prepare a written summary of the investigation.

4) Forward this written report via the supervisor to the County Administrator for review.

5) Provide a copy of the written report of investigation to the employee within three working days of the employee's report of harassment.

7. Exception. When the immediate supervisor:

1) Was a participant in the harassment activity, or:

2) Condoned the harassment activity, or:

3) Failed to investigate and respond in writing within 3 working days of receiving the report of harassment without good cause, or:

4) The response received by the employee from his/her immediate supervisor was not satisfactory:

5) The employee may, at his/her own choosing, bypass the immediate supervisor and submit a written complaint directly to the supervisor (or to the County Administrator if the immediate supervisor and supervisor are one and the same).

8. Remedial Action. In those situations where the investigation shows that a harassment has occurred, immediate remedial action will be taken to correct the situation. This remedial action may include disciplinary measures up to and including termination as outlined in Section B-19.0 of this *Manual*.

9. Non-retaliation Policy. It is further the policy of the Wexford County Board of Commissioners that there be no retaliation whatsoever against any employee who makes a complaint of sexual harassment under the guidelines contained herein. Supervisors, immediate supervisors or fellow employees who are found to have committed any acts of retaliation against a complaint of sexual harassment are subject to disciplinary action up to and including termination as outlined in Section B-19.0 of this *Manual*.

C. Release of Lists of Employee Data.

The release of lists of employee data (names, addresses, dependents, etc.) for any reason to any organization is against the policy of the Wexford County Board of Commissioners. When such requests are received in any County office, they shall be routed to the County Administrator for review, proper staffing and an appropriate answer.

D. Solicitation in County Buildings.

Solicitation of County employees or the general public in County buildings or on County property is prohibited except where prior approval has been granted by the Board of Commissioners.

E. Smoking in County Buildings.

In the interest of providing a safe and healthy environment for employees and the general public and in accordance with the Michigan Clean Indoor Air Act, smoking is prohibited in all County facilities. This policy pertains to County owned/operated motor vehicles which are routinely used by more than one person.

F. Use of Seat Belts.

With the safety of County employees in mind, with the cost of insurance based on experience and in accordance with State law, all employees and passengers in County owned/operated motor vehicles or on County business in personnel vehicles are required to wear a seat belt as provided in the vehicle whenever the vehicle is in motion.

G. Hazardous Material Notification.

The County Board of Commissioners policy is to provide a work space that is free of hazardous materials. To this end, hazardous materials which are routinely used in the performance of work are not permitted to be stored in work spaces nor are they permitted to be used without the proper personal protective equipment and safety precautions in place. Employees are to notify their immediate supervisor or supervisor if they have any question concerning the use of hazardous materials in the work place.

H. Drug Free Work Place.

1. General. The Drug Free Workplace Act (which became effective March 18, 1989) holds employers responsible for maintaining a drug free workplace. In this regard, Wexford County is committed to maintaining a workplace free from alcohol and drugs:

2. Policy Statements.

   a. The possession, use, distribution, manufacture of behavior altering chemical substances on County property is prohibited.

   b. Employees are prohibited from reporting to work or working while under the influence of alcohol or controlled substances.

   c. Employees who violate the substance abuse policy or who refuse to take a drug screening test may be subject to disciplinary action up to an including termination (as outlined in Section B-19.0 of this *Manual*.

   d. Controlled substances used in accordance with the limits of a valid prescription are exempt from the policies contained herein. Employees who use such prescription medications or who use over-the-counter medications which may cause drowsiness or affect their ability to perform their job (such as operating a vehicle, etc.) are required to notify their supervisor or immediate supervisor in order that safety is not jeopardized.

3. Drug Screening.

a. Job applicants who have been offered a position on the County staff will be given a drug screening test as part of the pre-employment physical. Applicants with confirmed positive test results for controlled substances who do not have an acceptable explanation will not be hired.

b. Employees who give the appearance of being under the influence of a controlled substance or who give the appearance of violating this policy may be directed by their immediate supervisor or supervisor to undergo a drug screening test and a positive result from such a test may result in disciplinary action up to and including termination (as outlined in Section B-19.0 of this *Manual*). Probable cause for initiating drug or alcohol testing may include but is not limited to the following:

1) Possession of a controlled substance.

2) Behavior or symptomatic exhibiting of drug/alcohol use by an employee.

3) Sustainment of a serious or potentially serious injury accident while working. An employee who is involved in a motor vehicle accident while conducting official business will automatically be tested.

4) Involvement in a known or suspected drug related incident on or off County property at any time.

4. Employees assigned to the below listed positions which affect public safety may be required by law or County policy to undergo periodic drug/alcohol screening. A positive test result from such a test may result in disciplinary action up to and including termination (as outlined in Section B-19.0 of this *Manual*.

1) Sheriff's Lieutenants.

2) Sheriff's Sergeants (Detective, Deputy, Dispatcher and Corrections).

3) Road Patrol Officers/Deputies.

4) Corrections Officers.

5) Dispatchers.

6) Maintenance Workers.

7) Animal Control Officers.

5. Conviction of an Offense.

a. Any County employee convicted of an offense against an illegal drug statute will be terminated.

b. Employees convicted or incarcerated for an alcohol related offense will be suspended (with or without pay) pending a review of the incident by the immediate supervisor, the supervisor and the County Administrator. The result of this review may include disciplinary action up to and including termination (as outlined in Section B-19.0 of this *Manual*).

6. Assistance to Employees. The County desires to help employees be free from drug and alcohol dependency and will offer assistance through referral for treatment and rehabilitation by means of the medical plan in effect.

a. An employee who demonstrates obvious symptoms of drug or alcohol dependency or who may be determined as having such dependency or who tests positive for drug or alcohol use may be offered counseling, treatment and/or

rehabilitation as an alternative to disciplinary action.

7. Successful completion of a rehabilitation program and remaining drug or alcohol free in the workplace may be used as a condition of continued employment.

8. Employees who refuse to submit for counseling, fail to complete the counseling program or are convicted of a second offense will be terminated.

9. Employees who wish to enroll for a second time in a substance abuse program will have their case reviewed by the Employer, Co-employer and the Board of Commissioners' standing Committee on Human Resources.

10. All information related to substance abuse counseling and treatment programs is considered confidential and will be kept separate and apart from the employee's official County personnel file.

I. <u>Health and Safety.</u>

1. While the County will provide reasonable accommodation for those employees with impairments, the County is also committed to maintaining a work environment that is conducive to the highest standards and levels of personal health and safety. It is therefore a requirement that an employee not pose a direct threat to the health and safety of his/her co-workers.

2. By "direct threat", it is meant that one employee shall not pose a significant risk to the health and safety of coworkers that cannot be eliminated by reasonable accommodation.

3. Determinations that a particular employee poses a direct threat to the health and safety of co- workers will be handled on a case by case basis and will not be based on generalizations, misperceptions, ignorance, irrational fears, etc. Such a determination will be made based on factual evidence and may include a medical review of such factors as:

   a. Nature and severity of the risk.

   b. Duration of the risk.

   c. Likelihood of harm from the risk.

   d. The imminence of the risk.

4. When an employee is deemed to pose a significant risk to co-workers, the County will effect a reasonable accommodation to protect the health and safety of its work force and to preserve the continued employment of the employee.

J. <u>AIDS.</u>

1. In keeping with the aforementioned policy regarding the health and safety of its employees, Wexford County intends to treat its employees who are affected by Acquired Immuno- Deficiency Syndrome (AIDS), AIDS Related Complex (ARC) and persons testing positive for the HIV virus in the same manner as other life-threatening diseases such as cancer or leukemia.

2. Based on the overwhelming preponderance of available medical and scientific evidence and opinion, there is no evidence that the AIDS virus is casually transmitted in ordinary social or work settings and conditions.

3. It is therefore the policy of the Wexford County Board of Commissioners to allow employees with AIDS (or any of its related conditions) to continue to work and to provide them with reasonable accommodation (without undue hardship to the rest of the workforce) as long as the employee is medically able to perform his/her job and the

continued performance of his/her job does not pose a danger to the health and safety of the employee or his/her co-workers.

4. Moreover, co-workers have no basis upon which to refuse to work or withhold their services for fear of contracting AIDS by working with an AIDS affected person. Employees who engage in such conduct or who otherwise discriminate against AIDS affected employees may be subject to disciplinary measures up to and including termination (as outlined in Section B-19.0 of this *Manual*).

5. As with all other medical information, Wexford County will treat confidentially medical information relating to AIDS affected employees.

K. Trading Shifts.

Employees may not trade shifts or alter his/her prescribed working hours without first coordinating with and obtaining prior approval from his/her immediate supervisor or supervisor.

L. Moonlighting.

1. County employees are authorized to hold another job in addition to their County position provided that the employee complies with the policy statements contained herein.

2. Employees will not engage in other employment which could lead to a conflict of interest or impair the employee's work performance for the County.

3. Employees wishing to engage in a second job, on a not-to-interfere basis with their County position, must obtain prior approval from their supervisor in writing.

B-11.1 Internet and Email Acceptable Use Policy

County Board Approval: August 5, 2009, Amended November 4, 2009

Wexford County will provide Internet Access to those departments as approved by the Board of Commissioners.

A. Providers.

The County will provide Internet access or other online service accounts for employees for business purposes only. An employee or department may use a different, free state agency or university account, provided usage conforms with the standards described herein.

B. Acceptable Use Standards.

It is expected that employees keep in mind access to online services is for public purposes, and will use good judgement when seeking information on the Internet and sending electronic mail. Acceptable uses for the Internet will include, but not limited to, the following:

1. Research Education: Communication with professional associations, other governments, universities, business and/or individuals associated with facilitation of County business, research and education efforts, as authorized by a department head.
2. General Public: Distribution of information to the general public, whereby such information is made available under County guidelines and policies for the release of information and under the Freedom of Information Act.
3. Incidental Communication: Incidental communication among County employees and professional colleagues which facilitates work assignments and professional discussion in a work-related field of knowledge. Communication with family and friends and other non-business related communications should not be conducted on County time.

C. Unacceptable Use Standards.

Unacceptable uses for the Internet will include, but not limited to, the following:

1. Personal Use: Personal use not related to the conduct of work on behalf of Wexford County or other organizations as set forth under “Acceptable Use Standards.”
2. Unlawful Access: Efforts to gain unlawful access to information or computer and communications resources.
3. Malicious Code: Intentional introduction of, or experimentation with, malicious code such as computer worms or viruses.
4. No County Affiliation: Illegal, fraudulent, or malicious activity; political activity; religious purpose or activity on behalf of organizations or individuals having no affiliation with the County.
5. Copyright/Patent Violations: Transmission of materials in violation of applicable copyright laws or patents.
6. Work Interference: Sending of messages likely to result in the loss of recipients work or systems, and any other types of use that could cause congestion of the network or otherwise interfere with the work of others.
7. Obscene/Profane: Generating, knowingly or intentionally receiving, viewing, storing, transmitting or other use of data or other matter which is abusive, profane or offensive to a reasonable person.

8. Web Page: To ensure a uniform County Web presentation, development of a Web or home page for personal or department purposes is not permitted on a County account, unless authorized by the associated Elected Official or Department Head.

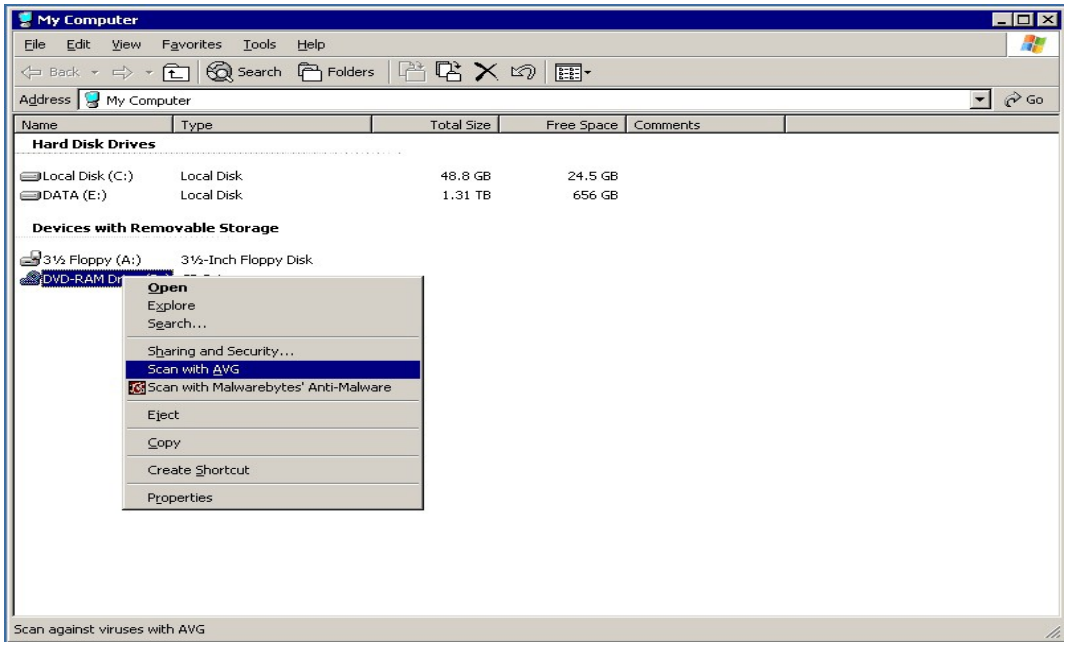
D. <u>Costs.</u>

The County will financially support Internet or other online service accounts for employees, provided standards are followed, under the following circumstances:

1. Budgeted: Funding must be available within a department's adopted budget.
2. Departmental Regulations: Department Heads/Elected Officials will monitor all usage by their employees and costs within their departments.
3. Efficient/Effective Use: Users have selected the Internet or another online service as the most efficient and cost-effective tool in comparison with all other communications tools, such as telephone, mail, e-mail or interoffice memos.
4. Additional Costs: No additional Internet account costs (e.g., upgrading browsers) may be incurred by a user without coordination with the IT Subcommittee.

E. <u>Procedures.</u>

1. Access: Each user of Internet and/or online services shall obtain permission from the County Board of Commissioners and shall be registered with the County Administrator before any outside service is accessed.
2. Remote Access: An employee may access a County account from a remote location other than the site designated for that account (e.g. telecommuting or checking e-mail while away from the office on business) only with approval of the employee's supervisor and only for County business.
3. Signature Line: All users must establish a signature line at the bottom of every message that prominently states: "This message has been prepared on resources owned by Wexford County, MI. It is subject to the Internet and Online Services Use Policy and Procedures of Wexford County." The signature line also must include the users name, department and telephone number.
4. Anti-virus Scans: Files from all outside sources must be scanned by the user who introduced the file to the network, or by the user's department, with anti-virus software, **<u>BEFORE</u>** first use.
   a. "Outside sources" can be defined as any file not originating from within the network itself. Files downloaded from the Internet, physically brought in on a floppy disk, CD-ROM, or USB thumb drive, are all examples of files that do not originate from within the network.
5. To Scan a file, folder, or disk drive, simply "right-click" on the source (in the case of our illustration, we are right-clicking on a CD-ROM Drive) and choose to *Scan with AVG* (AVG is currently the antivirus product for the County, but similar options would be available should the County later move to a different vendor.)



6. Compliance Review: Violations of the Internet Policy and Procedures will be evaluated on a case-by-case basis by the associated Elected Official or Department Head. Valuations may result in disciplinary action, and may include referral of a case to the appropriate authorities for civil or criminal prosecution in compliance with union contracts or County policy. Resolution findings shall be brought to the IT Subcommittee for further review or possible policy changes.

7. Administration may audit Internet or Online use, as needed, with the appropriate Elected Official or Department Head approval.

B-12.1 Leave of Absence, General

County Board Approval: May 15, 1996

A. General.

1. Leaves of absence can be taken for a number of reasons, several of which are outlined in other sections of this *Manual*.

   a. Paid leaves of absence and approval authority:

Leave Category	Approval Authority
Vacation leave	Department Head/Elected Official
Paid holidays	Not applicable
Administrative leave	Department Head/Elected Official Paid
personal leave	Department Head/Elected Official
Sick leave	Department Head/Elected Official
Jury duty leave	Department Head/Elected Official
Family and medical leave	Department Head/Elected Official
Disability leave	Department Head/Elected Official
Bereavement leave	Department Head/Elected Official

2. Unpaid leaves of absence (that is, County does not provide compensation) and approval authority:

Leave Category	Approval Authority
Military leave	County Administrator
Worker's compensation leave	County Administrator
Maternity leave	Department Head/Elected Official
Educational leave	County Administrator
Unpaid personal leave	County Administrator

3. Leaves of absence are to be used for the purpose intended and an employee shall make the intent of the leave of absence known when applying for the leave of absence.

4. Duplication or pyramiding of leave benefits or types of absence in association with leaves of absence is not permitted except as outlined in specific sections of this *Manual*.

5. Employees shall not accept other employment while on a leave of absence except when agreed to in advance with the Employer.

6. In general, leaves of absence are without pay unless specifically provided for by the provisions of a collective bargaining agreement, by separate County policy or by a prior agreement consonant with the original leave of absence request.

7. Under normal circumstances, there shall be no obligation on the part of the Employer to provide work prior to the expiration of any leave of absence unless the employee gives written notice to the Employer of his/her desire to return to work prior to the expiration of the leave of absence. If proper notice is given and work is available, the employee may be assigned to work no earlier than one week following the receipt of the notice by the Employer, seniority permitting.

B. Guidelines.

1. Employees who have been in County employ for at least one year may request a leave of absence without pay for a period not to exceed one year.

2. Except where covered by a separate procedure outlined in other sections of this manual, employees desiring a leave of absence shall make the request via their supervisory chain of command to the approval authority in writing at least 30 days prior to the requested leave of absence start date. The following items should be included in this request at the minimum:

   a. Reason for requesting the leave of absence.

   b. Date of the last working day before the start of the leave of absence.

   c. Expected date of return to work.

   d. Address and telephone number while on leave of absence.

   e. Additional information as appropriate.

3. Notification to the Board of Commissioners:

   a. For leaves of absence for which the County Administrator it the approval authority, on approval of the request for a leave of absence, immediate written notification shall be provided to the standing Committees on Finance and Human Resources/Operations as to the circumstances of the approved leave of absence.

   b. If the leave of absence request is disapproved, the approval authority must provide a detailed explanation of the circumstances and reason for denial of the request to the standing Committees on Finance and Human Resources & Operations (via the County Administrator) within 5 working days of the denial of the request.

4. For leaves of absence in excess of 30 continuous days, at least 10 work days prior to the scheduled date of return from the leave of absence the employee shall notify his/her supervisory chain of command in writing of the intention to return to work and confirm the intended date of return. If suitable work is not available in that Department, the employee may be considered for other suitable employment within the County structure.

5. Based on recommendation of the employee's supervisory chain of command, the approval authority may alter the length of the leave of absence of an employee if the employee so requests.

6. Additionally, the approval authority may act on a leave of absence request that has not been submitted within the time frame outlined in this manual when, in his/her judgement, the circumstances of the situation prevented proper and timely submission of the request.

7. Employees who do not return to work by the expiration date of the leave of absence and who do not have an approved leave of absence extension, or who accept other employment while on leave of absence without prior agreement from the County, will be considered to have terminated their employment with the County on their last working day prior to the leave as set forth in the approved leave of absence request.

8. Upon returning to work from a leave of absence without pay, the employee shall have the right to displace any employee with less time in service in the same classification in the Department in which they worked at the time of commencement of the leave of absence unless otherwise stated in the leave of absence approval.

9. Except where covered by a collective bargaining agreement:

   a. Employees who take an approved leave of absence in excess of 30 days shall have their seniority accrual frozen while on leave of absence effective on the first day following the 30th day of the leave of absence:

1) The service date (for longevity, seniority and vacation accrual) will move forward by an amount equal to the leave of absence minus 30 days.

2) The anniversary date (in consideration for longevity wage/salary increases) will also be delayed by the length of the leave of absence minus 30 days.

10. There is no liability on the part of the Employer for insurance benefits for employees who are on leaves of absence in excess of 30 days. Leaves of absence of lengths greater than 30 days will require the employee to reimburse the County to continue benefits during the leave of absence period except as follows:

    1) If the employee is on workers' compensation leave, the Employer will continue applicable insurance coverages for a period of 24 months, not counting the month in which worker's compensation leave commenced.

    2) If the employee is drawing sickness and accident insurance benefits, the Employer agrees to continue applicable coverage for a period of 12 months, not counting the month in which the sickness and accident insurance payments commenced.

11. Should the employee elect to drop insurance coverages provided by the County during the leave of absence period, the employee will be subject to the enrollment waiting period applicable to the particular insurance coverage when the employee returns to work and reinstates applicable coverage(s).

B-12.2 Temporary Light Duty

County Board Approval: May 15, 1996

A. General.

An employee who has been injured in the line of duty and appears to be eligible for workers' compensation coverage may be placed on temporary light duty status if:

1. The employee has a written physician's statement which indicates that the employee is eligible for light duty and there is a favorable prognosis of returning to full duty status in the near future, and:

2. There is a position, job or duty available within the County organization for which the individual has the ability to perform and which qualifies as light duty pursuant to the employee's physician's statement.

B. Procedure.

1. In the event that the provisions outlined above have been met, the Department Head or Elected Official may then direct the employee to a light duty assignment within the Department. At the time, the employee will be taken off workers' compensation status and will return to regular pay status on the County payroll.

2. Temporary light duty status will be initially granted for a maximum period of 90 days. After the initial 90-day period (and also after any subsequent 90 day period) of temporary light duty, the employee's situation will be reviewed, primarily in light of the following two factors:

   a. Continuation of a favorable prognosis for return to full duty, based upon the physician's updated examination and statement thereof; and

   b. The continuation of availability of an appropriate position, job or duty within the department.

3. In the event that a subsequent medical evaluation indicates no possibility of future assignment to full duty, or in the event that there is no longer a suitable temporary position, job or duty available for the employee, said employee may be required to return to a worker's compensation status or be laid off from County employment.

4. In any event, a complete medical evaluation and physician's summary statement will be required prior to any employee:

   a. Returning to full duty status after having been off duty or on light duty due to a medical condition.

   b. Returning to workers' compensation status or being laid off after having been off duty or on light duty due to a medical condition.

B-12.3 Service with Another Jurisdiction

County Board Approval: May 15, 1996

A. General.

Service of an inter-governmental nature by a County employee with another jurisdiction may be authorized under unusual or emergency circumstances with or without pay when it is in the best interest of the County.

B. Procedure.

1. When service within another jurisdiction is required, either under routine or emergency conditions, the cognizant Department Head or Elected Official will immediately notify the County Administrator.

2. Authority.

   a. Under emergency circumstances, the County Administrator is authorized to approve employee service with another jurisdiction for periods of up to 2 weeks with or without pay.

   b. Under normal circumstances (including extension of emergency service beyond two weeks), approval authority for service with another jurisdiction rests with the standing Human Resources and Operations Committee. Decisions made in this area by this Committee must also delineate pay status (with or without).

B-12.4 Paid Absence from the Workplace

County Board Approval: May 15, 1996; Amendments February 7, 2001; December 5, 2002; March 17, 2004; May 6, 2009; November 7, 2012; January 6, 2016; February 3, 2016; April 6, 2016; September 7, 2016; Effective March 29, 2019

A. Vacation Leave.

1. Administrative information:
   a. Pay status: paid leave.
   b. Approval authority: Department Head or Elected Official.
2. All regular full-time and regular part-time employees with required time in service (seniority) are eligible for and will be credited with paid vacation time earned according to the following table:

Time in Service	Vacation Leave for Full-Time Employees	Vacation Leave for Part-Time Employees
1 Year	10 Days	10 half-days
5 Years	15 Days	15 half-days
10 Years	20 Days	20 half-days
15 Years	20 Days	20 half-days
20 Years	25 Days	25 half-days

   Thereafter, vacation time shall accrue bi-weekly, according to the above table and dependent upon the employee's years of service.
3. In order to be eligible for vacation benefits:
   a. A full-time employee must have worked for the Employer during the year preceding his/her anniversary date a minimum of 1400 straight time hours.
   b. A part-time employee must have worked for the Employer during the year preceding his/her anniversary date a minimum of 700 straight time hours.
   c. Should any employee fail to qualify for a vacation in accordance with the foregoing plan solely because of the requirement as to hours, he/she shall receive a percentage of his vacation on the basis of hours actually worked according to his/her length of service and/or in accordance with the applicable collective bargaining agreement.
4. Upon termination of employment, the employee may be entitled to compensation for any accrued but unused vacation time (at their normal hourly or daily rate) in any of the following circumstances:
   a. If the employee retires in accordance with the retirement plan currently in effect.
   b. If the employee resigns from employment and a minimum of two weeks advance notice is given.
   c. If the employee is laid off and requests payment of accrued vacation pay in writing.
   d. If the employee's position is eliminated as a result of staff reorganization, budget cuts or for some other reason not the fault of or caused by the employee.

e. Note: Employees terminating within the first 6 months of employment (normally the probation period) will not be eligible for payment for any accrued vacation time.

5. An employee who leaves employment with the County prior to his/her anniversary date will accrue vacation time for that year on a pro-rated basis (i.e., an employee who leaves employment 9.0 months prior to his/her anniversary date will only accrue 3.0 months of vacation time; 3.0 divided by 12.0 = 25% and this factor will be applied to the vacation entitlement in order to compute vacation time for accrual and subsequent payment purposes).

6. Vacation leave scheduling shall be the result of coordination between the employee and the employee's supervisory chain of command.

7. Vacation leave shall be considered mandatory.

8. A maximum of five (5) days' vacation time may be carried into the following year, provided, however, such carry-over vacation time may not be accumulated from year-to-year. Suspended until December 31, 2017.

B. <u>Paid Holidays.</u>

1. Administrative information:

   a. Pay status: paid leave.

   b. Approval authority: not applicable.

2. The County Administrative Offices and Courts will be closed on the following holidays (note: this listing conforms as closely as possible to the recognized holiday listing that is promulgated by the State Court Administrator's Office.)

   a. New Year's Day (January).

   b. Martin Luther King Day (January).

   c. Presidents' Day (February).

   d. Good Friday (March or April, afternoon off only, from 12:00 PM onward).

   e. Memorial Day (May).

   f. Independence Day (July).

   g. Labor Day (September).

   h. Veteran's Day (November).

   i. Thanksgiving Day (November).

   j. Friday after Thanksgiving Day (November).

   k. Christmas Eve Day (December).

   l. Christmas Day (December).

   m. New Year's Eve Day (December).

3. Whenever a holiday falls on:

   a. Saturday, the preceding Friday shall be considered the holiday for paid time off purposes.

   b. Sunday, the following Monday shall be considered the holiday for paid time off purposes.

4. Procedures:

   a. The County Administrator, Union representatives and representatives from each of the 3 Courts will review the coming year's holiday schedule annually in November to:

      1) Ensure that there is agreement and conformity on the next year's holiday schedule in all County Departments, and to:

      2) Determine if adjustments to the holiday schedule are warranted or desired. If adjustments are required, a proposal will be forwarded to the Board of Commissioners (via the appropriate Committee) for approval).

5. In the event that changes to the holiday schedule are required or desired, consensus agreement must be obtained between the County Administrator, each of the three Courts and the Union representatives and then sent to the Board of Commissioners for final approval.

6. A minimum of five calendar days prior to the closure of County offices due to holiday, the County Administrator shall post closure signs on the doors of each entryway to advise the general public of the holiday closure status.

7. If a holiday falls during a period when an employee is on authorized vacation leave, the holiday shall be counted as a holiday and not counted as leave and not deducted from the employee's accrued leave bank.

C. <u>Administrative Leave.</u>

1. Administrative information.

   a. Pay status: paid leave.

   b. Approval authority: Department Head/Elected Official.

2. There may be times when an employee's absence from the work place has been authorized by cognizant authority but does not logically fit into any of the paid absence categories outlined in this section. An example of this is the time that an employee is absent from the work place due to early closure or late opening of County offices because of heavy weather (described elsewhere in this manual).

3. In these instances, the cognizant Department Head or Elected Official shall cause the hours accounting (on the twice monthly time sheet) to reflect the designated number of hours of administrative leave as a separate category in hours accounting.

D. <u>Paid Personal Leave.</u>

1. Administrative information:

   a. Pay status: paid leave.

   b. Approval authority: Department Head or Elected Official.

2. All regular full-time employees of the County shall be allowed 3 personal days as paid leave of absence per calendar year. A personal day shall be considered the equivalent of a full work day based on the employee's prescribed daily work period.

3. Personal days may be used only as requested and coordinated at least 7 days in advance of the date desired (whenever possible) with the cognizant Department Head or Elected Official. The Employer shall make every effort to notify the employee whether the request is granted within 3 days following submission of the request. A request for a personal day may be denied if the absence of the employee would unreasonably interfere

with or have an adverse impact on the ability of the Employer to provide required services.

4. Personal days are not cumulative from year to year and unused personal days will not be compensated for at the termination of employment as is the case with accrued vacation leave.

E. <u>Medical Leave.</u>

1. Administrative information: <u>Changes effective March 29, 2019 and such changes supersede any prior policy or past practice</u>:

   a. Full-time employees and regular part-time employees who work 25 hours or more per week.

2. Pay status: paid leave

3. Approval authority: Department Head/Elected Official

4. General.

   a. Employees who accrue medical leave are eligible to use accrued medical leave, provided that the employee notifies his/her cognizant supervisory chain of command as soon as possible, but in no case later than the morning of the work day for which the employee will be absent. If the absence extends beyond a single work day, it is expected that the Employer will be kept informed by the employee as to his/her condition and anticipated dated of return to work.

5. A verification statement by a physician may be required by the supervisory chain of command at any time. This statement should contain the cause(s) of the sickness or disability and its expected duration.

6. In the event that an employee's need for medical leave extends longer than the employee's accumulated medical leave credits, the employee shall be placed on medical leave without pay effective the date that the accumulated medical leave credits are exhausted or cease being used by the employee. This period will continue until such time as the need for medical leave ceases or disability payments (under the Employer's disability insurance program) are also exhausted.

7. Upon return from medical leave, an employee must be given his/her previous job.

8. In the case of a work incapacitating injury or illness for which an employee is eligible for benefits under the Employer's sickness and accident insurance portion of the Employer's workers' compensation program, medical leave credits may be utilized, at the employee's request, to equalize the difference between the employee's normal bi- weekly after-tax earnings and the disability or compensation payment.

9. For the purposes of medical leave, "family member" includes all of the following:

   1) A biological, adopted or foster child, stepchild or legal ward, or a child to whom the eligible employee stands in loco parentis.

   2) A biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an eligible employee or an eligible employee's spouse or an individual who stood in loco parentis when the eligible employee was a minor child.

   3) An individual to whom the eligible employee is legally married under the laws of any state.

4) A grandparent.

5) A grandchild.

6) A biological, foster, or adopted sibling.

10. Absence from work under the Family Medical Leave Act (FMLA) of 1993 is discussed in a separate section below.

11. Medical leave accrual:

12. Regular full-time employees will accrue medical leave at a rate of 0.0369 hours of medical leave to 1 hour of paid time, which is approximately 6 hours per month.

13. Regular part-time employees working 25 hours per week or more will accrue medical leave at a rate of 0.0286 hours of medical leave to 1 hour of paid time.

14. Medical leave utilization.

    a. An employer shall allow an eligible employee to use accrued medical leave for any of the following:

        1) The eligible employee's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the eligible employee's mental or physical illness, injury, or health condition; or preventative medical care for the eligible employee.

        2) The eligible employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the eligible employee's family member's mental or physical illness, injury, or health condition; or preventative medical care for a family member of the eligible employee.

        3) If the eligible employee or the eligible employee's family member is a victim of domestic violence or sexual assault, the medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.

        4) For closure of the eligible employee's primary workplace by order of a public official due to a public health emergency; for an eligible employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or if it has been determined by the health authorities having jurisdiction or by a health care provider that the eligible employee's or eligible employee's family member's presence in the community would jeopardize the health of others because of the eligible employee's or family member's exposure to a communicable disease, whether or not the eligible employee or family member has actually contracted the communicable disease.

15. Employees shall furnish satisfactory evidence of illness or injury when the illness or injury is expected to exceed 3 working days. The employee's supervisor, at his or her discretion, may require such evidence of illness or injury for periods of less than 3 working days.

16. Medical leave may be used upon accrual.

17. Unused medical leave:

18. Except as set forth below, paid medical leave shall not accumulate from December 1st of any year to December 1st of any other year or be "carried over" in any manner and will have no monetary value upon separation from employment with the employer for whatever reason.

19. Full-time employees may carry over a total of 12 unused medical leave days from year-to-year. Part-time employees may carry over a total of 40 unused medical leave hours from year to year.

20. For full-time employees, at the end of each calendar year, up to five days of accrued but unused medical leave that is in excess of 12 days shall be multiplied by the employee's straight time rate of pay as of November 30th of that year and that amount shall be paid to the employee. Any unused medical leave days above the five-day maximum shall not be compensated and shall be deemed forfeit. For regular part-time employees working 25 hours or more per week, there shall be no amounts paid to employees for unused medical leave.

21. Employees whose employment status with the County is severed forfeit all accrued medical leave benefits.

22. In cases of work incapacitating illness or injury for which an employee is eligible for work disability payments under the Workers' Compensation Law of the State of Michigan, accrued medical leave may be utilized to maintain the difference between the employee's net regular salary or wage. Upon exhaustion of his or her medical leave bank, the employee shall draw only those benefits which are allowable under the Workers' Compensation Law of the State of Michigan, if any. The Employer will pay the first 14 days without charge to medical leave, to be reimbursed if later paid by workers' compensation.

F. <u>Jury Duty Leave.</u>

1. Administrative information:

   a. Pay status: paid leave.

   b. Approval authority: Department Head/Elected Official.

2. Employees selected for jury duty or who are summoned as a witness in a court proceeding shall be given a leave of absence for this period.

3. Employees shall be paid the difference between any jury duty or witness compensation they receive from the Court and the straight time pay they would have otherwise have earned (exclusive of all premiums) for the time spent on jury duty or as a witness.

4. In order to receive pay for time spent on jury duty or as a witness, an employee must:

   a. Give the Employer advance notice of the time he/she is to report for jury duty or as a witness.

   b. Give satisfactory evidence that he/she served as a juror or witness at the summons of the Court on the day or days that he/she claims for such pay.

   c. Return to work promptly after being excused as a juror or witness.

G. <u>Family and Medical Leave.</u>

In order to assure consistency in the application of the Federal Family and Medical Leave Act

(FMLA) and coordinate same with existing labor contracts, it is the policy of Wexford County to designate all leaves of absence, paid or unpaid, which meet the eligibility requirements of the Family and Medical Leave Act, toward employees' allotment under the Family and Medical Leave Act.

The 12-week allotment granted through the Family and Medical Leave Act is computed on a rolling basis for the 12-month period preceding the leave and not on a calendar basis.

1. Administrative information.
    a. Pay status: paid leave, see below for additional information.
    b. Approval authority: Department Head/Elected Official
2. General. Employees who have been employed for at least 12 months are eligible for leaves of absence for family and medical reasons under the terms and conditions set forth below and as those terms and conditions are supplemented and explained by the Family and Medical Leave Act of 1993 (FMLA) and the regulations promulgated under that Act, provided that they were employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the requested leave:
    a. Qualifying reasons for leave. An eligible employee is entitled to a total of 12 workweeks of leave during a "rolling" 12-month period measured backward from the date an employee uses any for any one, or more of the following reasons:
        1) The birth of a son or daughter and to care for a newborn child.
        2) The placement with an employee of a son or a daughter for adoption or foster care.
        3) To care for the employee's spouse, son, daughter or parent with a serious health condition.
        4) Because of a serious health condition that makes the employee unable to perform the functions of functions of his/her job.
        5) Service member
3. Explanation. For purposes of definition, the term "serious health condition" means:
        1) An illness, injury, impairment or physical or mental condition that involves any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility.
        2) Any period of incapacity requiring absence from work, school or other regular daily activities of more than 3 calendar days that also involves continuing treatment by (or under the supervision of) a health care provider.
        3) Continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than 3 calendar days.
        4) Prenatal care.
4. Explanation. For purposes of definition, the term "Service member" means:
        1) The federal Family and Medical Leave Act (FMLA) now entitles eligible employees to take leave for a covered family member's service in the

Armed Forces ("Service member FMLA"). Except as mentioned below, an employee's rights and obligations to Service member FMLA Leave are governed by the County's existing FMLA policy.

a) Service member FMLA provides eligible employees unpaid leave for any one, or for a combination, of the following reasons:

1.) A "qualifying exigency" arising out of a covered family member's active duty or call to active duty in the Armed Forces in support of a contingency plan; and/or

2.) To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating.

b) Duration of Service member FMLA

3.) When Leave Is Due To A "Qualifying Exigency": An eligible employee may take up to 12 workweeks of leave during any rolling 12-month period.

4.) When Leave Is To Care for an Injured or Ill Service Member: An eligible employee may take up to 26 workweeks of leave during a single rolling 12- month period to care for the service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single rolling 12-month period.

c) Service member FMLA runs concurrent with other leave entitlements provided under federal, state and local law.

2) Except as provided for to care for an injured/ill Service member, an eligible employee is entitled to a total of 12 work weeks of leave during a rolling 12- month period measured backward from the date an employee uses any leave.

5. Request for leave.

1) Employees desiring leaves of absence under this section shall provide written notice to the Employer setting forth the reasons for the requested leave, the anticipated start date of the leave and its anticipated duration. Requests for leave under this section will be routed to the employee's Department Head or Elected Official via the employee's supervisory chain of command.

2) Foreseeable leaves. An employee must provide at least 30 days advance notice before the leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or for planned medical treatment for a serious health condition of the employee or family member. If 30 days is not practicable (such as because of a lack of knowledge of exactly when the leave will be required or due to changes in circumstances), notice must be given as soon as possible. Employees are expected to consult with the Employer prior to the

scheduling of planned medical treatment in order to work out said treatment schedule which best suits the needs of both the employee and the Employer. The Employer may, for justifiable cause, require the employee to reschedule treatment, subject to the approval of the health care provider and the ability to reschedule the treatment. In the event that an employee fails to give the required notice with no reasonable excuse for the delay, the Employer may delay the commencement of the leave until at least 30 days after the date that the employee gives notice of the need for leave.

3) Unforeseeable leaves: When the need for leave or its approximate timing is not foreseeable, an employee shall give notice to the Employer as soon as practicable under the facts and circumstances of his/her particular case. In the case of a medical emergency (such as a motor vehicle accident), written advance notice is not required.

4) Notice: Employees shall provide notice to the Employer either in person, by telephone or by fax. Notice may be given by an employee's representative if the employee is unable to do so himself or herself. In the case of unforeseeable leaves, the employee is expected to provide more information when it can be readily accomplished in a practical manner, taking into consideration the exigencies of the situation.

6. Medical certification.

1) A request for leave to care for the employee's family member with a serious health condition or due to the employee's own serious health condition that makes the employee unable to perform the functions of his/her position, must be supported by a certification issued by the health care provider of the employee or the employee’s family member. This certification should be provided to the Employer within 15 calendar days of the request for leave unless it is not practical to do so despite the employee's diligent and good faith efforts. An employee who fails to provide this required certification may be denied the commencement of leave until certification is provided.

2) If the Employer has reason to doubt the validity of a medical certification, the employee may be required to obtain a second opinion at the Employer's expense from a health care provider of the Employer's choice, provided that the health care provider is not employed or cannot be employed on regular basis by the Employer. If the opinions of both the employee's and the Employer's designated health care providers differ, the Employer (at the Employer's expense) may require the opinion of a third health care provider designated jointly by the employee and Employer. Both parties must act in good faith in the selection of this third health care provider as this third opinion shall be final and binding on both the employee and the Employer.

3) The Employer may request recertification at any reasonable interval, but not more than once every 30 calendar days, unless:

a) The employee requests an extension of leave.

b) Circumstances described in the original certification have changed significantly (i.e., the duration or nature of the illness, medical complications, etc.).

c) The Employer receives information that casts doubt on the continuing validity of the last certification in the case.

4) The Employer may also require recertification of the employee's or family member's serious health condition when the Employer is prevented from recovering the Employer's share of health benefit premium payments made on the employee's behalf during a period of unpaid leave because the employee is unable to return to work after leave due to the continuation, reoccurrence or onset of a serious health condition.

5) Employees whose leave was occasioned by a serious health condition that made the employee unable to perform their job are required to obtain and present certification from the health care provider that they are fit for duty and able to return to their work. This certification must be provided at the time the employee seeks reinstatement at the end of leave, and the Employer may deny restoration to full duty until satisfactory certification is provided.

7. Length of leave:

1) An employee is eligible for up to 12 workweeks of leave each year. As described above, this year is based upon a "rolling" 12-month period measured backward from the date an employee uses any leave under this section. These 12 workweeks of leave may be taken in one continuous period. "Intermittently" or on a "reduced leave schedule" under certain circumstances.

2) “Intermittent” leave is leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time, and may include leave of periods of an hour or more to several weeks.

3) A "reduced leave schedule" is a leave schedule that reduces the number of working hours per workweek or hours per workday.

4) Leave taken because of a birth or placement of a child for adoption or foster care may only be taken intermittently or on a reduced leave schedule with the prior written approval of the Employer.

5) Leave taken to care for a sick family member or for an employee's own serious health condition may be taken intermittently or on a reduced leave schedule when medically necessary.

6) For intermittent leave or a reduced leave schedule, there must be a medical need for leave (as distinguished from voluntary treatments and procedures) and it must be that such medical need can be best accommodated through intermittent leave or a reduced leave schedule. Employees who require intermittent leave or a reduced leave schedule must attempt to schedule these leave periods so as to minimize the impact on the Employer's operations.

7) A foreseeable request for intermittent leave or for a reduced leave schedule may result in the Employer requiring the employee to transfer

temporarily to an available alternative position for which the employee is qualified and which better accommodates the recurring periods of leave than does the employee's regular position. This alternative position must have equivalent pay and benefits. The Employer may also transfer the employee to a part-time position with the same rate of pay and benefits, provided the employee is not required to take more leave than is medically necessary. The Employer may not eliminate benefits to which the employee is entitled to and which otherwise would not normally be provided to an employee in this part-time position, however, the Employer may proportionately reduce earned benefits where such reduction is normally made for part-time employees.

8) If an employee takes leave on an intermittent or reduced leave schedule basis, only the amount of leave actually taken is counted toward the maximum of 12 weeks of leave. Where an employee normally works a part-time schedule or variable hours, the amount of leave is determined on a pro-rata or proportional basis by comparing the new schedule with the employee's normal schedule. If an employee's schedule varies from week to week, a weekly average of the hours worked over the 12 weeks prior to the beginning of the leave period is used for calculating the employee's normal workweek.

8. Pay status while on leave: Employee's on leave of absence under this section shall be paid in accordance with the following:

1) In instances where the leave is needed due to the employee's own serious health condition, the leave shall be with pay as long as the employee has available accrued leave days. These paid leave days shall by applied in the following order:

a) Paid sick leave.

b) Paid personal leave.

c) Paid vacation.

2) In instances where the leave is needed for reasons other than the employee's own serious health condition, the leave shall be with pay as long as the employee has available accrued paid leave days. These paid leave days shall be applied in the following order:

a) Paid personal leave.

b) Paid vacation.

3) As a condition of the leave, employees must utilize available paid leave in the order set forth above and cannot elect to have unpaid leave in order to retain paid leave for use at other times. Upon the exhaustion of accrued paid leave days, the remainder of the leave shall be without pay.

9. Benefit status while on leave.

1) While on leave, an employee's coverage under any group health plan shall be continued on the same conditions as coverage would have been provided if the employee had been continuously employed during the entire leave period.

2) An employee may choose not to retain health coverage while on leave and upon return from the leave is entitled to reinstatement of the group health plan coverage without any qualifying period, physical examination or exclusion of pre-existing conditions.

3) Except as required by the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), the Employer's obligation to maintain health benefits ceases when an employee informs the Employer of his/her intent not to return from leave (including at the start of the leave if the Employer is so informed on or before the starting date of the leave), the employee fails to return from leave and thereby terminates employment or the employee exhausts his/her leave entitlement.

4) The Employer may recover its share of health plan premiums paid during a period of unpaid leave from an employee if the employee fails to return to work after the employee's leave entitlement has been exhausted or expires, unless the reason that the employee does not return is due to:

a) The continuation, recurrence or onset of a serious health condition which would entitle the employee to leave under this section, unless the Employer requests medical certification and the employee does not provide such certification in a timely manner (within 30 days); or:

b) Other circumstances beyond the employee's control.

5) The Employer's right to recover its share of health premiums paid during periods of unpaid leave extends to the entire period of unpaid leave taken by the employee.

When an employee fails to return to work, except for the reasons stated above, health premiums paid by the Employer during a period of leave are a debt owed by the non-returning employee to the Employer. In the circumstances where recovery is allowed, the Employer may recover its share of health insurance premiums through deduction from any sums due to the employee (i.e., unpaid wages, vacation pay, profit sharing, etc.). Alternatively, the Employer may initiate legal action against the employee to recover its share of health insurance premiums.

10. Rights upon return to work. On return from leave, an employee shall be returned to the same position that he/she held when leave commenced or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment, unless the employee is no longer qualified for the position because of their physical or mental condition or the failure to maintain a necessary license or certification.

H. <u>Disability Leave.</u>

1. Administrative information:

a. Pay status: paid leave, see below for additional information.

2. Approval authority: Department Head/Elected Official.

3. After completion of the 12 week family and medical leave granted because of a serious health condition that caused the employee to be unable to perform the functions of his/her job, a supplemental disability leave of absence may be granted to employees who are unable to continue to work for the Employer because of a non-work related injury, illness, pregnancy or other disability, subject to the right of the Employer to require a physician's

certification establishing (to the Employer's satisfaction) that the employee is indeed incapacitated from the safe performance of work due to illness, injury or other disability.

4. During a disability leave, an employee shall receive paid sick leave if available from a collective bargaining agreement or from County policy. Paid sick leave and accident insurance payments will be granted if allowed under the appropriate collective bargaining agreement or County policy.

5. Disability leave will continue for the period of the employee's disability provided, however, that the duration of disability leave does not exceed 24 consecutive months or the length of the employee's seniority, whichever is lesser. The employer may request, at any time as a condition of continuance of disability leave, proof of the employee's continuing disability.

6. In situations where the employee's physical or mental condition reasonably raises a question as to the employee's capacity to perform the job, the Employer may require medical examination by a physician selected by the Employer at the Employer's cost, and, if appropriate, require the employee to take leave of absence under this policy.

7. Employees are required to notify the Employer of any condition which will require a leave of absence under this policy together with the anticipated date for commencement of the leave. This notice should be given as soon as the employee is first aware of the condition and should be processed via the employee's supervisory chain of command to the County Administrator for final approval.

8. Employees who have requested leave under this policy shall present a physician's certification of the need for this leave of absence, and, if applicable, the ability to remain at work until the commencement of disability leave.

9. Employees returning to work from disability leave must present a physician's certificate establishing to the Employer's satisfaction that the employee is able to perform his/her job.

I. <u>Bereavement Leave.</u>

1. Administrative information:

   a. Pay status: paid leave, see below for additional information.

   b. Approval authority: Department Head/Elected Official.

2. Full-time employees shall be granted a leave of absence with pay for up to 3 days when a death occurs in the immediate family.

3. For the purposes of this section, the term "immediate family" is defined as the employee's spouse, children, mother, father, sister, brother, grandparents, grandchildren, stepchildren, stepmother, stepfather, father-in-law, mother-in-law, sister-in-law, brother-in-law, spouse's grandparents, and the spouse(s) of the employee's children.

4. Bereavement leave will be requested and coordinated by the employee with his/her supervisor sufficiently in advance so as to allow the employee to make travel plans (if required) and to allow the Employer to make adequate adjustments to departmental operations.

5. If the funeral is scheduled for a location outside of the State of Michigan and more time is required, the employee has the option of using other accrued leave days or taking an additional two days bereavement leave under this section. Such additional days of bereavement leave will be without pay.

6. Under normal circumstances, bereavement leave is to be taken on consecutive days, however, in instances where the burial date is different from the funeral date, bereavement leave days may be split to allow attendance at both ceremonies. When leave dates are split under this section, the employee must coordinate with his/her supervisory chain of command.

Attachment (1) - Wexford County Leave Request Form

Name _____ Date _____

\

Department_____

Date(s) Requested	Hours (if applicable)	Type of leave: Annual, Personal, Sick
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

1. Please indicate if the time taken is annual, personal or sick time.
2. Forward to Department Head or Administrator.
3. You will be notified as soon as possible of the status of your request
4. A signed copy of this form will be returned to you for your files.

Approved Yes ☐ No ☐

Explanation, if any
(to be used by employee and/or supervisor)

_____

_____

_____ _____
Department Head or Administrator Date

B-12.5 Unpaid Absence from the Workplace

County Board Approval: May 15, 1996

A. <u>Military Leave.</u>

1. Administrative information:
   a. Pay status: unpaid leave.
   b. Approval authority: County Administrator.
2. Any employee who enters active service of the Armed Forces of the United States, National Guard or Reserve Forces shall receive a leave of absence without pay for the period of such duty.
3. An employee returning from military service shall be re-employed in accordance with the applicable Federal and State statutes as longs as the employee's application for re-employment is made within 90 days of the date of the employee's discharge from active duty. The returning employee shall be entitled to the benefits of his/her position provided that the employee satisfies the appropriate eligibility requirements.
4. Application for military leave should be made as soon as possible after the employee learns of his/her active duty commencement date and in any event, not less than two weeks prior to the employee's scheduled departure date.

B. <u>Worker's Compensation Leave.</u>

1. Administrative information:
   a. Pay status: unpaid leave (Note: this is from the from the Employer's perspective; the employee will receive money from the workers' compensation fund).
2. Approval authority: County Administrator.
3. Worker's compensation leave may be granted to an employee, without charge to the employee's leave banks, to regular full-time and regular part-time employees who suffer on the job injuries and who must, as determined by medical authority, miss time from work.
4. Worker's compensation leave is without pay (from the Employer) and is a leave category to be used to cover the time that an employee is receiving worker's compensation payments.

C. <u>Maternity Leave.</u>

1. Leaves of absence for reasons of childbirth shall be treated as outlined under the sections of this manual that pertain to sick leave and family/medical leave.

D. <u>Educational Leave.</u>

1. Administrative information:
   a. Pay status: unpaid leave.
   b. Approval authority: County Administrator.
2. Leaves of absence for the purposes of educational advancement should be specifically focused on enhancement of job performance.
3. Leaves in this category will normally be without pay and will not normally exceed 6 months in length.

E. <u>Unpaid Personal Leave.</u>

1. Administrative information:

   a. Pay status: unpaid leave.

   b. Approval authority: County Administrator.

2. This category of leave is to be used by employees who require a leave of absence but the reasons for which do not fit into any other category of leave of absence as outlined in this manual.

B-13.0 Employee Recognition

County Board Approval: September 18, 1996; Amended November 17, 1999, December 5, 2012

A. General.

It is the policy of the Wexford County Board of Commissioners that employees be recognized for their significant achievements and contributions to County operations and for their outstanding performance.

B. Recognition.

Employees will be recognized for longevity at the Commissioner's Day meeting. There are several categories of employee recognition as outlined below:

3. Longevity.

   a. General.

      1) "Years of service" is defined as continuous service in the employ of Wexford County.

      2) Longevity awards will be processed by the office of the County Administrator via the standing Human Resources and Operations Committee for presentation at regular Board meetings on an as occurring basis.

      3) All regular full-time and regular part-time employees are eligible for awards in recognition of longevity.

4. Employees will receive a Certificate of Service in recognition of longevity at 10, 15, 20, 25, 30 and 35 years of service.

B-14.1 Fringe Benefits, General

County Board Approval: July 17, 1996

A. Collective Bargaining Agreement.

Where a conflict exists between this policy and a collective bargaining agreement, the collective bargaining agreement will hold precedence.

B. Fringe Benefits Covered by this Policy.

1. Paid leave time.
   a. Vacation leave.
2. Paid holidays.
3. Administrative leave.
4. Paid personal leave.
5. Sick leave.
6. Jury duty leave.
7. Family and medical leave.
8. Disability leave.
9. Bereavement leave.
10. Unpaid leave time.
    a. Military leave.
11. Workers' compensation leave.
12. Maternity leave.
13. Educational leave.
14. Unpaid personal leave.
15. Health and dental coverage.
16. Life insurance coverage.
17. Longevity pay.
18. Retirement plan.
19. Social Security.

C. Eligibility.

1. Regular full-time employees: All full-time employees are eligible for all fringe benefits outlined in paragraph 2.b above or as provided for in their respective collective bargaining agreement.
2. Regular part-time employees: All part-time employees are eligible fringe benefits outlined in paragraphs 2.b.(1), 2.b.(2.) and 2.b.(7.) above on an annualized pro-rated basis.
3. Irregular part-time employees: Are not eligible for any fringe benefits except for 2.b.(7.) above.

4. Temporary employees: Are not normally eligible for any fringe benefits under this policy except as negotiated as a condition of employment and except for 2.b.(7.) above.

5. Grant employees: Are normally eligible for fringe benefits commensurate with full- or part-time employees depending on the number of hours worked.

6. On-call employees: Fringe benefits include only social security and workers' compensation.

D. <u>Benefit Levels.</u>

As outlined in this *Manual*:

1. B-5.0: Definition of employment terms/categories.
2. B-7.0: Employee seniority.
3. B-8.0: Salary and wage structure.
4. B-12.0: Absence from the workplace.

E. <u>Benefit Accrual.</u>

Any fringe benefit earned by an employee will be accrued in such a manner as prescribed in this *Manual* or by the pertinent collective bargaining agreement:

1. Transfer or promotion: Accrued benefits will not be lost when an employee is transferred or promoted inter- or intra-departmentally regardless of whether the change is between two separate collective bargaining agreements provided that accrued fringe benefits continue to be used by the employee in consonance with the guidelines of this *Manual* and/or the appropriate collective bargaining agreement.

2. Status change: Accrued fringe benefits will not be lost when an employee's status changes from part- to full-time or vice-versa. Sick time is calculated differently for full- and part-time employs and a conversion factor will be applied by the General Accounting Office in this area.

3. Use of benefits: Accrued fringe benefits are to be used by an employee in a timely manner as prescribed in this *Manual* and/or in the appropriate collective bargaining agreement.

B-14.2 Longevity Pay

County Board Approval: July 17, 1996; Amended April 2, 2008; May 1, 2013

A. General.

1. Longevity pay is a fringe benefit based on an employee's continuous length of service with the County.
2. Eligibility is based on full years of service as of October 1st in any given year.
3. The Clerk, Register of Deeds, Treasurer, Prosecutor, and Sheriff will receive longevity benefits as of February 20, 2008. All other elected officials are not eligible to receive this benefit.
4. This benefit does not apply to employees hired after May 1, 2013.

B. Procedure.

1. All regular full-time employees who are employed as of October 1st each year who have completed five (5) years of continuous full-time employment with the County shall receive longevity pay calculated on the basis of thirty dollars ($30.00) for each full year of continuous service.
2. The maximum longevity sum to be paid to any employee in a single year is six hundred dollars ($600).
3. Employees who are on leave of absence or layoff, including a suspension for disciplinary reasons, will retain all service time earned prior to the absence toward the calculation of longevity benefits but will not accrue any additional time toward longevity benefits nor will they receive longevity pay during such absence.

B-14.3 Health Insurance

County Board Approval: July 17, 1996; Amended October 6, 2004; December 1, 2004; July 3, 2013; January 4, 2017; December 6, 2017; May 16, 2018; March 20, 2019; December 4, 2019

A. <u>General.</u>

1. The County currently provides a health insurance program for eligible non-union, full-time County employees and elected officials, and members of the eligible employee/official's immediate family. Eligible full-time employees and elected officials may participate in the group insurance program no earlier than the first (1st) day of the premium month following the commencement of employment with the Employer in a full-time position or at a date there after that may be established by the insurance. All employees/officials covered under the health insurance will be required to contribute a portion of the premium share through payroll deduction as determined by the Board of Commissioners. The terms of the insurance policies control the benefits provided thereunder and the employee/official's eligibility for benefits. The County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, county contribution or benefit plan. In the event any conflict between this summary and the plan documents, the plan documents control. Union employees' benefits are controlled by the respective collective bargaining agreements.

2. Current extensions and limitations on eligibility:

   a. Employees/officials who receive "payment in lieu of coverage" are not eligible to enroll or purchase dental and vision through the County, but are allowed to purchase other ancillary insurance products offered through the County if there is no cost to the County.

3. Part time employees are not eligible to purchase vision, dental, or any other ancillary insurance products offered through the County.

4. An employee/official retiree may currently enroll in the County's health insurance, vision and dental plans, provided they pay 100% of the established monthly premiums to Wexford County. Eligible retirees must notify the County upon retirement of their wish to enroll in such coverages. The County reserves and retains the unilateral right to amend or terminate any retiree eligibility or benefit, benefit level, employer contribution or benefit plan. Retiree health, vision and dental eligibility and benefits are governed by the plan description and plan documents. In the event any conflict between this summary and the plan documents, the plan documents control. For health insurance coverage purposes, an employee retiree is defined as: "An employee with enough age and service time to qualify for a MERS retirement and/or Social Security benefits and who is immediately eligible to draw such benefits upon cessation of employment with the County".

5. Premiums are to be reviewed at least annually during budget preparation, with recommendations by the Administrator based on the insurance plan approved by the Board of Commissioners during the budget process.

6. Employees hired during the Plan Year currently have the choice of A: 'base plan' as offered by the County, or B: the HSA with the County-funded deductible prorated as of their enrollment date, with the employee being responsible for the balance of the deductible.

7. Employees/officials who are eligible for health insurance coverage through the County and who elect to NOT enroll in the group medical insurance plan because they are eligible for coverage under another qualified group health insurance plan available to their spouse and/or eligible dependents will be eligible to receive additional monthly compensation.

   The amount of such monthly compensation may be fixed by the Board of Commissioners. Payments will be made once per month on the second paycheck in each month that the employee would otherwise be eligible for health insurance coverage. This option can only be exercised during open enrollment or a qualified event.

   An employee/official must provide proof of insurance coverage under a qualified group plan for the employee/official and eligible dependents as defined or required by the Affordable Care Act or implementing regulations and complete all forms or certifications required by the County and under the Affordable Care Act for eligibility for such payments. An employee/official will not be eligible for payment in lieu of health insurance if such payment would violate the Affordable Care Act or implementing regulations, or cause the Employer to be subject to penalty or fine.

   Should insurance coverage through the secondary source terminate for any reason, the employee should notify the County within thirty (30) days and re-enroll in the County health insurance program. Failure to timely notify the County may result in the ability to re-enroll being limited to the open-enrollment period.

   An employee or official member who receives either “primary” or “dependent” coverage from the County shall not be eligible for any payment in lieu of coverage

8. Special Conditions: Health insurance coverage for spouses or dependents may be changed during the course of the insurance program year at times other than the open enrollment, if such a change is a ‘qualified event’:

   - Marriage
   - Death
   - Divorce
   - Birth
   - Change in hours

   Significant increase in cost of current coverage (of spouse) and creates a financial burden. When such e vent occurs, the employee/official has a 30-day window of opportunity to make the necessary change. Failure to comply with this timeframe will result in being required to wait for the annual open enrollment period. All changes must be requested in writing and sent to the County Administrator. The employee/official is to follow up the request to be sure it has been received and processed.

9. HSA County Contribution

   The County’s annual contribution to the Health Savings Accounts of participating employees shall be credited or deposited to each participating employee’s Health Savings Account in four equal pro-rata quarterly deposits to occur on the first payroll of each quarter, being the months of January, April, July and October.

B. <u>COBRA.</u>

Under the Consolidated Omnibus Budget Reconciliation Act of 1986, upon leaving employment with the County, an employee may purchase for himself/herself and his/her family, group health insurance for a period of 18 months (and in some situation for 36 months). Premium payments required for his insurance coverage will be made to the Office of the Wexford County Treasurer.

1. When an employee qualified for retirement, the employee has the following options:

   Option #1 – Exercise COBRA rights and purchase existing coverage for 18 months. No other coverage will be available at the conclusion of COBRA rights.

   Or….

   Option #2 – Move immediately, if qualified as a “retiree” (as previously defined), into the retiree health care program.

   If an employee terminates employment, he/she can only exercise Option #1. In all cases of exercising the COBRA option, the employee will be charged a 2% administration fee that will be added to his/her premium.

B-14.4 Retirement Plan

County Board Approval: July 17, 1996

A. General.

1. Wexford County employees are members of the Michigan Municipal Employees Retirement System (MERS) with contributions paid by the employee and by the County.
2. Vesting in MERS occurs on the 10th anniversary of hire.
3. Regulations pertaining to this retirement system are made by the Michigan MERS Board in conformance with State law.

B. Procedures.

New employees will be provided with a copy of the MERS handbook at the beginning of their employment.

B-14.5 Life Insurance

County Board Approval: July 17, 1996

A. General.

The County will provide life insurance coverage in the amount of $15,000 for each regular full-time employee.

B. Procedures.

1. Regular full-time employees may elect to decline life insurance coverage at the time of hire.
2. If life insurance coverage is elected, it will become effective on the date that the appropriate paperwork is filed by the General Accounting Office with the County's life insurance underwriter.
3. Life insurance coverage will terminate effective at midnight of the day when the employment relationship between the employee and the County is concluded.

B-14.6 RESERVED

B-14.7 Employee Training and Development

County Board Approval: July 17, 1996

In order that employees may perform work more efficiently and be able to qualify for positions of increasing responsibility, Department Heads, Elected Officials and immediate supervisors will coordinate the development and implementation of education and training programs within their departments through the normal budget process.

Special developmental programs may be reviewed by the standing Human Resources and Operations Committee in order to respond to major problems, new processes or other specific requirements that fall outside of the normal budget process with respect to cost and/or timing.

B-14.8 Education Grants

County Board Approval: December 6, 1995

A. General.

The County supports effective employee performance and the promotion of employees to positions of increased responsibility from within the County organization. In support of this policy, the County encourages its employees to seek and utilize educational opportunities which will lead to professional and personal betterment.

B. Education grants.

1. Funds may be appropriated by the Board of Commissioners in the County General Fund for the purpose of awarding educational grants to employees of the County. The conditions under which these grants may be awarded are established herein and may, from time to time, be modified to suit the needs of the County and its employees.

2. These grants will be utilized by County employees for educational or vocational classes attended outside of the employee's regular work schedule. These grant funds are not to be utilized in place of County sponsored on-the-job training programs already allocated for use by employees in the County budget.

3. The County Administrator will be responsible for the administration of the education grant program and for approving each grant. All records generated in this program, including transcripts of completed course work, will become part of the employee's official County personnel record.

4. Grants may be awarded to non-probationary full-time employees for educational or vocational course work as follows:

   a. The employee must receive prior approval from his/her department head and from the County Administrator for course work that is job related or deemed beneficial to the County.

      1) Attachment (1) to this policy will be utilized to request education grant money.

      2) Education grant requests that have been recommended for disapproval by the department head will automatically be reviewed by the County Administrator.

      3) Education grant requests that have been disapproved by the County Administrator will automatically be reviewed by the standing Human Resources and Operations Committee.

5. The employee may receive education grant money for registration fees, for up to 50% reimbursement for the cost of tuition and an allowance of $50 per course toward textbooks.

6. Education grant money will be limited to a maximum of nine credit hours per semester per employee.

7. To facilitate pre-registration, employees that have been approved for assistance under this policy may receive education grant money in advance to defray registration and tuition costs. Textbook costs will be paid after the textbooks have been purchased and a receipt presented for reimbursement (utilizing attachment (1) to this policy as the vehicle for settling this claim).

8. Employees must receive a grade of C (or 2.0 on a 4.0 scale) for each course that is underwritten by this education grant policy. Failure to obtain this minimum grade will require the employee to reimburse the County in total for the grant money that has been provided for that course.

9. Should a grantee leave County employ during a period of 12 months following the successful completion of course work utilizing County education grant money, the employee is obligated to repay all education grant money awarded during the 12 months preceding the departure date of the employee.

Attachment (1) - Education Grant Application

DATE: _____

FROM: _____

TO: County Administrator **VIA:** _____
(Department Head)

1. I hereby apply for County education grant money in accordance with Wexford County Policy No. B-14.8. I understand and agree to all conditions as outlined in that policy statement.

2. Courses I intend to take are as follow:

COURSE NAME	CREDIT HOURS	EDUCATION INSTITUTION	COST INFORMATION REGISTRATION	TUITION	BOOKS

3. If this request is approved, I understand that:
   a. Grant money for registration fees and tuition will be provided in advance and that I must turn in a copy of my textbook receipt to the Administrator's office for reimbursement.
   b. On completion of the course(s), I must turn in a copy of my grade report (or transcript) to the Administrator's office.

_____
(Signature)

Recommend approve/disapprove: _____
(Department Head)

Approved/disapproved: _____
(County Administrator)

Reviewed (if required): _____
(Chair, Human Resources Committee)

Books approved: $_____ _____
(County Administrator)

B-14.9 RESERVED

B-14.10 Workers' Compensation

County Board Approval: July 17, 1996

A. Cadillac Family Physicians is the designated medical organization regarding any workers' compensation claim. If an employee becomes injured on the job, one of the physicians in this medical practice should be notified for diagnostic and treatment services.

B. If the injured employee chooses not to receive treatment from the County's designated workers' compensation medical treatment organization, the County is not liable for payment of the workers' compensation claim.

C. Authorization for treatment forms are available from the General Accounting Office and from the Sheriff's Department administrative office. These forms are to be filled out prior to visiting the doctor's office unless the nature of injury or illness is of an extreme emergency.

D. Workers' compensation claim forms are available in the General Accounting Office.

B-15.0 Supplemental Personnel Requests

County Board Approval: July 5, 2000

A. General.

An employee roster will be approved each year by the Board of Commissioners as part of the annual budget process. The roster establishes positions by department for the fiscal year. Because of particular circumstances, department heads may find it necessary to request authorization to hire supplemental personnel. This policy sets forth the procedure for making such requests.

B. Position Request Form.

Requests for supplemental personnel must be accompanied by a completed position request form (see Attachment 1). It is strongly advised that the General Accounting Office be consulted to assure accurate financial estimates. Incomplete or inaccurate forms will not be processed.

The position request form will require the requested position to be classified as a permanent, temporary or intern position.

1. Permanent positions are those that are expected to remain within the employment structure.
2. Temporary positions are typically short-term in nature, usually less than 90 days. Temporary staff may be employed to replace a full or part-time employee during a leave of absence, upon approval of the Board. When so authorized, a temporary position may be established for work during special employment periods.
3. Intern positions are usually short-term, but may be filled for any approved period. These positions are filled by college students studying in a related field. Compensation for interns may include payment of college credits.

C. Review Procedure.

Requests for supplemental personnel will be reviewed by the County Administrator, who will make a recommendation to the Human Resources and Operations Committee (HROC) to approve or deny the request. The results of the HROC meeting will be forwarded to the Finance and Appropriations Committee (FAC) for review and recommendation. The FAC and HROC recommendations will be considered by the Board of Commissioners for final action.

Attachment (1) - Position Request Form

Fund / Department Number _____

Position Title:_____This is ☐ a new position ☐ an existing position

Classification: ☐ Permanent Position ☐ Temporary Position ☐ Intern Position

General Information

A. If the request is for an existing position, please specify which collective bargaining agreement pertains:

_____

B. If the requested position does not have an approved position description, please attach a description of anticipated duties. Also, please complete and attach a Position Description Classification Worksheet.

C. Estimated number of hours per week and duration of temporary help:

_____hours per week for_____weeks beginning on _____

D. Estimated annual salary or wage ..... $_____

E. Estimated annual fringe benefit cost ..... $_____

F. Estimated cost of equipment needed in conjunction with the position (please provide an itemized list of necessary equipment) ..... $_____

G. Funding source ..... _____

H. On a separate sheet, briefly explain why the position is being requested. If the position is needed because of an increased workload, please provide supporting documentation. Also explain how this position will impact departmental workload.

Signature_____Date_____

Printed Name_____ Title _____

Please return this completed form and all supplemental material to the Administration office.

B-16.0 RESERVED

B-17.0 Code of Ethics

County Board Approval: May 15, 1996

A. General.

1. Where government is based on the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his or her government. The public judges its County government by the way County employees and elected officials conduct themselves in the performance of their respective duties and in the conduct of the County's business.

2. Devotion to the public trust is an essential part of the obligation of public service. County employees, appointed officials and elected officials are the managers of an important branch of our system of government in which the people must be able to place their absolute trust for the preservation of their collective welfare.

3. The proper operation of democratic government requires that County employees and appointed officials be independent, impartial and responsive to the citizenry of the County. Likewise, the proper operation of democratic government requires that elected officials be independent and responsive to their constituency and to the County as a whole. All County employees, appointed and elected officials must studiously avoid all situations where prejudice, bias and/or opportunity for personal gain could influence their work or their decisions. Further, even the appearance of improper conduct must be avoided so as not to taint the public trust.

4. The purpose of this Code of Ethics is to provide each County employee, appointed official and elected official with a baseline representation of the standards of behavior expected of them in the performance of their public responsibilities and to provide the citizens of the County with a standard by which they may measure the faithful execution of this public responsibility.

B. Application.

1. The standards of ethical conduct set forth in this Code of Ethics shall be applicable without exception to all County employees, appointed officials and elected officials. Nothing in this Code shall be interpreted as denying any person serving in a County position his/her rights under the law and in every proceeding regarding these standards, fundamental due process shall be followed. Similarly, nothing herein shall be construed so as to authorize a violation of State law and, to this end, in the event of a conflict between State law and this Code, the provisions of State law shall control.

2. Employees and officials must faithfully discharge their duties to the best of their ability without regard to race, age, creed, sex, national origin or political belief. The public interest must be the primary concern of all County employees, appointed officials and elected officials and their conduct in both official and private affairs should be above reproach.

3. An employee, appointed or elected official may express his or her personal views with respect to public issues, however, and except as otherwise authorized, they shall not, by use of their position, represent personal opinions as those of their department, agency or the County.

4. Public trust imposes on County employees, appointed and elected officials the necessity to pledge themselves to the proper use of manpower, property and funds entrusted to their care and to exercise economy and efficiency in the performance of duty.

C. <u>Ethics and Conflict of Interest.</u>

1. Confidential Information.

   a. Confidential information is defined as that information which, if divulged improperly, may have a deleterious effect on the conduct of the County's affairs or which may provide a singular advantage to one entity over another entity if not properly safeguarded and/or released to all entities equally.

2. County employees, appointed officials and elected officials shall not divulge any confidential information to any unauthorized person or release such information in advance of the time prescribed for its authorized release. Further, County employees, appointed and elected officials shall not engage, directly or indirectly, in any personal business transactions or private arrangements for personal profit which accrue from or are based upon their official position or authority, or upon confidential information which they have gained by reason of such position or authority.

3. Gifts and Favors.

   a. County employees, appointed and elected officials shall not, directly or indirectly, solicit, accept or agree to accept any gift of money or goods, loans or services or other preferred arrangements for personal benefit under circumstances which would influence the performance of their duties. An exception to this policy: County employees, appointed and elected officials may reasonably accept “deminimis” items such as lunch, Christmas baskets, etc., when they are offered and accepted in the spirit intended (i.e.: working luncheon to conduct business or recognition of a holiday season, etc.). The dollar value of these items should not reasonably exceed a value of $15.00.

4. A County employee, appointed official or an elected official shall not grant, cause to be granted or make available to any person or organization any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

5. <u>Representation of Private Interests</u>. A County employee or an appointed official shall not represent or act as an agent for any private interest, whether for compensation or not, in any transaction in which the County has an interest. An elected official shall not represent or act as an agent for any private interest, whether for compensation or not, in any transaction in which the County has any direct and substantial interest and which could reasonably be expected to result in a conflict between the private interests of the official and his official County responsibilities. In addition, there shall be no attempt to influence any proceeding between private interests and the County in which law or agency regulation requires that a decision be made solely on the record of formal hearing.

6. <u>Supplementary Employment</u>. A County employee, appointed or elected official shall not engage in or accept private employment or render services for private interest when such employment or service is incompatible or in conflict with the proper discharge of their official duties or would tend to impair their independence of judgement or action in the performance of their official duties.

7. <u>Investments in Conflict with Public Responsibilities</u>: A County employee, appointed or elected official who participates in the negotiations of contracts, the making of loans, the

granting of subsidies, the fixing of rates or the issuance of valuable permits or certificates to any business or private entity shall not have, directly or indirectly, any financial or personal interest in the business or personal entity.

D. <u>Enforcement.</u>

1. Any County employee or appointed official who violates the provisions of this section shall be subject to disciplinary action (up to and including termination) or, as the case may be, subject to charges of violation of applicable statute(s).

2. Any elected official who violates the provisions of this section may be subject to recall by the voters and, as the case may be, subjects to charges of violation of applicable statute(s).

B-18.0 Employee Performance Appraisal and Counseling System

County Board Approval: July 17, 1996; Amended: December 5, 2001

A. General.

Each County employee will receive an annual performance appraisal as set forth in this section.

B. Purpose.

The purpose of the County work performance appraisal and counseling system is to provide a documentary record of the employee's performance in his/her assigned job in order to:

1. Recognize employees who consistently demonstrate outstanding performance (see Policy B-13.0, "Employee Recognition").
2. Fully document substandard performance as a basis for job counseling leading to improved performance, or, alternatively, leading to dismissal.
3. Provide a basis for an employee counseling program geared toward highlighting an employee's strengths and establishing a means for employee improvement.

C. Procedure.

1. Definitions. For the purposes of this section, the following terms are defined:
   a. Senior Performance Rater (SPR). Nominally the Department Head or Elected Official who is in charge of the Department to which the employee is assigned.
2. Performance Rater (PR). Nominally the immediate supervisor of the employee.
3. Regular Performance Appraisal. The annual performance appraisal scheduled by this Section for the month of the employee's anniversary date.
4. Probationary or Special Performance Appraisal. A probationary performance appraisal at the employee's six-month anniversary or a performance appraisal that may be submitted at any time by the PR or SPR to document exceptionally outstanding or substandard performance on the part of a County employee.
5. The following listed Attachments to this section are provided to enable an effective and meaningful system of counseling and job performance appraisal to be provided for each County employee:
   a. Attachment (1) - Delineation of Performance Rater and Senior Performance Rater Responsibilities by County Position.
6. Attachment (2) - Employee Performance Appraisal Input Form.
7. Attachment (3) - Employee Performance Appraisal Form.
8. Attachment (4) - Supervisor's Checklist and Guide to Effective Counseling and Performance Appraisal.
9. Attachment (5) - Employee Counseling Form.
10. Attachment (6) - Administrator Evaluation Form
11. Regular Performance Appraisal. Each County employee will receive a regular performance appraisal annually in the month of the employee's anniversary date:
    a. Performance appraisals, using Attachments (1) through (3) as the basis, will be prepared by the Performance Rater or Senior Performance Rater (as the case may be) using the following guidelines.

1) Attachment (2) to this Section should be provided to each employee who will receive a performance appraisal one month prior to the appraisal period in order to allow each employee the opportunity to bring to the attention of the PR/SPR significant accomplishments (such as work related off-duty education, community involvement, etc.) during the appraisal period. Employees shall submit a self-appraisal of their performance (using Attachment (3)) along with a completed Attachment (2) in order to assist the PR or SPR in finalizing the written performance appraisal.

2) Performance appraisals are to be prepared on each employee by the PR or SPR by the end of the month of the employee's anniversary date utilizing Attachment (3) to this Section.

   a) Performance Appraisals should be typed or neatly handwritten in ink.

   b) Known abbreviations are authorized and encouraged in order that maximum use may be made of the space provided on the form itself.

3) Performance traits.

   The following performance traits will be evaluated for each employee.

   a) Professional knowledge. How well prepared is the employee to perform his/her job?

   b) Quality of work. What is the caliber of the employee's work output?

   c) Human relations. How well does the employee meet ethical, Equal Opportunity (EO), sexual harassment standards and demonstrate respect for human worth?

   d) Character. How well does the employee demonstrate adaptability to changing circumstances? What kind of attitudes does the employee exhibit in the workplace? How well does he/she utilize his/her judgement?

   e) Responsibility. What are the employee's levels of initiative and reliability?

   f) Teamwork. How well does the employee work in a team environment?

   g) Leadership. What is the employee's level of motivation, communications ability and organizational ability?

4) Performance grades.

   Attachment (3) contains a grading scale (from 1.0 to 5.0) for each of the above traits.

   a) 1.0 equates to an employee who is below standards and making no progress to achieve standards.

   b) 2.0 equates to an employee who is below standards and making progress to achieve standards.

   c) 3.0 equates to an employee who has achieved standards.

d) 4.0 equates to an employee who exceeds most standards.

e) 5.0 equates to an employee who greatly exceeds all standards.

f) Note: Grades of 1.0 or 5.0 will require specific justification comments in paragraph 2 of Attachment (3) to this Section.

12. When the performance appraisal has been completed, the SPR will schedule a formal counseling session with each employee under his/her cognizance to review this performance appraisal. In those cases where a PR has prepared the performance appraisal, the SPR is encouraged to include the PR in the counseling process, however, attendance by the PR at the counseling session is at the discretion of the SPR.

    1) Attachment (4) to this Section is provided as a guideline for conducting the performance appraisal counseling session.

    2) At the conclusion of the counseling session, the employee will be required to sign the performance appraisal acknowledging <u>only</u> that he/she has seen the performance appraisal. Note: It is important to understand that employee signature action on this document <u>does not</u> mean that the employee concurs with the evaluation, merely that the employee has been made aware of it and that the employee acknowledges his/her right to make a written statement to accompany the evaluation.

    3) Attachment (5) is to be utilized by the SPR as a record of the performance appraisal counseling session and will be retained in the his/her personnel files as a record of the counseling session.

13. In the event that the employee does not concur with any aspect of the written performance appraisal, the employee may elect to submit a statement in writing to accompany the performance appraisal. This statement must.

    1) Be dated and signed by the employee.

    2) Confine itself to facts as related to the area(s) of disagreement

    3) Contain no accusatory or inflammatory language.

    4) Be submitted to the Senior Performance Rater not later than 5 working days from the date of the counseling session.

14. When an employee provides a written statement to be included with his/her performance appraisal, the PR and SPR are required to provide additional comments addressing each point that the employee raises. Then the entire package (performance appraisal, employee comments, PR comments and SPR comments) will be forwarded as outlined below.

15. Performance appraisal reviewing authority and record keeping.

    1) Completed performance appraisals (along with any written statements) are to be forwarded by the SPR to the Administrator's office not later than the last working day of the anniversary month for each employee.

    2) Performance appraisals will be filed in the permanent personnel record of the employee after having been reviewed and initialed by the County Administrator.

    3) Where the employee has submitted a written statement to accompany his/her performance appraisal, the Administrator will hold a meeting with the employee, the PR and SPR to ensure that all concerned are

aware of the particulars of the performance appraisal and attached statements and that, if required, a plan for follow-up remediation and/or counseling is established.

16. Probationary or Special Performance Appraisal.

A PR or SPR who wishes to document the completion of the probationary period or exceptionally outstanding or substandard performance on the part of an employee may submit a special performance appraisal. Submission guidelines and requirements for a probationary or special appraisal are the same as those outlined above for a regular performance appraisal except for the following:

a. Period Covered. Dates will reflect the first six months of employment or the period since the last performance appraisal to the date of the special appraisal.

17. The first line of the text in block 1 shall read:

18. "THIS PERFORMANCE APPRAISAL IS SUBMITTED AS A (PROBATIONARY) SPECIAL PERFORMANCE APPRAISAL FOR THE PURPOSE OF DOCUMENTING

19. _____." (Note: choose one of the following to fill in this blank: Probationary period, outstanding performance or substandard performance.)

20. Block 1 or 2 must contain a specific description of the employee's performance (probationary, outstanding or substandard) for which the special performance appraisal has been written.

21. Disposition of Performance Appraisals: On completion of the appraisal process:

a. The original, signed performance appraisal along with any attached statements will be forwarded to the Administrator’s office for final review and filing.

22. A copy of the signed appraisal along with copies of any attached statements and the employee's original input sheet will be returned to the employee for the employee's personal files.

23. Performance Counseling.

Although the performance appraisal system outlined in this Section is geared toward annual accomplishment of performance appraisal and counseling functions, nothing precludes a supervisor from using the guidelines contained herein on a more frequent basis to counsel employees as to their strengths and weaknesses.

24. Administrator Evaluation.

The Board shall perform a six-month probationary evaluation of the Administrator using Attachment (6) to this policy. After that, an annual evaluation will be performed on the anniversary hire date. Each member of the Board shall evaluate the Administrator and deliver the evaluation to the Board Chair, in accordance with the format and procedures provided in attachment (6) to this policy.

Attachment (1) - Delineation of Performance Rater and Senior Performance Rater Responsibilities for County Personnel Performance Appraisals

1. Note: Work group categories are taken from the Employee Classification Plan in another section of this *Manual*.

2. Summary of assignments.

County Position	Performance Rater	Senior Performance Rater
<u>Category B</u>. Full-time non-elected Department Heads.		
County Administrator	None	Board of Commissioners (signed by Board Chair)
Circuit Court Administrator	None	Circuit Court Judge
Civic Center Business Manager	None	County Administrator
Community Corrections Coordinator	None	Circuit Court Judge
Director of Equalization	None	County Administrator
Director of Planning/Zoning	None	County Administrator
Director of Dept. Of Public Works	None	County Administrator & BPW Chair
District Court Administrator	None	District Court Judge
District Court Magistrate	None	District Court Judge
Friend of Court	None	Circuit Court Judge
GAO Supervisor	None	County Clerk
Maintenance Supervisor	None	County Administrator
Undersheriff	None	Sheriff
<u>Category C</u>. Full-time <u>non</u>-elected non-Department Heads.		
Building Inspector	Dir. of Planning/Zoning	County Administrator
Circuit Court Reporter	None	Circuit Court Judge
Circuit Court Family Counselor	None	Circuit Court Judge
Community Corrections Assistant	Comm. Corr. Coord.	Circuit Court Judge
Deputy Friend of Court	None	Friend of Court
District Court Probation Officer	None	District Court Judge
Electrical Inspector	Dir. of Planning/Zoning	County Administrator
FOC Mediator/Investigator	Deputy Friend of Court	Friend of Court
Juvenile Court Administrator	None	Probate Court Judge
Plumbing/Mechanical Inspector	Dir. of Planning/Zoning	County Administrator
Probate Court Administrator	None	Probate Court Judge
Probate Court Juv. Probation Officer	None	Probate Court Judge
Probate Court Dep. Probation Officer	Probate Court Juvenile Probation Officer	Probate Court Judge

County Position	Performance Rater	Senior Performance Rater
Category D. Full-time Sheriff Lieutenants under COAM contract.		
Jail Administrator Lieutenant	Undersheriff	Sheriff
Department Administrative Lieutenant	Undersheriff	Sheriff
Department Detective Lieutenant	Undersheriff	Sheriff
Category E. Full-time, non-Union hourly employees.		
Circuit Court Mediation Clerk	Circuit Court Administrator	Circuit Court Judge
Probate Court Bookkeeper	Probate Court Administrator	Probate Court Judge
Senior Assistant to Administrator	None	County Administrator
Assistant to Administrator	Senior Assistant	County Administrator
Category F. Full-time hourly employees, TPOAM contract.		
District Court Recorder	None	District Court Judge
District Court Bookkeeper	District Court Administrator	District Court Judge
District Court Deputy Clerk	District Court Administrator	District Court Judge
Friend of the Court Support Invest.	Deputy Friend of the Court	Friend of the Court
Friend of the Court Bookkeeper	Deputy Friend of the Court	Friend of the Court
Friend of the Court Account Clerk	Deputy Friend of the Court	Friend of the Court
Friend of the Court Department Aide	Deputy Friend of the Court	Friend of the Court
Friend of the Court Clerk/Asst. Book.	Deputy Friend of the Court	Friend of the Court
General Accounting Ofc. Acct. Clerk	GAO Supervisor	County Clerk
Chief Deputy County Clerk	County Clerk	County Clerk
Deputy County Clerk	County Clerk	County Clerk
Deputy Equalization Director	Director of Equalization	County Administrator
Equalization Department Secretary	Director of Equalization	County Administrator
Prosecutor Support Investigator	None	Prosecutor
Deputy Register of Deeds	None	Register of Deeds
Chief Deputy Treasurer	None	Treasurer
Deputy Treasurer	Chief Deputy Treasurer	Treasurer
MSU Extension Office Manager	MSU Extension Director	County Administrator
MSU Extension Clerk/Typist	MSU Extension Director	County Administrator
Operations Supervisor, Civic Center	County Administrator	County Administrator
Sr. Maintenance Worker Courthouse	Maintenance Supervisor	County Administrator
Sr. Maintenance Worker Civic Arena	Arena Manager	County Administrator
GIS Operator/asst Planner	Dir. of Planning/Zoning	County Administrator
Building/Zoning Administrator	Dir. of Planning/Zoning	County Administrator
Night Shift Supervisor - Civic Center	Business Mgr., Civic Center	County Administrator
Category G. Full-time hourly Sheriff's employees, POAM contract.		
Detective Sergeant	Detective Lieutenant	Sheriff
Deputy Sergeant	Administrative Lieutenant	Sheriff
Sheriff's Deputy	Deputy Sergeant	Sheriff
Department Secretary	Administrative Lieutenant	Sheriff
Dispatcher Sergeant	Undersheriff	Sheriff
Dispatcher	Dispatcher Sergeant	Sheriff
Corrections Supervisor	Jail Lieutenant	Sheriff
Corrections Officer	Corrections Supervisor	Sheriff
Department Assistant	Administrative Lieutenant	Sheriff
Cook	Jail Lieutenant	Sheriff
Animal Control	Administrative Lieutenant	Sheriff

County Position	Performance Rater	Senior Performance Rater

Category H. Part-time non-elected Department Heads.

Director of Emergency Management	None	County Administrator
Building Inspector	Director of Planning/Zoning	County Administrator

Category I. Part-time hourly employees.

Deputy District Court Clerk	District Court Administrator	District Court Judge
Friend of the Court Department Aide	Deputy Friend of the Court	Friend of Court
Probate/Parole Department Aides	Deputy Probation/Parole	Probation/Parole
Deputy County Clerk	County Clerk	County Clerk
Comm. Corrections Department Aide	Comm. Corr. Assn't	Comm. Corr. Coord.
Comm. Corrections Prison Transport	Comm. Corrections Assistant	Comm. Corr. Coord.
Deputy Emergency Mgmt. Coord.	Dir. of Emergency Mgmt.	County Administ'r
Treasurer's Office Accountant	Chief Deputy Treasurer	Treasurer
Assistant Prosecutor	None	Prosecutor

Category J. Part-time hourly employees in the Sheriff's Department, POAM contract.

Dispatcher	Undersheriff	Sheriff
Marine Patrol	Administrative Lieutenant	Sheriff
Cook	Administrative Lieutenant	Sheriff
Animal Shelter Attendant	Administrative Lieutenant	Sheriff

Attachment (2) - Employee Performance Appraisal Input Form

Date: _____

To: _____
(Performance Rater or Senior Performance Rater)

From: _____
(Employee)

Subject: Performance Appraisal Input for the Period_____to_____.

1. Under the provisions of Policy B-18.0, I request that the following accomplishments be considered for inclusion in my annual performance appraisal.

   a. _____

   _____

   b. _____

   _____

   c. _____

   _____

   d. _____

   _____

   e. _____

   _____

   f. _____

   _____

_____
(signature)

Please attach additional sheets as necessary.

Attachment (3) - Employee Performance Appraisal Form

Name _____ Date: _____

Department _____ Position: _____

Period Covered: From_____To_____

Length of County Service:_____years,_____months

* Grades of 1.0 and 5.0 require justification comments in paragraph two (2) of the following page.

Professional Knowledge: Related to job, practical application

	Check One
Below Standards (1.0*) • Lacks basic knowledge to perform effectively. • Cannot apply basic skills. • Cannot perform routine work or solve routine problems. • Fails to meet minimum requirements	☐ 1.0*
	☐ 2.0
Meets Standards (3.0) • Strong working knowledge of job. • Reliably applies knowledge/skills to accomplish work. • Competently performs routine and new tasks. • Meets minimum requirements routinely	☐ 3.0
	☐ 4.0
Exceeds Standards (5.0*) • Recognized expert sought out by all for technical knowledge. • Exceptionally skilled; develops and implements innovative ideas. • Greatly exceeds minimum requirements.	☐ 5.0*

Quality of Work: Standard of work, value of end product

	Check One
Below Standards (1.0*) • Needs excessive supervision. • Work output requires continuous rework. • Wasteful of resources	☐ 1.0*
	☐ 2.0
Meets Standards (3.0) • Needs little supervision. • Produces quality work with few errors. • Uses resources effectively.	☐ 3.0
	☐ 4.0
Exceeds Standards (5.0*) • Needs no supervision. • Always produces exceptional work; no rework required. • Maximizes the use of resources.	☐ 5.0*

Human Relations: Ethics, equal opportunity, sexual harassment, fairness; respect for human worth

Below Standards (1.0*) **Check One**

- Displays unethical behavior.
- Tolerates bias, unfairness or harassment of fellow workers.
- Lacks respect for Equal Opportunity objectives.
- Disregards the rights of others.

☐ 1.0*

☐ 2.0

Meets Standards (3.0)

- Meets ethical requirements.
- Always treats others with fairness and respect.
- Does not condone bias or harassment of fellow workers.
- Understands and supports Equal Opportunity objectives.
- Respects others' rights.

☐ 3.0

☐ 4.0

Exceeds Standards (5.0*)

- Is an ethical role model.
- Greatly admired for fairness and human respect.
- Pro-active Equal Opportunity leader;
- Achieves concrete Equal Opportunity objectives.
- Leader and model contributor to goals.

☐ 5.0*

Character: Adaptability, attitude, judgment

Below Standards (1.0*) **Check One**

- Displays poor self-control.
- Abrasive demeanor and/or conduct.
- Consistently exhibits poor judgement

☐ 1.0*

☐ 2.0

Meets Standards (3.0)

- Displays excellent self-control.
- Excellent demeanor and conduct.
- Exhibits excellent judgement.
- Forthright and honest

☐ 3.0

☐ 4.0

Exceeds Standards (5.0*)

- Displays excellent self-control.
- Excellent demeanor and conduct.
- Exhibits excellent judgement.

☐ 5.0*

Responsibility: Initiative, reliability, punctuality

	Check One	
Below Standards (1.0*) • Constant prodding required to finish work. • Cannot be relied upon. • Frequently tardy.	☐	1.0*
Meets Standards (3.0) • Productive and motivated. • Plans and prioritizes work effectively. • Completes work on time. • Always on time.	☐	2.0
	☐	3.0
	☐	4.0
Exceeds Standards (5.0*) • Energetic self-starter; • Completes work early and at a far higher quality than expected. • Plans and prioritizes wisely with exceptional foresight.	☐	5.0*

Teamwork: Consensus, Goal-oriented, deadline management

	Check One	
Below Standards (1.0*) • Creates conflict, unwilling to work with others, puts self above the team. • Fails to understand team goals. • Seldom completes work on time.	☐	1.0*
Meets Standards (3.0) • Reinforces others efforts. • Understands goals, employs good teamwork techniques. • Meets commitments to the team.	☐	2.0
	☐	3.0
Exceeds Standards (5.0*) • Team builder; Inspires cooperation and progress. • Defines goals and focuses effort toward them. • The best at accepting and offering team direction.	☐	4.0
	☐	5.0*

Leadership: Communications skills, motivation skills, potential

	Check One	
Below Standards (1.0*) • Seldom take initiative; Cannot plan or prioritize. • Unable to communicate; Fails to get job done. • Little potential for additional responsibility	☐	1.0*
Meets Standards (3.0) • Effective motivator; Organizes effectively. • Set/achieves useful and realistic goals. • Communicates clearly; Solves problems reliably as they occur	☐	2.0
	☐	3.0
Exceeds Standards (5.0*) • Inspiring motivator. • Superb organizer with great foresight. • Gets ahead of problems. • Leadership significantly furthers the achievement of organizational goals. • Exceptional communicator.	☐	4.0
	☐	5.0*

1. Summary of performance this appraisal period. *(Note: Justification comments for grades of 1.0 and 5.0 are to be entered in section 2 below.)*

---

2. Justification comments for grades of 1.0 or 5.0.

3. Performance weaknesses noted during this appraisal period.

---

4. Qualifications and achievements by the employee during this appraisal period.

5. Signatures Date:

Employee: _____ _____

(Note: The signature of the employee being evaluated represents only his/her acknowledgment of the completed appraisal; it does not constitute agreement with the content of the appraisal.)

Performance Rater: _____ _____

Sr. Performance Rater: _____ _____

Reviewing Authority: _____ _____

Statement desired (employee initials required) Yes:_____ No: _____

(Note. If a statement is desired, submission date is within 5 working days of the signature date above.)

Attachment (4) - Supervisor's Checklist and Guide to Effective Counseling and Performance Appraisal

A. General.

1. It is a duty of every supervisor to counsel his/her employees so that they understand their strengths and weaknesses and know what they can do to become more effective in their work.
2. Because the County has not here-to-fore utilized performance appraisal or counseling system, listed in this attachment are several points to consider in planning a successful counseling session.

B. Pre-Counseling.

1. Re-examine your own actions as a supervisor.
   a. Was the employee thoroughly advised of what was expected of him/her?
2. Were the employee's work instructions always clear and was he/she provided with adequate training or orientation to perform the job tasks successfully?
3. Are you certain that there were no misunderstandings or misconceptions between you and the employee as to the specific job tasks and requirements?
4. Do you have all of the necessary personal data about the employee (full name, job title, job classification, length of service with the County, length of time in your department, prior performance appraisals, absenteeism record, education and training records)?
5. Identify the employee's strengths and weakness in your own words. What favorable comments can you make to the employee?
6. Investigate, determine and evaluate the facts of the employee's job performance during the evaluation period.
   a. Human behavior is goal oriented. Was the employee aware of organizational goals?
7. Evaluate the employee's job performance from the employee's viewpoint as it relates to the accomplishment of goals.
8. What is the objective of your performance appraisal and counseling session? Plan your discussion with the employee. Determine in advance exactly what you hope to accomplish with the performance appraisal and associated counseling session.
9. If you have identified work related problems with the employee, what are they? What do you hope to change in the employee's behavior, attitude, job skill level or actions that will correct these problems?
10. An employee who is at ease will be more responsive to constructive criticism.
    a. How will you put this employee at ease as you begin the discussion regarding his/her performance appraisal?
11. How will you lead into the main topic(s) of your performance appraisal without putting the employee on the defensive?
12. Performance appraisal review/counseling sessions should not, as a rule, last more than an hour.
    a. Is one performance appraisal counseling session enough or will you require others?

13. Generally, several sessions covering one or two specifics per session are more effective than one long session in which you try to cover multiple points.)

14. Select an appropriate setting and allow for sufficient, uninterrupted time for your meeting. Privacy is a must for setting the proper atmosphere for meaningful appraisal and counseling. Likewise, the time and day should be mutually convenient for both the performance appraiser and the employee.

15. Plan ahead for a graceful means to end the counseling session should the employee become emotional, defensive, distraught or uncommunicative. While all counseling sessions should be targeted on a successful outcome, you should not enter into a session without a measure of preparation should it appear to have an unsuccessful outcome.

16. Are you prepared to allow the employee the opportunity to talk? Can you help him/her open up and talk frankly to you? Can you keep the employee talking once he/she starts? If you answered “no” to one of these questions, the following may help.

    a. Avoid “yes” or “no” types of questions at first. Ask the employee to respond to questions that are situational or require facts in their answers, then ask for an explanation of those facts.

17. When the employee is talking freely, avoid asking additional questions that are not absolutely necessary. Interruptions will change the direction of the employee's thought train or may cause the employee to lose the train of thought completely.

18. Too many questions may also cause the employee to feel that he/she is being interrogated or cross-examined. This will cause the employee to erect barriers which will impede your attempts to develop communications with him/her.

19. Employ brief, neutral replies to keep the discussion moving. Most times, facial expressions and nods of the head are all that is needed to keep the discussion on track.

20. When the employee stops talking without completely expressing his/her thoughts or feelings, repeating the employee’s last remark or rephrasing the last remark in the form of a question, followed by a pause, often works to get the conversation rolling again.

21. Don’t be afraid of silence as it is a useful tool in getting an employee to open up a little more on a particular subject.

C. <u>Counseling.</u>

1. Do not begin your discussion unless you are calm and can bring forward the highlights of your performance evaluation in a logical order and unemotional manner.

2. Always open each counseling session on a positive note.

    a. Start with a general summary of the highlights of the employee's performance.

3. Emphasize the positive aspects of his/her performance then move into any areas where the employee could improve.

4. Remember, generally speaking, in the work environment, every employee:

    1) Wants to be recognized as part of the team.

    2) Wants to be recognized for contributing to the team effort.

    3) Wants to know that his/her contributions to the team effort are important.

5. The performance appraisal counseling session should have been scheduled in advance as a performance appraisal counseling session. Therefore, there should be no reason to

announce the purpose of the meeting at the onset as this kind of statement often has a negative impact by precipitating defensiveness on the part of the employee.

6. For a performance appraisal and counseling session to be meaningful, the must be a level of trust between the employee and the performance appraiser. When commenting on the employee's performance, both positive and negative aspects of the employee's work performance must be presented in a positive light.

7. Counseling is a give and take learning situation. For a counseling session to be effective, the counselor should do only about 20% of the talking, leaving the employee to about 80%. After you have presented your assessment of the employee's performance in positive terms, let the employee do most of the talking. Consider and discuss with the employee the areas that you have outlined for improvement in relation to the following "environmental factors."

   a. Working conditions.

8. Office layout.

9. Adequate equipment and supplies.

10. Systems, methods or procedures.

11. Relationships with other employees.

12. Work load or pace.

13. Deadline requirements.

14. Supervisory practices.

15. Office information flow.

16. Additional education or training requirements.

17. Conditions outside the work place.

18. As you discuss the above factors in relation to the areas where the employee could improve his/her performance, be prepared to revise your opinion as to the employee's weak areas. In many cases, perceived employee weak areas are in actuality organization weak areas.

19. Do not take notes during a counseling session as it will inhibit information flow and detract from your efforts to put the employee at ease.

20. Do listen to the employee with sincerity, interest and respect. Be patient, the employee must feel that you are interested in hearing his/her opinions and assessments.

21. When discussing an employee's weaknesses or areas requiring improvement, limit your statements to facts known to you. If you make statements that later in the session turn out to be incorrect, admit those mistakes.

22. In every case where weaknesses are discussed, it is important to show the employee how his/her deficiencies detract from the organizational progress toward goals. When discussing weaknesses or areas for improvement, it is important that they be stated clearly and concisely one time and then the discussion should move to a review of alternative solutions to improve in those areas.

23. In working out a corrective plan, make sure that the plan emphasizes and takes advantage of the employee's strengths.

24. If outside professional assistance (such as clergy, substance abuse counseling, legal advice, etc.) is required, the employee should be the one to seek out and arrange that assistance. The supervisor can help identify the need for such outside assistance, but should not be involved in making arrangements for such assistance simply because referrals of this type are normally well outside the scope of the supervisor's authority, responsibility and competence.

25. Near the end of the counseling session, you should summarize the high points of the discussion and any agreements that have been made between you and the employee.

26. The counseling session should be concluded on a friendly and positive note. It is important to make sure that the employee understands that his/her supervisor is there to support the employee and otherwise help him/her to be successful on the job.

27. Make sure that the counseling session does not run over the allotted time.

D. <u>Post-Counseling.</u>

1. Evaluate the results of the counseling session.

   a. How did the employee react to the appraisal of his/her performance?

2. Were weaknesses discussed and was a plan for improvement of those areas discussed and agreed upon?

3. Summarize results of the performance appraisal counseling session utilizing Attachment (5) to this Section and retain this working record in Departmental files.

4. Note: Attachment (5) to this Section can and should be utilized to document performance counseling provided at any time to an employee regarding unacceptable or substandard performance and/or behavior as it is incumbent upon a supervisor to maintain such records. The supervisor should also ensure that no permanent record of such counseling exists if:

   a. The unacceptable performance and/or behavior is corrected by the employee within a reasonable period of time (to be determined by the supervisor), and.

5. If acceptable performance and/or behavior is demonstrated by the employee for a period of at least 6 months after counseling was first initiated.

Attachment (5) - Employee Performance Appraisal Counseling Session Summary Sheet

Name: _____ **Date:** _____

Department:_____ **Performance Appraisal Period:** _____ **to** _____

Performance Rater: _____

Senior Performance Rater: _____

Administrative Actions	
1. Was the performance appraisal read by employee?	Y N (circle one)
2. Were job performance or behavior areas requiring improvement discussed?	Y N (circle one)
3. Employee desires to make a written statement?	Y N (circle one)

Appraisal Actions

1. The goal of this Performance Appraisal Counseling was: _____

   _____

2. Employee strengths discussed were: _____

   _____

   _____

3. Employee weaknesses discussed were: _____

   _____

   _____

4. Employee's recommendations to improve weak areas: _____

   _____

   _____

5. Counselor's recommendation to improve weak areas: _____

_____

_____

6. Solution(s) agreed upon: _____

_____

_____

7. Follow-up appraisal date: _____

_____

_____

8. Miscellaneous comments: _____

_____

_____

_____

_____

Counseled by: _____Counseling date: _____

Attachment (6) - Administrator Evaluation

Adopted: December 5, 2001

PURPOSE

A performance appraisal is a critical look at what the chief executive officer has accomplished during a given time. It is also a communication and learning process whereby the County Commission and the Administrator can learn more about what these two expect from each other and where there are strengths and weaknesses in the Administrator's performance as well as the relationship.

FORM/FORMAT

This evaluation form consists of several categories for which the Administrator has responsibility and authority. A five-point scale is provided in order to apply a numerical score or grade to each category. A score of 1 would be unsatisfactory while a score of 5 would be considered outstanding:

1 = UNSATISFACTORY
2 = NEEDS IMPROVEMENT
3 = ACCEPTABLE
4 = ABOVE AVERAGE
5 = OUTSTANDING
NA = NOT APPLICABLE

Following the evaluation, the Administrator and Executive Committee should work together to develop goals and objectives to provide a framework for the next evaluation. _____

_____

COUNTY COMMISSIONER RELATIONS

	1 - 5 Scale
•Maintains effective communications, both verbal and written.	_____
•Maintains availability to Commissioners.	_____
•Prepares clear, concise and comprehensive materials for presentations to the Commission.	_____
•Listens objectively to input from Commission.	_____

Comments:

_____

_____

ORGANIZATIONAL MANAGEMENT

	Score 1 - 5
•Plans and organizes the work that goes into providing services established by the Commission.	_____
•Carries out and enforces policies adopted by Commission	_____
•Plans and organizes responses to public requests and complaints.	_____
•Effective in selecting, leading, directing and developing staff members.	_____

Comments:

_____

_____

FISCAL MANAGEMENT

	Score 1 - 5
•Prepares an annual budget with documentation that conforms to state and local guidelines.	_____
•Administers the adopted budget within approved revenues and expenditures.	_____
•Evaluates the utilization of manpower, materials and machinery, for the most effective and efficient operations.	_____
•Submits reports to Commission that provides up to date data concerning expenditures and revenues.	_____
•Accepts input from Commissioners.	_____

Comments:

_____

_____

INTERGOVERNMENTAL RELATIONS

	Score 1 - 5
•Maintains awareness of developments and plans in other jurisdictions which may affect County business.	_____
•Maintains communications with governmental jurisdictions with which the County is involved or interfaces.	_____
•Establishes and maintains effective, professional working relationship with other elected officials within the County.	_____
•Establishes effective communication links with the necessary State and/or Federal officials.	_____

Comments:

_____

_____

PUBLIC RELATIONS

	Score 1 - 5
•Maintains a high level of contact with the public and successfully meets their needs within available resources.	_____
•Ensures that an attitude and feeling of helpfulness, courtesy, and sensitivity to the public exists with employees.	_____
•Establishes and maintains an image of the County to the Community that represents service, vitality and professionalism.	_____

Comments:

_____

_____

EMPLOYEE and DEPARTMENT HEAD RELATIONS

	Score 1 - 5
•Plans, organizes and maintains training of employees.	_____
•Maintains contact and professional interaction with all people at all levels of the organization.	_____
•Equitably handles problems of grievances among subordinate employees.	_____
•Plans, organizes and maintains training of department heads and elected officials.	_____

Comments:

_____

_____

Upon completion, each member of the Board is to sign this evaluation and turn in to the Chairman. Results will be discussed with Administrator at Executive Committee meeting upon completion.

_____ _____

Commissioner Signature Date

Completion Form

This form is to be completed once each member of the Board has completed individual evaluations of the Administrator and the evaluation has been discussed with the Administrator at an Executive Committee meeting. Individual Board member evaluations and this form to be filed in the personnel file of Administrator.

GOALS (to include deadlines or time limits)

1.

2.

3.

ADDITIONAL COMMENTS BY COMMITTEE

SIGNATURES

_____
Chairperson

_____
Committee Member

_____
Committee Member

_____ _____
Committee Member Date

_____ _____
Administrator Date

The signatures indicated above do not imply agreement with the statements contained on this document or on individual recommendations, but merely acknowledge the process of this evaluation.

B-19.0 Disciplinary Actions

County Board Approval: July 17, 1996; Amendments: April 7, 2004

A. General.

1. The County expects employees to follow the rules, regulations, policies and procedures of the County and its departments at all times. Such guidelines are necessary for the efficient and orderly operation of County business, and, in many cases, for the proper adherence to Federal and State statute. Failure to conform to rules, regulations, policies and procedures most often results in decreased efficiency, a poor working environment, low employee morale and, in some cases, violation of law.
2. The failure of an employee to adhere to established rules, regulations, policies and procedures and/or the commission of misconduct may result in disciplinary action. The decision to impose discipline and the degree of severity of the disciplinary action is a discretionary decision which will be made the employee's supervisor based on the nature of the offense, the employee's work and performance history and other facts and circumstances deemed relevant.
3. A progressive approach to discipline is preferred, however, the County always reserves the right to impose a more severe form of discipline, including immediate discharge, where the situation warrants.
4. Attachments (1) through (9) are included in this Section in order to standardize the application of disciplinary measures:
   a. Attachment (1): Overview of Corrective Discipline.
5. Attachment (2): Supervisory Checklist for Disciplinary Decision Making.
6. Attachment (3): Supervisory Disciplinary Worksheet.
7. Attachment (4): Letter of Caution.
8. Attachment (5): Letter of Instruction.
9. Attachment (6): Letter of Suspension Without Pay.
10. Attachment (7): Letter of Demotion.
11. Attachment (8): Letter of Termination.
12. Attachment (9): Non-Union Employee Letter of Appeal.
13. Please note the definitions of "supervisor" and "immediate supervisor" located in Section B-5.0 of this *Manual*.

B. Disciplinary Policy for Violations of the Health Insurance Portability and Accountability Act (HIPAA)

Purpose: In accordance with 29 CFR 164.530(e)(1), the covered entity is required to apply appropriate sanctions against members of the workforce who fail to comply with the policies and procedures.

Procedure:

1. Upon receipt of a complaint, or a concern by the Privacy Officer, that a violation of the HIPAA rules has occurred, an investigation will be conducted.

2. If it is determined that a member of the covered entity has violated HIPAA, including the improper use or disclosure of protected health information, disciplinary measures up to and including possible termination will be taken.

C. <u>Disciplinary Action Versus Counseling.</u>

1. Another Section of the *Manual* deals with performance appraisal and performance counseling. There is no definitive border between the utilization of performance counseling and the application of disciplinary action as both of these issues are integral parts of personnel management.
2. Generally speaking, the performance appraisal system is used to document employee work performance and should be used in an attempt to correct minor problems affecting the employee's work effort. The disciplinary system should be used in an attempt to correct repeated or more serious aspects of an employee's conduct, behavior and work performance.
3. In the paragraphs that follow, there will be instances where the performance appraisal system will be utilized to document employee conduct, behavior and substandard work performance as a matter of permanent record in the employee's personnel file.

D. <u>Types of Disciplinary Actions.</u>

The disciplinary actions outlined below are displayed in increasing order of severity. When an employee requires correction in the areas of conduct, behavior or work performance in which the supervisor wishes actions to be started, stopped or modified, one of the below disciplinary methods may be utilized in conjunction with Attachments (1) through (3) and either Attachment (4), (5), (6), (7) or (8) as outlined above.

1. Verbal Caution: This is the least severe form of disciplinary action that an immediate supervisor or supervisor may take. This method of discipline consists of:
   a. A private discussion with the employee during which the employee is told about an action, behavior or performance trait that needs to be started, stopped or modified.
2. A follow-up written summary of the Verbal Caution utilizing Attachment (3) to this Section. This completed form will be retained in the Department working personnel file only, not in the employee's official County personnel file.
3. Written Letter of Caution (Attachment (4)):
   a. Drafted and signed by the employee's immediate supervisor.
4. Contains aspects of the employee's conduct, behavior or work performance that need to be started, stopped or modified.
5. A specific time limit for improvement may be included this letter.
6. The employee is required to initial and date a copy of this letter which then will be retained in the Department working personnel file only, not in the employee's official County personnel file.
7. Written Letter of Instruction (Attachment (5)):
8. Drafted and signed by the employee's supervisor.
9. Contains aspects of the employees conduct, behavior or work performance that need to be started, stopped or modified along with specific steps to be taken to achieve these results.
10. A specific time limit for improvement will be included in this letter.

11. The employee is required to sign and date a copy of this letter which will then be retained in the employee's official County personnel file.

12. Suspension without pay.

    a. This is an action that can be taken only by the employee's supervisor (as defined in Policy B-5.0 of this *Manual*) and which involves removal of the employee from employment in the Department and from the County payroll for a specified period of time.

13. Attachment (6) is to be utilized and this completed form will be retained in the employee's official County personnel file.

14. In the case of a suspension without pay, a special performance appraisal will also be prepared to fully document the background and rationale for the suspension. This appraisal will be filed in the employee's official County personnel file.

15. The employee's consent is not required to place the employee on a suspension without pay.

16. The employee will not accrue salary, seniority or vacation and sick leave credits while on suspension without pay nor can these accrued benefits be utilized during a period of suspension without pay. All other benefits remain in effect during the suspension period.

17. At the end of the period of suspension without pay, the employee shall be returned to the payroll in the same department, position and classification from which he/she was suspended.

18. Demotion

    a. This is another action that can be taken only by the employee's supervisor (as defined in Policy B-5.0 of this *Manual*) and which involves reduction of the employee's classification level to a lower classification level.

19. Attachment (7) is to be utilized and this form will be retained in the employee's official County personnel file.

20. In a demotion, the employee's wage or salary must be reduced to fall within the range of the new classification level but at a step level no lower than the employee's current step level except if the lower classification level has fewer steps, in which case the employee will be placed at the highest step in this classification which is at or below his/her present salary/wage level.

21. When the employee's salary or wage level is reduced as a demotion action, the employee's duties and responsibilities also must be reduced commensurately.

22. In the case of a demotion, a special performance appraisal will also be prepared to fully document the background and rationale for the demotion.

23. The employee's consent is not required for a demotion action.

24. Termination.

    a. This is an action that can be taken only by the employee's supervisor (as defined in Policy B-5.0 of this *Manual*) and which involves permanently severing the employment relationship between the employee and the Employer.

25. Attachment (8), or a version of it, is to be utilized and a copy will be filed in the employee's official County personnel record.

26. Termination of a County employee is an action to be taken as a last resort and then only after all other counseling and disciplinary actions have been determined to have failed.

27. Employees who have been terminated should refer to appropriate Sections of this Manual pertaining to payment for unused accumulated vacation leave and sick leave.

28. The office of the County Administrator will be kept apprised of and will facilitate all termination actions in accordance with this Section.

29. Appeal process.

    a. Union employees may utilize the grievance process (as outlined in their contract) to appeal disciplinary actions of a letter of instruction, suspension without pay, demotion and termination utilizing the standard Union grievance form. Normal grievance time factors apply.

30. Non-Union employees may appeal a letter of instruction, suspension without pay, demotion and termination to the standing Board of Commissioners Committee on Human Resources and Operations utilizing Attachment (9) to this Section. For the purposes of conformity, the same time frames as outlined in the USWA contract will be utilized for the non-Union employee appeal process.

Attachment (1) - Overview of Corrective Discipline

A. General.

1. Corrective discipline is the process of imposing a series of disciplinary penalties of increasing severity for repeated violations of rules and regulations which have not been ameliorated by counseling actions.
2. Less severe corrective discipline measures, such as verbal cautions and letters of caution, are most appropriately used when an instance of employee misconduct or substandard work performance is relatively minor in nature (such as tardiness, unexcused absence or sloppy/late work output). More severe disciplinary measures, such as letters of instruction, suspension without pay, demotion and termination, are most appropriately used when an instance of employee misconduct is serious in nature (such as insubordination, intoxication, dishonesty, etc.).
3. Disciplinary measures, to be effective, must be predictable, immediate, appropriate to the offense, applied uniformly, be impersonal in nature and focused on facilitating positive improvement in the employee's performance and in the ability of the organization to accomplish its objectives.

B. Prior to Imposing a Disciplinary Measure.

The supervisor or immediate supervisor should answer the following questions. An answer of "no" may indicate that there is not just cause for the imposition of a disciplinary measure:

1. Was the employee forewarned or did he/she have foreknowledge of the possible or probably disciplinary consequences of his/her conduct, behavior or work performance?
2. Forewarning or foreknowledge may have been given orally or in writing.
3. Certain offenses, such as insubordination, coming to work intoxicated, consuming intoxicating beverages or drugs on the job, dishonesty, theft of property, etc., are so serious that all employees may properly be expected to know (without being forewarned) that such conduct or behavior is not tolerated and is punishable.
4. Was the County's rule or supervisory order reasonably related to both the orderly, efficient and safe operation of the County's business and to the performance that the County might properly expect of the employee?
5. If an employee believes that a rule or order is unreasonable, he/she must nevertheless obey it (in which case a grievance or appeal may be filed) unless he/she sincerely feels that to obey the rule or order would seriously and immediately jeopardize his/her personal health or safety or that the order is unlawful.
6. Did the employee in fact violate or disobey a supervisor's rule or order?
7. An employee has the right to know the offense with which he/she has been charged and also the right to explain his/her conduct, behavior or work performance related to the charge.
8. Normally, an investigation into the charge must be made before a disciplinary decision is made. There may, however, be circumstances under which a supervisor or immediate supervisor must react immediately to the employee's conduct, behavior or work performance. In such cases, the proper action is to suspend the employee pending completion of the investigation with the understanding that:
    a. The final disciplinary decision will be made after the investigation is completed.

9. If the employee is found innocent after the investigation, he/she will be restored fully to his/her job without record of the alleged offense.

10. Was the investigation conducted thoroughly, fairly and objectively?

11. If a supervisor or immediate supervisor is a witness against the employee, it is essential that another person in a higher, detached position of supervision, conduct the investigation and conscientiously attempt to determine the facts and make a recommendation as to the appropriateness of discipline.

12. In some disputes between employee and supervisory personnel, there are no witnesses to the conduct, behavior or work performance in question other than the two immediate participants. In such cases, it is particularly important that the supervisory participant be rigorously and thoroughly questioned so as to leave no doubt as to the fairness, thoroughness and objectivity of the investigation.

13. Is there substantial evidence or proof that the employee is guilty of the conduct, behavior or work performance offense with which he/she is charged?

14. It is not required that evidence be conclusive or beyond all reasonable doubt. In order to determine guilt or innocence, the preponderance of related evidence in the matter must point one way or another.

15. Every effort must be made to search out witnesses and evidence rather than accept just what participants or volunteer witnesses have to say.

16. When witness statements and/or evidence is irreconcilably in conflict, there seldom are means for resolving these contradictions except for continued investigation to learn additional information.

17. Have the County's rules, orders and penalties been applied evenhandedly and without discrimination to all employees?

18. If supervisory personnel have been lax in enforcing rules and orders, a finding of discrimination may be forthcoming.

19. Is the degree of discipline to be administered reasonably related to the seriousness of the proven offense(s) against the employee and the overall record of the employee in his/her time of service to the County?

20. A trivial offense does not merit harsh discipline unless the employee has properly been found repeatedly to have committed similar misconduct, behavior or work performance in the past.

Attachment (2) - Supervisory Checklist for Disciplinary Decision Making

A. **General.** When a supervisor or immediate supervisor learns of an issue relating to employee misconduct, behavior infraction or unacceptable work performance, that issue must be acted upon promptly and with thoroughness. A determination must be made as to whether disciplinary action is warranted or not. The steps listed below should be followed to assure proper decision making is accomplished in potential disciplinary action situations.

B. **Step 1.** Probable cause to proceed with a full investigation:

____ Examine the rule, standard or order for connection with safe, orderly and efficient operations. Applicable labor contracts, work rules and policy manuals should be reviewed.

____ Assess the accused employee's awareness of the rule, standard or order and his/her awareness of the associated disciplinary consequences.

____ Assess the initial facts to determine if an infraction has apparently occurred.

C. **Step 2.** Conduct a full, impartial investigation:

____ Promptly interview all witnesses and document their statements.

____ Promptly interview the accused employee providing an opportunity for he/she to state his/her side. Document all statements. Prior to this interview, determine the employee's right to have a Union representative present.

____ Examine all relevant data, documents and records.

____ Determine if there is substantial and credible evidence that the alleged conduct, behavior or work performance has occurred as a matter of fact.

D. **Step 3.** Determine proper disciplinary action:

_____Review the past record of the employee to determine if there are repeated infractions in conduct, behavior or work performance or similar documents which would facilitate the decision regarding the proper disciplinary measure commensurate with the offense. The length of time between the current incident and previous incidents must be considered.

____ Review any previous disciplinary cases for the same or similar infraction(s) to determine if the degree of discipline to be imposed is consistent with past measures taken.

____ Base the disciplinary decision on the specific and current issue, not on any previous incident that went uncorrected.

E. **Step 4.** Administer the discipline:

____ Conduct the disciplinary meeting in private.

_____After allowing the employee to present his/her version of the incident, explain the disciplinary action that is being taken. The tone and purpose of the meeting must remain under control at all times.

____ Obtain required initials and/or signatures on appropriate disciplinary paperwork and provide the employee with a copy.

____ Convey extreme concern for employee improvement and welfare.

____ Document what is said during the meeting.

____ Comply with all collective bargaining agreement and/or policy/procedure Manual requirements.

____ When an employee requests that his/her Union representative attend, do not proceed until the Union representative is present.

Attachment (3) - Supervisory Disciplinary Worksheet

A. <u>Instructions</u>.

1. Complete this form before initiating any disciplinary action.
2. Attach supplemental sheets as necessary.

Date: _____

Employee's Name: _____

Period of Service: From _____to _____

Summary of Incident:

_____

_____

INCIDENT

1. Employees involved: _____

   _____

2. Date/Time/Location: _____

   _____

3. Brief Summary: _____

   _____

4. Rules, Regulations, Policies and/or Procedures Involved: _____

   _____

5. Conduct, Behavior or Work Performance in Need of Correction: _____

   _____

6. Witness Names & Positions:_____

_____

7. Questions:

a. Has the employee had the opportunity to explain?__Yes____No

b. Have all witnesses been interviewed?___Yes____No

c. If the employee requested the presence of the Union representative, was questioning ceased pending the arrival of said representative?_____Yes ____ No

d. Was the employee aware of the rule, regulation, procedure and/or policy? ____Yes____No

e. Was the rule, regulation, procedure and/or policy made known previously to the employee in writing?_Yes ___No

f. Was the rule, regulation, procedure and/or policy clear and easily understandable? ____Yes____No

g. Is the rule, regulation, procedure and/or policy related to the safe, orderly and efficient operation of the Department?_____Yes ____No

h. How long has the rule been in effect?_____

i. Was the rule, regulation, procedure and/or policy consistently and uniformly enforced?
____Yes _____No

j. Does substantial and credible evidence exist to indicate that the employee did in fact commit the alleged misconduct, behavioral infraction and/or substandard work performance? _____Yes ____No

k. Is this employee being singled out?___Yes____No

l. Do any mitigating or aggravating circumstances exist?___Yes____No

If yes, what are they? _____

_____

m. Do factual records exist with respect to other employees that have committed the same offense? _____Yes___No

n. What actions have been taken with other employees in the same or similar circumstances?

_____

_____

o. What previous disciplinary actions have been taken with this employee before this incident?

Date	Incident	Disciplinary Measure
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

p. What action is proposed as discipline for this incident (check one)?

_____Verbal Caution _____Letter of Caution

_____Letter of Instruction _____Suspension Without Pay*

_____Demotion _____Termination

* Inclusive dates of suspension without pay: From:_____To: _____

q. Is the proposed punishment commensurate with the offense with consideration given for mitigating or aggravating circumstances, the past disciplinary record of the employee, the past work performance record of the employee and with regard to disciplinary measures awarded to similar offenders? Yes No

r. Has the appropriate collective bargaining agreement or *Policies and Procedures Manual* section been reviewed and complied with?___Yes__No

8. Disciplinary Review:

Position	Signature	Yes	No	Date
Immediate Supervisor:	_____	_____	_____	_____
Supervisor:	_____	_____	_____	_____
County Administrator: *(if required)*	_____	_____	_____	_____
Chairman, Human Resources and Operations Committee *(if required)*	_____	_____	_____	_____

Attachment (4) - Letter of Caution

1. Administrative information.

   Date: _____

   Name: _____

   Position: _____

   Department: _____

   Date of hire/seniority: _____

2. Statement of conduct, behavior or work performance deficiency:

   _____

   _____

   _____

3. The purpose of this Letter of Caution is to call the above outlined deficiency to your attention and to give you an opportunity to correct it before a more serious disciplinary measure is required. A copy of this notice will not be filed in your official personnel record, however, a copy will be retained in your working departmental personnel file for use as a counseling tool.

4. Date by which this deficiency is to be corrected: _____
   (Note: a deficiency correction date is not required for a Letter of Caution but may be used at the discretion of the immediate supervisor.)

   _____
   Signature of Immediate Supervisor

5. Acknowledgment: I have received a copy of this Letter of Caution:

   _____
   Employee Signature and Date

Attachment (5) - Letter of Instruction

1. Administrative information.

   Date: _____

   Name:_____

   Position:_____

   Department: _____

   Date of hire/seniority: _____

2. Statement of conduct, behavior or work performance deficiency:

   _____

   _____

   _____

3. Statement of specific remediation required to correct the above outlined deficiency or deficiencies (attach additional sheets if required):

   _____

   _____

   _____

4. Further disciplinary action may be taken if the above outlined deficiency or deficiencies is/are not corrected by:_____. Further disciplinary action may include suspension without pay, demotion or termination.

5. The purpose of this Letter of Instruction is to call the above outlined deficiency or deficiencies to your attention and to provide you with specific steps and/or guidance for their correction. A copy of this letter will be filed in your official County personnel file.

6. Appeal: You have the right to appeal this disciplinary action in accordance with County policy.

_____
Signature of Immediate Supervisor

7. I have received a copy of this Letter of Instruction as attested to by my signature below. Providing my signature below is merely an acknowledgment of this letter, not an attestation of agreement with its contents.

_____
Employee Signature and Date

8. Disposition.

Original to
Personnel File.

Copy to:
Union Representative (if applicable) Supervisor
Immediate Supervisor
Employee

Attachment (6) - Letter of Suspension Without Pay

1. Administrative information.

   Date: _____

   Name:_____

   Position:_____

   Department: _____

   Date of hire/seniority: _____

2. You are hereby notified that you are being suspended without pay for the inclusive period

   _____to_____

3. Reason for suspension without pay (attach additional sheets as required):

   _____

   _____

   _____

4. While on suspension without pay, you will not accrue salary or wages, seniority, vacation or sick leave credits. All other benefits remain in effect during the period of suspension without pay.

5. You are expected to return to work at _____(time) on _____(date).

6. This disciplinary action is being imposed to impress upon you the importance of complying with standards of conduct, behavior and work performance. As your employer, it is my sincere hope that this disciplinary action will facilitate your becoming a fully productive employee on your return to work. Continued non-compliance with standards of conduct, behavior and work performance could result in further and more serious disciplinary action (such as demotion or termination). A copy of this letter will be filed in your official County personnel file.

7. Appeal: You have the right to appeal this disciplinary action in accordance with County policy.

Signature of Immediate Supervisor

8. I have received a copy of this Letter of Suspension Without Pay as attested to by my signature below. Providing my signature is merely an acknowledgment of this letter, not an attestation of agreement with its contents.

Employee Signature and Date

8. Disposition.

Original to Personnel File Copy to:
Union Representative (if applicable)
Supervisor
Immediate Supervisor Employee
General Accounting Office

Attachment (7) - Letter of Demotion

1. Administrative information.

   Date: _____

   Name:_____

   Position:_____

   Department: _____

   Date of hire/seniority: _____

2. You are hereby notified that you are being demoted from your current job classification level of

   _____to job classification level _____ effective on _____(date).

3. Reason for demotion (attach additional sheets as required):

   _____

   _____

   _____

   _____

   _____

   _____

   _____

4. This disciplinary action is being imposed to impress upon you the importance of complying with standards of conduct, behavior and work performance. As your employer, it is my sincere hope that this disciplinary action will facilitate your becoming a fully productive employee again. Continued non- compliance with standards of conduct, behavior and work performance could result in further and more serious disciplinary action (such as termination). A copy of this letter will be filed in your official County personnel file.

5. Appeal: You have the right to appeal this disciplinary action in accordance with existing County policy.

_____
Signature of Immediate Supervisor

6. I have received a copy of this Letter of Demotion as attested to by my signature below. Providing my signature is merely an acknowledgment of this letter, not attestation of agreement with its contents.

_____
Signature of Employee

7. Disposition.

Original to

Personnel File

Copy to:
Union Representative (if applicable)
Supervisor
Immediate Supervisor Employee
General Accounting Office

Attachment (8) - Letter of Termination

1. Administrative information.

   Date: _____

   Name:_____

   Position:_____

   Department: _____

   Date of hire/seniority: _____

2. Your employment relationship with Wexford County is terminated effective _____ (time) on _____ (day), _____ (date).

3. The basis for this termination action is (attach additional sheets if required):

   _____

   _____

   _____

   _____

4. You are further advised that the fringe benefits associated with your employment with Wexford County end effective at 12:00 midnight on _____with the exception of health insurance which will end at midnight on _____ (date).

5. Should you have any further questions regarding this matter, you may contact your supervisor or _____ at any time during the normal business day.

6. Appeal: You have the right to appeal this disciplinary action in accordance with existing County policy.

Signature of Immediate Supervisor

7. I have received a copy of this letter of termination as attested to by my signature below. Providing my signature is merely an acknowledgment of this letter, not attestation of agreement with its contents.

Signature of Employee

8. Disposition.

Original to

Personnel File

Copy to:
Union Representative (if applicable)
Supervisor
Immediate Supervisor Employee
General Accounting Office

Attachment (9) - Non-Union Letter of Appeal

1. Administrative information.

   Date: _____

   Name:_____

   Position:_____

   Department: _____

   Date of hire/seniority: _____

2. I hereby appeal the below listed disciplinary action (attach a copy of the appropriate letter; check the applicable space below):

   _____Letter of Instruction. _____Suspension without pay.

   _____Demotion. _____Termination.

3. I base my appeal on the following grounds (attach additional sheets as necessary):

   _____

   _____

   _____

   _____

   _____

   _____

   _____

4. I understand the following time frames as they pertain to this appeal process:

a. Step 1 - Verbal Appeal:

1.) Appeal: An employee who wishes to appeal a disciplinary action will first verbally discuss the issue with his/her supervisor within 5 calendar days from the receipt of the letter outlining the disciplinary action.

2.) Answer: The supervisor will provide a verbal answer to the verbal appeal within 5 calendar days of receiving the verbal appeal.

b. Step 2 - Written Appeal:

1.) Appeal: If the appeal at step 1 is not satisfactorily resolved at step 1, the employee may submit a written appeal to the supervisor within 5 calendar days of receipt of the verbal answer.

2.) Answer: Within 5 calendar days of receipt of the written appeal under this step, the supervisor will convene a meeting with the employee, the employee's immediate supervisor, the County Personnel Officer and the Chairman of the standing Board of Commissioners Committee on Human Resources. This meeting will be to review the written appeal. Within 5 calendar days of the conclusion of this meeting, the supervisor will provide a written answer to the written appeal.

_____

Signature of Employee

B-20.0 Personnel Records Management

County Board Approval: August 21, 1996

A. General.

Per the authority provided to the County Board of Commissioners outlined in subparagraphs (p) and (q) of MCL 46.11, the following offices are assigned the responsibility of maintaining the official personnel records of the County:

Office	Responsible For
General Accounting Office	Official County personnel records relating to compensation and benefits.
Clerk*	Official individual personnel records for employees assigned to the County Clerk's office (see note below).
Drain Commissioner*	Official individual personnel records of the Drain Commissioner (see note below).
Prosecutor*	Official individual personnel records for employees assigned to the Prosecutor's office (see note below).
Register of Deeds*	Official individual personnel records for employees assigned to the Register of Deeds' office (see note below).
Sheriff*	Official individual personnel records for employees assigned to the Sheriff's Department (including Road Patrol, Animal Control, Dispatch, Corrections and service/support personnel. See note below).
Treasurer*	Official individual personnel records for employees assigned to the County Treasurer's office (see note below).
Circuit Court*	Official individual personnel records for employees assigned to the Circuit Court organization (including Community Corrections, Probation/Parole, Friend of the Court and the Public Defender. See note below).
District Court*	Official individual personnel records for employees assigned to District Court (see note below).

Probate Court*	Official individual personnel records for employees assigned to Probate Court (see note below).
County Administrator	Official individual personnel records for employees assigned to all other County offices and other aggregate official personnel records (such as union contracts, claims, etc.).

Note: There are a number of statutes that pertain to the management of official personnel records by governmental units. Among these are:

1. The Michigan Employee Right to Know Act (MCLA 423.501 and MSA 17.62).
2. The Fair Labor Standards Act (FLSA).
3. The Civil Rights Act (Title VII).
4. The Age Discrimination in Employment Act (ADEA).
5. The Americans with Disabilities Act (ADA).
6. The Immigration Reform and Control Act (IRCA).

Offices outlined above that are indicated with an asterisk (*) are offices headed by elected officials who have the prerogative to maintain the official individual personnel records for the employees of their offices. This section summarizes the record keeping requirements as presented in the aforementioned statutes in order to allow for uniform record keeping across the spectrum of the County staff so as to preclude future litigation against the County.

In the event that any office headed by an elected official wishes the County Administrator to assume the official individual personnel records management functions for his/her department, such an agreement can be made in writing between the Board Chair and the elected official.

The bottom line is that the policy/procedure in this section has been written to protect the County against litigation and the tenets of records management contained herein must be adhered to by all personnel record managers to meet that purpose.

B. <u>Recordkeeping Requirements.</u>

1. Mandatory items to be included in official personnel records.

   Per State and Federal statute, the employer must include <u>all</u> of the following as part of the official personnel records:

   a. Employee identification data (to be kept in the individual employee's official personnel file and in payroll records):

      1) Full name.
      2) Social Security number
      3) Home address.
      4) Date of birth (if under age 19).
      5) Gender and occupation.
      6) Time of day and day of week which the employee's work week begins.

2. Payroll data (to be kept in aggregate form; must be kept for 3 years):

1) Regular rate of pay.

2) Basis on which wages/salary is paid.

3) Amount and nature of each payment excluded from the regular rate.

4) Hours worked each day and total hours worked each week.

5) Total daily or weekly straight time earnings.

6) Total premium paid for overtime worked.

7) Total additions or deductions from pay each pay period.

8) Total wages paid each pay period.

9) Date of payment and pay period covered by the payment.

3. Certificates, agreements, plans and notices pertaining to employees, (to be kept in aggregate form; must be kept for 3 years) including:

1) Collective bargaining agreements.

2) Pension, thrift, profit-sharing plans and other benefit programs in force.

3) Written summaries of oral agreements made with employees.

4. Supplementary basic records (kept in aggregate form; must be kept for 3 years):

1) All basic time and earning cards.

2) All payables or schedules of the employer which provide the piece rates of other rates used in computing straight time earnings, wages, salary or overtime pay.

3) Records of additions to or deductions from wages paid.

5. The following documents must be kept in the individual employee's official personnel record indefinitely:

1) Any document which identifies the employee and which is being, has been or may be used relative to that employee's qualifications, promotion, transfer, additional compensation or disciplinary action (such as a training certificate of completion, performance evaluation, etc.).

2) Any document concerning an occurrence or fact about an employee that is also kept by an executive, administrative or professional employee in his sole possession and not intended for access by others. Note: This type of record <u>may not</u> be kept for more than 6 months after the date it was first made or the date of the occurrence, whichever is sooner. (Examples are: an incident report concerning the employee, etc.).

3) Any written statement by the employee expressing disagreement with information in a document or record if an agreement cannot be reached by the employer and employee regarding such information (such as a performance evaluation, etc.).

6. The following records must be kept in the individual employee's official personnel record for at least 1 year from the date of the action to which the record relates:

1) Job applications and/or resumes.

2) Individual employment agreements.

3) Job orders submitted by the employer to an employment agency which resulted in the hiring of the employee.

4) Test papers completed by the employee as part of the application process.

5) Advertisements or notices pertaining to the position which the employee was hired to fill.

6) Records of promotion, demotion, transfer, selection for transfer, layoff, recall or discharge.

7) Employee benefit plan summaries (if different from the plan provided to the aggregate County staff).

8) Results of physical examinations that are considered by the employer relative to any personnel action pertaining to the employee.

7. Items that are not authorized to be retained in official personnel records. Per State and Federal statute, the employer is prohibited from including any of the following in official personnel records:

   a. Employee references supplied to the employer if the identity of the person making the reference would be disclosed.

8. Staff planning materials relative to more than one employee (such as salary increases, bonus plans, pro- motion plans, job assignments, etc.).

9. Medical reports and records made or obtained by the employer if these reports are available to the employee from the doctor or medical facility involved.

10. Personal information about an individual other than the employee, disclosure of which would constitute a clearly unwarranted invasion of the other person's privacy.

11. Records relating to a criminal investigation of the employee.

12. Records kept separately regarding grievance investigations not used for purposes specified above.

13. Information about an employee's associations, political activities, publications subscribed to or communications of the employee regarding non-employment activities except where:

    1) Such information is submitted in writing by the employee to the employer or is authorized in writing by the employee to the employer to be gathered and kept; or:

    2) Such record documents activities that interfere with the performance of the employee's duties or the duties of other employees during the employee's working hours.

    3) Note: If either of these exceptions are met, then this information must be included in the employee's official personnel record.

C. Control of, access to and disclosure of information contained in official personnel records.

Disclosure of information contained in official personnel records is covered by State and Federal statute.

1. MCL 46.11 provides the authority to the Board of Commissioners to establish rules and regulations in reference to the management of the interest and business concerns of the County. Accordingly, the following pertain to access to official County personnel records:

a. Access to any official County personnel record will be on a "need to know" basis only.

1) County staff personnel requesting access to official County personnel records will be required to certify their “need to know” in writing to the record custodian who shall then determine the level of access to be granted.

2) External “third party” requests for access to official County personnel records will be handled via the Freedom of Information Act (FOIA) outlined elsewhere in this *Manual*.

2. Access to official County personnel records relating to compensation and benefits will be adjudicated by the General Accounting Office.

3. Access to individual official County personnel records/files will be adjudicated by the respective record custodian as outlined above.

4. Section 6 of the Michigan Right to Know Act (MCLA 423.501) prohibits an employer from divulging a disciplinary report, letter of reprimand or other disciplinary action pertaining to an employee to a third party, to a party not a part of the employer's organization or to a party who is not a labor organization representing that employee without providing written notice to the employee.

a. Written notification of such action will be made by first class mail to the employee's last known address (mailed on or before the day that the information is divulged from the official personnel record).

5. Exceptions to this requirement are:

1) The employee has specifically waived written notice as part of written, signed employment application with another employer.

2) Disclosure is ordered in a legal action or arbitration.

3) The information is requested by a government agency (i.e.: the Department of Labor or the Michigan Employment Security Commission) as a result of a claim or complaint of an employee.

6. Section 9 of the Right to Know Act allows the employer to keep a separate file of information pertaining to an employee and regarding any criminal investigation of the employee. The employer must have reasonable cause to believe that the employee is engaged in criminal activity which may result in damage to the employer's property or disruption of the employer's business operations.

a. On completion of the investigation or after 2 years (whichever comes first) the employer must notify the employee that such an investigation was conducted.

7. If disciplinary action was not taken as a result of the investigation, the investigative file must be destroyed.

8. The only exception to this is when the employer is a criminal justice agency which is involved in the investigation of alleged criminal activity or the violation of an agency rule by the employee. (Example: this exception would apply to the Sheriff's Department or the Office of the Prosecutor.) In this exception, the employee must be notified as outlined above but the file need not be destroyed.

C-1.0 Communication with Legal Counsel

County Board Approval: July 17, 1996; October 21, 2015; Reviewed on December 4, 2019

A. General.

It is a policy of the Wexford County Board of Commissioners to have the governmental business of the County conducted within the bounds of Federal, State and local law as defined by statute and also as defined by court interpretation of the statute. To this end, it will be necessary, from time to time, to consult with legal counsel regarding specific issues in order to ensure that County officials act within the letter and/or the spirit/intent of the law.

B. Policy/Procedures.

1. There are currently three main avenues for the conduct of the County's governmental legal affairs:

   a. Risk management legal matters are handled through the Michigan Municipal Risk Management Association (MMRMA).

2. The bulk of the rest of the County's legal affairs are handled through a private law firm (referred to in the following paragraphs as "County Counsel").

3. Occasionally, the County may find that a legal matter pertaining to governmental operations falls under the purview of the County Prosecutor.

4. The following guidelines are established in order to maintain control of the costs associated with obtaining legal counsel:

   a. MMRMA. Costs for legal services by MMRMA are paid through a flat annual administrative, therefore, contact with the MMRMA organization by County staff personnel is not restricted.

5. County Counsel. Costs for legal services are billed at an hourly rate. Because of this and in order to minimize costs, contact with County Counsel is limited to the following County officials:

   1) Chairman of the Board of Commissioners.

   2) Elected officials; Clerk, Drain Commissioner, Prosecutor, Register of Deeds, Sheriff, Treasurer.

   3) County Administrator.

   4) Other County officials as designated from time to time by the Board.

6. County Prosecutor. There are no restrictions pertaining to contact with the County Prosecutor.

C-2.0 RESERVED

C-3.0 Bad Check Policy

County Board Approval: July 17, 1996; Amended February 7, 2001; Amended December 4, 2019

A. General.

Checks returned to the County from financial institutions as "unpaid" shall be pursued for payment.

B. Policy.

1. "Bad checks" are defined as checks which have been received by the County in payment (for goods, services, fines, costs, taxes, etc.) which have been returned to the County by the banking institution as "unpaid" for any one of a number of reasons (i.e.: insufficient funds, uncollected funds, account closed, etc.).
2. Individual departments will be responsible for collecting the debt incurred from a bad check.
3. As established by the County Treasurer with the County's banking institutions, the bank will redeposit any/all bad checks until that check can no longer be presented for payment (which normally occurs after being redeposited twice). An exception to this policy is during the 10 day period immediately prior to a tax sale when bad checks will not be redeposited after they have "bounced" one time.
4. When redeposits have been exhausted, the bank will then next debit the appropriate account and return the bad check to the Treasurer's Office along with the debit slip.
5. The Treasurer's Office will notify the department concerned of all returned checks. The department will identify to the Treasurer's Office the revenue line item affected by the original receipt of the bad check.
6. The Treasurer's Office will effect an appropriate journal entry to void the department's original receipt entry. The bad check will then be delivered to the originating department for records adjustment in the departmental files.
7. The originating department then will pursue collection action on the bad check. When collection action is complete on a bad check, the amount collected (bad check amount and any penalty fees) should be receipted in and deposited per normal procedures.
8. The following actions are authorized in conjunction with management of the County's bad check policy:
   a. If the County incurs a fee from a check presented on an account and dishonored, the fee incurred will be charged to the person who issued the check. An appropriate sign should be prominently posted where check payments are received.
9. A copy of the dishonored check shall be returned to the check issuer with a copy of the fee incurred by the County and a cover letter stating the County's policy regarding dishonored checks and demanding payment.
10. Maintenance of a listing of bad check payers and informing each of them that their payments by check will no longer be accepted.

C-4.0 Official Travel and Business Expenses

County Board Approval: July 17, 1996; Amendments: November 17, 1999, May 17, 2000, September 18, 2002, December 1, 2004, January 19, 2011, December 4, 2019, December 18, 2019

A. General.

Travel expenses directly related to official County business are reimbursable. This policy mirrors Section A-3.0 of this Manual.

B. Policy and Procedures.

1. Original itemized receipts shall accompany requests for reimbursement for expenses incurred in conjunction with official travel.
2. When practical, employees should share transportation and lodging as economy measures.
3. Approval authority for travel plans and travel expense reimbursement claims is as follows:

Approval Authority:	Approval For:
Elected Officials	Persons in their Department(s)
Department Heads	Persons in their Department(s)
County Administrator	Appointed Department Heads
Board Chairman	Board members and the County Administrator
Finance Committee	Board Chairman

4. Claims for travel reimbursement shall be submitted by the traveler within 30 days after travel has been completed. Travel expenses shall be reimbursed only in the budget year in which expenses are incurred. On approval by the authorizing official as outlined above, travel claims will be forwarded to the Clerk's Office for approval.

C. Reimbursement.

5. Meals (gratuity included):
   a. Breakfast..... $15.00
6. Lunch $20.00
7. Dinner $30.00
8. Accommodations: $140.00 (tax included). Reimbursement for accommodations may be higher when associated with a workshop or conference, with advance authorization from the designated approval authority.
9. Approved private vehicle mileage shall be equal to the private vehicle premium reimbursement rate for civil service employees as approved by the IRS, unless otherwise approved by the Board of Commissioners.

C-5.0 Construction Project Change Orders

County Board Approval: December 4, 2019

A. General.

Wexford County engages in construction projects from time to time. During construction projects, the need for a change order can become necessary. In some cases, approval of a change order can wait until the next regularly scheduled meeting of the Board of Commissioners. In other cases, however, a change order is of an immediate nature and cannot be delayed. This policy addresses the latter case.

B. Policy and Procedures.

1. The need for a change order will be brought to the attention of the Administrator. The Administrator or his/her designee will work with the contractor, engineer, or architect to determine if the change order needs immediate action.
2. Once it is determined the change order needs immediate action, the Administrator or his/her designee will contact the Chair of the Board of Commissioners and the Chair of the Finance Committee to inform them of the needed change order.
3. If both the Chair of the Board of Commissioners and the Chair of the Finance Committee agree that the change order needs immediate action, the Administrator or his/her designee will communicate to the necessary parties that approval has been granted to begin implementation of the change order.
4. Although work can begin immediately, a change order will be prepared by the contractor, engineer, or architect and submitted for formal approval at the next Board of Commissioners' meeting. Any necessary budget adjustments shall be approved at the same meeting.
5. The approved change order document shall be filed with the plans and contract for the project.

C-6.0 Payment of Claims Outside of the Normal Business Process

County Board Approval: July 17, 1996; September 21, 2016; Amended December 4, 2019

A. General.

Claims for payment (goods, services, damages, etc.) which have not been allowed for or considered in the normal budgetary process will be adjudicated and liquidated as allowed for in this policy statement.

B. Policy.

1. All claims for payment which are outside of the normal budget process will be forwarded to the County Purchasing Agent for processing.
2. The County Purchasing Agent will forward all claims for payment which are not within the normal budget process to the standing Finance Committee for review, adjudication and decision.
3. The Finance Committee is authorized to:
   a. By majority vote, resolve such claims in the amount up to and including $2,500.
4. Forward such claims (with or without a recommendation) that are in excess of $2,500 to the full Board for further review, discussion and decision.
5. In the event that a claim has been presented for a final payment (for goods, services, damages, etc.) for which there is doubt as to the status of the completion of the work, delivery of the goods or the validation of the damages, the County Purchasing Agent shall likewise forward that claim to the Finance Committee for review and action as outlined above.

C-7.0 Freedom of Information Act

County Board Approval: April 17, 1996; June 17, 2015; September 7, 2016; Reviewed on December 4, 2019

A. Preamble: Statement of Principles

It is the policy of Wexford County that all persons, except those incarcerated, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

The County's policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such a request.

The County acknowledges that it has a legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. The County acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure the effective operation of government and to protect the privacy of individuals.

Wexford County will protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records. The County's policy is to disclose public records consistent with and in compliance with State law.

The County Board of Commissioners has established the following written procedures and guidelines to implement the FOIA and will create a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to the public body and explaining how to understand a public body's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. The written public summary will be written in a manner so as to be easily understood by the general public.

B. Section 1: General Policies

The County Board of Commissioners, acting pursuant to the authority at MCL 15.236, designates the Chairperson of the Board of Commissioners as the FOIA Coordinator. He/She is authorized to designate other County staff to act on his/her behalf to accept and process written requests for the County's public records and approve denials.

If a request for a public record is received by fax or email, the request is deemed to have been received on the following business day. If a request is sent by email and delivered to a County spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note in the FOIA log both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request.

The FOIA Coordinator shall review County spam and junk-mail folders on a regular basis, which shall be no less than once a month. The FOIA Coordinator shall work with County Information Technology staff to develop administrative rules for handling spam and junk-mail so as to protect County systems from computer attacks which may be imbedded in an electronic FOIA request.

The FOIA Coordinator may, in his/her discretion, implement administrative rules, consistent with State law and these Procedures and Guidelines to administer the acceptance and processing of FOIA requests.

The County is not obligated to create a new public record or make a compilation or summary of

information which does not already exist. Neither the FOIA Coordinator nor other County staff are obligated to provide answers to questions contained in requests for public records or regarding the content of the records themselves.

The FOIA Coordinator shall keep a copy of all written requests for public records received by the County on file for a period of at least one year.

The County will make this Procedures and Guidelines document and the Written Public Summary publicly available without charge. If it does not, the County cannot require deposits or charge fees otherwise permitted under the FOIA until it is in compliance.

A copy of this Procedures and Guidelines document and the County's Written Public Summary must be publicly available by providing free copies both in the County's response to a written request and upon request by visitors at County offices.

This Procedures and Guidelines document and the County's Written Public Summary will be maintained on the County's website at: wexfordcounty.org, so a link to those documents will be provided in lieu of providing paper copies of those documents.

C. <u>Section 2: Requesting a Public Record</u>

No specific form to submit a request for a public record is required. However the FOIA Coordinator may make available a FOIA Request Form for use by the public. The requestor may specify output format of documents unless technically unavailable. If requested, digital storage device must be provided by requestor.

Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the County may be submitted on the County's FOIA Request Form, in any other form of writing (letter, fax, email, etc.), or by verbal request.

Verbal requests for records may be documented by the County on the County's FOIA Request Form.

If a person makes a verbal, non-written request for information believed to be available on the County's website, where practicable and to the best ability of the employee receiving the request, shall be informed of the pertinent website address.

A request must sufficiently describe a public record so as to enable County personnel to identify and find the requested public record.

Written requests for public records may be submitted in person or by mail to any County office. Requests may also be submitted electronically by fax and email. Upon their receipt, requests for public records shall be promptly forwarded to the FOIA Coordinator for processing.

A person may request that public records be provided on non-paper physical media, emailed or other otherwise provided to him or her in digital form in lieu of paper copies. The County will comply with the request only if it possesses the necessary technological capability to provide records in the requested non- paper physical media format.

A person may subscribe to future issues of public records that are created, issued or disseminated by Wexford County on a regular basis. A subscription is valid for up to 6 months and may be renewed by the subscriber.

A person serving a sentence of imprisonment in a local, state or federal correctional facility is not entitled to submit a request for a public record. The FOIA Coordinator will deny all such requests.

D. <u>Section 3: Processing a Request</u>

Unless otherwise agreed to in writing by the person making the request, the County will issue a response within 5 business days of receipt of a FOIA request. If a request is received by fax,

email or other electronic transmission, the request is deemed to have been received on the following business day.

The County will respond to a request in one of the following ways:

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a notice indicating that due to the nature of the request the County needs an additional 10 business days to respond for a total of no more than 15 business days. Only one such extension is permitted.
- Issue a written notice indicating that the public record requested is available at no charge on the County's website.

When a request is granted:

If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available.

The FOIA Coordinator shall provide a detailed itemization of the allowable costs incurred to process the request to the person making the request.

A copy of these Procedures and Guidelines and the Written Public Summary will be provided to the requestor free of charge with the response to a written request for public records, provided however, that because these Procedures and Guidelines, and the Written Public Summary are maintained on the County's website at: wexfordcounty.org, a link to the Procedures and Guidelines and the Written Public Summary will be provided in lieu of providing paper copies of those documents.

If the cost of processing a FOIA request is $50 or less, the requester will be notified of the amount due and where the documents can be obtained.

If the cost of processing a FOIA request is expected to exceed $50 based on a good-faith calculation, or if the requestor has not paid in full for a previously granted request, the County will require a good-faith deposit pursuant to Section 4 of this policy before processing the request.

In making the request for a good-faith deposit the FOIA Coordinator shall provide the requestor with a detailed itemization of the allowable costs estimated to be incurred by the County to process the request and also provide a best efforts estimate of a time frame it will take the County to provide the records to the requestor. The best efforts estimate shall be nonbinding on the County, but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.

When a request is denied or denied in part:

If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which shall provide in the applicable circumstance:

- An explanation as to why a requested public record is exempt from disclosure; or
- A certificate that the requested record does not exist under the name or description provided by the requestor, or another name reasonably known by the County; or
- An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and

- An explanation of the person's right to submit an appeal of the denial to either the County Board of Commissioners, or seek judicial review in the Wexford County Circuit Court; and
- An explanation of the right to receive attorneys' fees, costs, and disbursements as well actual or compensatory damages, and punitive damages of $1,000, should they prevail in Circuit Court.
- The Notice of Denial shall be signed by the FOIA Coordinator.

If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing a Notice of Denial indicating that the request is deficient, seek clarification or amendment of the request by the person making the request. Any clarification or amendment will be considered a new request subject to the timelines described in this Section.

Requests to inspect public records:

The County shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect County records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal County operations.

Requests for certified copies:

The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no additional cost to the person requesting the public record.

E. <u>Section 4: Fee Deposits</u>

If the fee estimate is expected to exceed $50.00 based on a good-faith calculation, the requestor will be asked to provide a deposit not exceeding one-half of the total estimated fee.

If a request for public records is from a person who has not paid the County in full for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- The final fee for the prior written request is not more than 105% of the estimated fee;
- The public records made available contained the information sought in the prior written request and remain in the County's possession;
- The public records were made available to the individual, subject to payment, within the time frame estimated by the County to provide the records;
- Ninety (90) days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- The individual is unable to show proof of prior payment to the County; and
- The FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:

- The person making the request is able to show proof of prior payment in full to the County;
- The County is subsequently paid in full for the applicable prior written request; or

- Three hundred sixty five (365) days have passed since the person made the request for which full payment was not remitted to the County.

F. Section 5: Calculation of Fees

A fee may be charged for the labor cost of copying/duplication.

A fee will ***not*** be charged for the labor cost of search, examination, review and the deletion and separation of exempt from nonexempt information ***unless*** failure to charge a fee would result in unreasonably high costs to the County because of the nature of the request in the particular instance, and the County specifically identifies the nature of the unreasonably high costs.

Costs for the search, examination review, and deletion and separation of exempt from non-exempt information are "unreasonably high" when they are excessive and beyond the normal or usual amount for those services compared to the costs of the County's usual FOIA requests, not compared to the County's operating budget.

The following factors shall be used to determine an unreasonably high cost to the County:

- Volume of the public record requested
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether the public records are from more than one County department or whether various County offices are necessary to respond to the request.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

The Michigan FOIA statute permits the County to charge for the following costs associated with processing a request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the County.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the County.
- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the County's website if you ask for the County to make copies.
- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the County's website if you ask for the County to make copies.
- The cost to mail or send a public record to a requestor.

Labor costs will be calculated based on the following requirements:

- All labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- Labor costs will be charged at the hourly wage of the lowest-paid County employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits.
- The County may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
- Contracted labor costs will be charged at the hourly rate of $48.90 (6 times the state minimum hourly wage).

The cost to provide records on non-paper physical media when so requested will be based on the following requirements:

- Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will only be assessed if the County has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- The County will procure any non-paper media and will not accept media from the requestor in order to ensure integrity of the County's technology infrastructure.

The cost to provide paper copies of records will be based on the following requirements:

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed $.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
- The County will provide records using double-sided printing, if it is cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using a reasonably economical and justified means.
- The County may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless specified by the requestor.

If the FOIA Coordinator does not respond to a written request in a timely manner, the County must:

- Reduce the labor costs by 5% for each day the County exceeds the time permitted under FOIA up to a 50% maximum reduction, if ***any*** of the following applies:
    - The County's late response was willful and intentional,

- The written request conveyed a request for information within the first 250 words of the body of a letter facsimile, email or email attachment, or
- The written request included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy" or a recognizable misspelling of such, or legal code reference to MCL 15. 231, et seq. or 1976 Public Act 442 on the front of an envelope or in the subject line of an email, letter or facsimile cover page.

- Fully note the charge reduction in the Detailed Itemization of Costs Form.

G. Section 6: Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. The County Board of Commissioners may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

H. Section 7: Discounted Fees

Indigence

The FOIA Coordinator will discount the first $20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- Indigent and receiving specific public assistance, or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

An individual is not eligible to receive the waiver if:

- The requestor has previously received discounted copies of public records from the County twice during the calendar year; or
- The requestor requests information in connection with other persons who are offering or providing payment to make the request.

An affidavit is sworn statement. The FOIA Coordinator may make a Fee Waiver Affidavit Form available for use by the public.

Nonprofit organization advocating for developmentally disabled or mentally ill individuals

The FOIA Coordinator will discount the first $20.00 of the processing fee for a request from:

- A nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law 106- 402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, or their successors, if the request meets all of the following requirements:
  - Is made directly on behalf of the organization or its clients.
  - Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
  - Is accompanied by documentation of its designation by the state, if requested by the public body.

I. Section 8: Appeal of a Denial of a Public Record

When a requestor believes that all or a portion of a public record has not been disclosed or has

been improperly exempted from disclosure, he or she may appeal to the County Board of Commissioners, by filing an appeal of the denial with the office of the County Board of Commissioners.

The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial. The County FOIA Appeal Form (To Appeal a Denial of Records), may be used.

The County Board of Commissioners is not considered to have received a written appeal until the first regularly scheduled County Board of Commissioners meeting following submission of the written appeal.

Within 10 business days of receiving the appeal the County Board of Commissioners will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part; or
- Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the County Board of Commissioners shall respond to the written appeal. The County Board of Commissioners shall not issue more than 1 notice of extension for a particular written appeal.

If the County Board of Commissioners fails to respond to a written appeal, or if the County Board of Commissioners upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action in Circuit Court.

Whether or not a requestor submitted an appeal of a denial to the County Board, he or she may file a civil action in Wexford County Circuit Court within 180 days after the County's final determination to deny the request.

If a court that determines a public record is not exempt from disclosure, it shall order the County to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Failure to comply with an order of the court may be punished as contempt of court.

If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in such an action, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or County prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements.

If the court determines that the County has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the County to pay a civil fine of $1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of $1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

J. <u>Section 9: Appeal of an Excessive FOIA Processing Fee</u>

"Fee" means the total fee or any component of the total fee calculated under section 4 of the FOIA, including any deposit.

If a requestor believes that the fee charged by the County to process a FOIA request exceeds the

amount permitted by state law or under this policy, he or she must first appeal to the County Board of Commissioners by submitting a written appeal for a fee reduction to the office of the County Board of Commissioners.

The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted. The County FOIA Appeal Form (To Appeal an Excess Fee) may be used.

The County Board of Commissioners is not considered to have received a written appeal until the first regularly scheduled County Board of Commissioners meeting following submission of the written appeal.

Within 10 business days after receiving the appeal, the County Board of Commissioners will respond in writing by:

- Waiving the fee;
- Reducing the fee and issuing a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issuing a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the County Board of Commissioners will respond to the written appeal. The County Board of Commissioners shall not issue more than 1 notice of extension for a particular written appeal.

Where the County Board of Commissioners reduces or upholds the fee, the determination must include a certification from the County Board of Commissioners that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and Section 4 of the FOIA.

Within 45 days after receiving notice of the County Board's determination of an appeal, the requesting person may commence a civil action in Wexford County Circuit Court for a fee reduction.

If a civil action is commenced against the County for an excess fee, the County is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute.

An action shall not be filed in circuit court unless ***one*** of the following applies:

- The County does not provide for appeals of fees,
- The County Board of Commissioners failed to respond to a written appeal as required, or
- The County Board of Commissioners issued a determination to a written appeal.

If a court determines that the County required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or Section 4 of the FOIA, the court shall reduce the fee to a permissible amount. Failure to comply with an order of the court may be punished as contempt of court.

If the requesting person prevails in court by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages.

If the court determines that the County has arbitrarily and capriciously violated the FOIA by charging an excessive fee, the court shall order the County to pay a civil fine of $500.00, which

shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of $500.00 to the person seeking the fee reduction. The fine and any damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

K. Section 10: Conflict with Prior FOIA Policies and Procedures; Effective Date

To the extent that these Procedures and Guidelines conflict with previous FOIA policies promulgated by County Board of Commissioners or the County Administration these Procedures and Guidelines are controlling. To the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption of this resolution is found to be in conflict with any previous policy promulgated by the County Board of Commissioners or the County Administration, the administrative rule promulgated by the FOIA Coordinator is controlling.

To the extent that any provision of these Procedures and Guidelines or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized to modify this policy and all previous policies adopted by the County Board of Commissioners or the County Administration, and to adopt such administrative rules as he or she may deem necessary, to facilitate the legal review and processing of requests for public records made pursuant to Michigan's FOIA statute, provided that such modifications and rules are consistent with State law. The FOIA Coordinator shall inform the County Board of Commissioners of any change these Policies and Guidelines.

These FOIA Policies and Guidelines become effective July 1, 2015.

L. Section 11: Appendix of Wexford County FOIA Form

- Detailed Cost Itemization Form

C.7 Freedom of Information Act Request (Detailed Cost Itemization)

Date: _____ Prepared for Request No.: _____ Date Request Received: _____

The following costs are being charged / estimated in compliance with Section 4 of the Michigan Freedom of Information Act, MCL 15.234, according to the County's FOIA Policies and Guidelines. If the County is seeking a 50% deposit prior to providing the public records sought, the estimate is itemized on this form, lines 1-5 below.

If all or a portion of the requested information is available on the County's website, the County is required to tell you it is available on the website and, where practicable, include a specific webpage address where the information is available. In this case:

☐ None

☐ Some

☐ All

of the requested material can be found at the following webpage(s):

_____,

_____,

_____,

If the webpage is all the information you need, it is provided without charge. If, however, you still wish to receive a copy of material from the webpage, please let us know. The FOIA charges will apply if the County is required to produce copies of material from the webpage.

☐ **Requestor has stipulated that some / all of the requested records that are <u>already available on the County's</u> <u>website</u> but requests they be provided in a paper or non-paper physical digital medium and acknowledges that providing the records in that format shall be subject to the County's normal charges outlined below.**

1. <u>Labor Cost to Locate</u>: This is the cost of labor directly associated with the necessary searching for, locating, and examining public records in conjunction with receiving and fulfilling a granted written request. **This fee is being charged because failure to do so will result in unreasonably high costs to the County because of the nature of the request in this particular instance, specifically: _____** _____ _____ The County will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in**15-minute time increments**; all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.* **Hourly Wage Charged: $_____** **Charge per ¼ hour: $_____** **<u>OR</u>** **Hourly Wage with Fringe Benefit Cost: $_____** Multiply the hourly wage by the percentage multiplier: **____%** (*up to 50% of the hourly wage*) and add to the hourly wage for a total per hour rate. **Charge per ¼ hour: $_____** *[For records already available on the County's website that Requestor has requested in a paper or non-paper digital medium, greater than the 50% limitation, not to exceed the actual costs may be used to calculate Fringe Benefit Costs to be added to the hourly wage].* ☐ Overtime rate charged as stipulated by Requestor *(overtime is not used to calculate the fringe benefit cost)*	To figure the number of increments, take the *number of minutes: ___, divide by 15-minute increments, and round down. Enter below:* **Number of increments** **x_____=**	**1. Labor Cost** **$_____**
2. <u>Labor Cost for Copying / Duplication</u> This is the cost of labor directly associated with duplication of publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on non-paper physical media or through the Internet or other electronic means as stipulated by the requestor. This shall not be more than the hourly wage of the County's lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in **15-minute time increments as set by the County Board of Commissioners** *(for example: 15-minutes or more)*; all partial time increments must be rounded down. *If the number of minutes is less than one increment, there is no charge.* **Hourly Wage Charged: $_____** **Charge per ¼ hour: $_____** **<u>OR</u>** **Hourly Wage with Fringe Benefit Cost: $_____** Multiply the hourly wage by the percentage multiplier:**_____%** (*up to 50% of the hourly wage*) and add to the hourly wage for a total per hour rate. **Charge per ¼ hour: $_____** *[For records already available on the County's website that Requestor has requested in a paper or non-paper digital medium, greater than the 50% limitation, not to exceed the actual costs may be used to calculate Fringe Benefit Costs to be added to the hourly wage].*	To figure the number of increments, take the *number of minutes: ____, divide by 15 -minute increments, and round down. Enter below:* **Number of increments** **x_____**	**2. Labor Cost** **$_____**

☐ Overtime rate charged as stipulated by Requestor *(overtime is not used to calculate the fringe benefit cost)*		
3a. <u>Employee Labor Cost for Separating Exempt from Non-Exempt (Redacting):</u> ***(Fill this out if using a*** County ***employee. If contracted, use No. 3b instead*** The County will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession. This fee is being charged because failure to do so will result in unreasonably high costs to the County that are excessive and beyond the normal or usual amount for those services compared to the County's usual FOIA requests, because of the nature of the request in this particular instance, specifically:_____ _____ _____ This is the cost of labor of a **County employee**, including necessary review, directly associated with separating and deleting exempt from nonexempt information. This shall not be more than the hourly wage of the **County's lowest-paid employee** capable of separating and deleting exempt from nonexempt information in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged **15-minute time increments**; all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.* **Hourly Wage Charged: $_____** **Charge per ¼ hour: $_____** **<u>OR</u>** **Hourly Wage with Fringe Benefit Cost: $_____** Multiply the hourly wage by the **percentage** multiplier:**_____%** (*up to 50% of the hourly* wage) and add to the hourly wage for a total per hour rate. **Charge per ¼ hour: $_____** *[For records already available on the County's website that Requestor has requested in a paper or non-paper digital medium, greater than the 50% limitation, not to exceed the actual costs may be used to calculate Fringe Benefit Costs to be added to the hourly wage].*	To figure the number of increments, take the *number of minutes: ____, divide by 15 -minute increments, and round down. Enter below:* **x_____=**	**$_____**

☐ Overtime rate charged as stipulated by Requestor *(overtime is not used to calculate the fringe benefit cost) fringe benefit cost)*		

3b. <u>Contracted Labor Cost for Separating Exempt from Non-Exempt (Redacting)</u>: ***(Fill this out if using a*** contractor***, such as the attorney. If using in-house employee, use No. 3a instead.)*** The County will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession. **This fee is being charged because failure to do so will result in unreasonably high costs to the County that are excessive and beyond the normal or usual amount for those services compared to the County's usual FOIA requests, because of the nature of the request in this particular instance, specifically: _____** _____ _____ As this County does not employ a person capable of separating exempt from non-exempt information in this particular instance, as determined by the FOIA Coordinator, this is the cost of labor of a **contractor** (i.e.: outside attorney), including necessary review, directly associated with separating and deleting exempt information from nonexempt information. This shall not exceed an amount equal to 6 times the state minimum hourly wage rate of____(*currently $8.15*). **Name of contracted person or firm: _____** These costs will be estimated and charged in **15-minute time increments *(must be 15-minutes or more)***; all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.* **Hourly Cost Charged: $_____** **Charge per increment: $_____**	To figure the number of increments, take the *number of minutes:___, divide by 15 -minute increments, and round down to:* - *___increments. Enter below:* **Number of increments** **x_____=**	**3b. Labor Cost** **$_____**
4. <u>Copying / Duplication Cost</u>: Copying costs may be charged if a copy of a public record is requested, or for the necessary copying of a record for inspection (*for example, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection*). **No more than the <u>actual</u> cost of a sheet of paper, <u>up to maximum 10 cents per sheet</u> for:** • **Letter** (8 ½ x 11-inch, single and double-sided): **_____cents per sheet** • **Legal** (8 ½ x 14-inch, single and double-sided): **_____cents per sheet** **No more than the <u>actual</u> cost of a sheet of paper for <u>other</u> paper sizes:** • **Other paper sizes** (single and double-sided): _: **____cents / dollars per sheet** **<u>Actual and most reasonably economical cost of non-paper physical digital media</u>:** • ***Circle applicable:*** Disc / Tape / Drive / Other Digital Medium **Cost per Item: _____** The cost of paper copies **must** be calculated as a total cost per <u>sheet</u> of paper. The fee **cannot exceed** 10 cents per sheet of paper for copies of public records made on 8-1/2- by 11-inch paper or 8-1/2- by 14-inch paper. <u>The County **must** utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available</u>.	**Number of Sheets:** **x_____=** **x_____=** **x_____=** **No. of Items:** **x_____=**	**Costs:** **$_____** **$_____** **$_____** **$_____** **4. Total Copy Cost** **$_____**

5. Mailing Cost: The County will charge the actual cost of mailing, if any, for sending records in a reasonably economical and justifiable manner. Delivery confirmation is not required. • The County ***may*** charge for the least expensive form of postal delivery confirmation. • The County ***cannot*** charge more for expedited shipping or insurance unless specifically requested by the requestor.* **Actual Cost of Envelope or Packaging:** $_____ **Actual Cost of Postage:** $_____per stamp $_____per pound $_____per package **Actual Cost (least expensive) Postal Delivery Confirmation: $____** ***Expedited Shipping or Insurance as Requested: $____** ☐ * Requestor has requested expedited shipping or insurance	**Number of Envelopes or Packages:** x_____= x_____= x_____= x_____= x_____= x_____=	**Costs:** $_____ $ $_____ $ $_____ $_____ **5. Total Mailing Cost** $_____
Subtotal Fees Before Waivers, Discounts or Deposits **Estimated Time Frame to Provide Records:** _____ (*days or date*) The time frame estimate is nonbinding upon the County, but the County is providing the estimate in good faith. Providing an estimated time frame does not relieve the County from any of the other requirements of this act. ☐ Cost estimate ☐ Bill **1. Labor Cost to Locate:** **2. Labor Cost for Copying:** **3a. Labor Cost to Redact:** **3b. Contract Labor Cost to Redact:** **4. Copying/Duplication Cost:** **5. Mailing Cost:** **Subtotal Fees**		$_____ $_____ $_____ $_____ $_____ $_____ $_____
Waiver: Public Interest A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the County determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public. ☐ **All fees are waived** **OR** **All fees are reduced by: _____%**	**Subtotal Fees After Waiver:**	$_____
Discount: Indigence A public record search **must** be made and a copy of a public record **must** be furnished **without charge for the first $20.00 of the fee** for each request by an individual who is entitled to information under this act and who: 1) Submits an affidavit stating that the individual is indigent and receiving specific public assistance, **OR** 2) If not receiving public assistance, stating facts showing inability to pay the cost because of indigence.		

If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if **ANY** of the following apply: (i) The individual has previously received discounted copies of public records from the same public body twice during that calendar year, **OR** (ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration. ☐ **Eligible for Indigence Discount**	**Subtotal Fees After Discount (subtract $20):**	**$_____**
Discount: <u>Nonprofit Organization</u> A public record search **must** be made and a copy of a public record **must** be furnished **without charge for the first $20.00 of the fee** for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the federal Protection and Advocacy for Individuals with Mental Illness Act, if the request meets **ALL** of the following requirements: (i) Is made directly on behalf of the organization or its clients. (ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Michigan Mental Health Code, 1974 PA 258, MCL 330.1931. (iii) Is accompanied by documentation of its designation by the state, if requested by the County. ☐ **Eligible for Nonprofit Discount**	**Subtotal Fees After Discount (subtract $20):**	**$_____**
Deposit: <u>Good Faith</u> The County may require a good-faith deposit <u>before providing the public records to the Requestor</u> **if the entire fee estimate or charge authorized under this section exceeds $50.00**, based on a good-faith calculation of the total fee. The deposit cannot exceed 1/2 of the total estimated fee. **Percent of Deposit: _____%**	**Date Paid:** **_____**	**Deposit Amount Required:** **$_____**

Deposit: <u>Increased Deposit Due to Previous FOIA Fees Not Paid In Full</u> After the County has granted and fulfilled a written request from an individual under this Act, if the County has not been paid in full the total amount of fees for the copies of public records that the County made available to the individual as a result of that written request, **the County may require an increased estimated fee deposit of up to 100% of the estimated fee <u>before it begins a full public record search</u> for any subsequent written request from that individual** if **ALL** of the following apply: (a) The final fee for the prior written request was not more than 105% of the estimated fee. (b) The public records made available contained the information being sought in the prior written request and are still in the County's possession. (c) The public records were made available to the individual, subject to payment, within the best effort estimated time frame given for the previous request. (d) Ninety (90) days have passed since the County notified the individual in writing that the public records were available for pickup or mailing. (e) The individual is unable to show proof of prior payment to the County. (f) The County calculates a detailed itemization, as required under MCL 15.234, that is the basis for the current written request's increased estimated fee deposit. The County can no longer require an increased estimated fee deposit from an individual if ANY of the following apply: (a) The individual is able to show proof of prior payment in full to the County, OR (b) The County is subsequently paid in full for the applicable prior written request, OR (c) Three hundred sixty-five (365) days have passed since the individual made the written request for which full payment was not remitted to the County.	**Date Paid:** _____	**Percent Deposit Required:** _____% **Deposit Required:** $_____
14. <u>Late Response Labor Costs Reduction</u> If the County does not respond to a written request in a timely manner as required under MCL 15.235(2), the County **must** do the following: (a) **Reduce the charges for labor costs** otherwise permitted by 5% for each day the County exceeds the time permitted for a response to the request, **with a maximum 50% reduction**.	**Number of Days Over Required Response Time:** _____ **Multiply by 5% = Total Percent Reduction:** _____	**Total Labor Costs** $_____ **Minus Reductio** $_____ **= Reduced Total Labor Costs** $_____
15. <u>Balance Due</u> (Deduct amount on Line 14 from amount on Line 13c)	**Date Paid**_____	**Total Balance Due:** $_____

The Public Summary of the County's FOIA Procedures and Guidelines is available free of charge from:

Website: wexfordcounty.org **Email: administration@wexfordcounty.org**
Phone: 231-779-9453 **Address: 437 E. Division**

Request Will Be Processed, But <u>Balance Must Be Paid Before</u> Copies May Be Picked Up, Delivered or Mailed

C-8.0 Insurance Requirements

County Board Approval: April 5, 2000; Reviewed on December 4, 2019

A. General.

The purpose of these requirements is to assure that the County and its contractors are accepting appropriate responsibility for insuring their own operations and that they are not unduly exposing County taxpayers to liability and/or loss. In an effort to affect compliance and avoid undue delay and/or termination of contracts or suspension of payment of monies from the Board, individuals and organizations governed by this policy are asked to become familiar with these insurance requirements. It is strongly recommended that firms and/or individuals subject to this policy take the requirements to their insurance agent to secure the appropriate coverage and documentation required to demonstrate compliance with this policy.

B. Minimum Requirements.

Wexford County's minimum insurance requirements are as follows.

1. Commercial general liability insurance of limits not less than $1,000,000 per occurrence. This minimum can be higher depending upon the hazard involved. Coverage is to include but not be limited to premises, operations, products and/or completed operations, personal injury and contractual liability. Professional errors and omissions liability coverage will be required where applicable.
2. Automobile liability which includes statutory no-fault coverages, including all owned, non-owned, and hired autos, with limits of a minimum of $1,000,000. This minimum can be higher depending upon the hazard involved.
3. Workers' compensation and employers' liability are required if a contractor hires one or more persons or currently has employees. If the contractor currently does not have any employees, an affidavit must be filed with the Clerk stating that the party currently has no employees and will not hire any while working for Wexford County as a contractor or a subcontractor, etc. In addition, a Certificate of Assumed Name must also be filed with the County and copied to the Clerk.
4. Wexford County must be named as an additional insured under the commercial general liability policy as well as the fleet. Appropriate certificates of insurance (Acord 25-S-3-88) must be furnished by the contractor's insurance agent or company to the General Accounting Office. Copies of insurance policies are unacceptable. The necessary documentation must be furnished to the County prior to commencement of any work under contract or receipt of any funds from the County.

C. Failure to Comply.

Failure to comply with these insurance requirements could result in the termination of a contract or delay in receipt of funds.

C-9.0 Collective Bargaining

County Board Approval: March 1, 2000; August 7, 2019; Reviewed on December 4, 2019

A. Purpose.

The purpose of the Wexford County Collective Bargaining Policy is to establish a clear and consistent basis for the conduct of all collective bargaining to which the County may become a party. It is further to establish the County's basic bargaining organization and policy frame work within which County bargaining will be conducted.

B. Collective Bargaining Philosophy.

1. Initiative Approach. The Wexford County Board of Commissioners believes that an initiative approach to collective bargaining is, in the long run, most productive from an employer standpoint. In this approach, the Employer develops its own positions and seeks to negotiate from these positions. Using this approach, desired contract language is developed in advance concerning each of the Employers' positions. The County Board's fiduciary responsibility to the taxpayers of Wexford County can only be properly and faithfully discharged if this type of preparation is undertaken and completed well in advance of commencing negotiations.

2. Personnel Management System. The Wexford County Board of Commissioners believes that a unified and well-integrated personnel management system is desirable. Compliance with existing federal and state civil rights legislation requires the type of record keeping and monitoring that can best and most economically be provided through such a personnel management system. The County believes that the rights, perquisites and authorities of the various elected County Officers can be maintained in such a unified personnel management system, while still providing a management structure that is consistent with the increasingly complex employee relations and collective bargaining environment in which the County has been placed.

3. Organization Involvement. The County Board feels that the entire employer organization must be involved in the collective bargaining process. This includes County Commissioners, elected County officers and appointed County department heads. It is only through the cooperation of these County officials that their joint fiduciary responsibilities to the taxpayers can be faithfully discharged. The County Board draws an important distinction between the negotiating process and the bargaining process. The bargaining process is defined as the establishment of the limits within which the negotiating team must operate and in setting specific objectives toward which the efforts of the negotiating team is directed. The County Board feels that negotiating is a process carried on within specific guidelines set down by the bargaining decision makers. It is an effort best conducted by a small, cohesive, well-prepared, designated negotiation team.

4. Classification / Compensation System. The County intends to maintain pay ranges which are consistent with the economic and financial position of the County, yet competitive with those paid by other public and private labor market employers for comparable work.

5. Role of the Negotiating Team. The negotiation team will consist of the Chair of the Board, the Chair of the Human Resources and Safety Committee, civil counsel, the County Administrator, and the relevant department head are authorized to negotiate with labor union representatives on behalf of the Board, however, unless previously delegated, the authority for final approval of union contracts and/or agreement(s) with bargaining units remains under the purview of the full Board. Once the negotiation process has been

entered and both the employer and employees are actively engaged in attempting to secure the best possible terms for their respective groups, close cooperation by all parts of employer organization becomes critical. It is important to leave negotiating to the Collective Bargaining Team. It is important to avoid falling victim to the "end run" tactics practiced by some organizations representing public employees. This is a situation in which the union seeks to avoid dealing with the Collective Bargaining Team on difficult issues by going around them and dealing directly with policy people.

The Wexford County Board believes that it is critically important for no member of the employer organization to discuss bargaining/negotiating issues with members of the employee negotiating team or any member of the union after bargaining has commenced. Similarly, public statements should be made only in accordance with procedures agreed upon in advance by all sectors of the employer organization. Preparation and careful execution of plans which have been reviewed and are acceptable to the entire employer organizations are the best tools the employer has in achieving its objectives and protecting legitimate taxpayer interests in the collective bargaining process.

6. Media Relations. See Attachment 1 to this policy for a sample of a Media Relations Agreement, which could be used during the collective bargaining process.

C. Collective Bargaining Authority and Guidelines.

The Wexford County Board of Commissioners has recognized that the faithful discharge of its fiduciary responsibility to the taxpayers of Wexford County necessitates early and careful preparation for the collective bargaining agreement negotiations. The Public Employment Relations Act (Public Act 336 of the Michigan Public Acts of 1947, as amended) requires that negotiators must bargain in good faith. Bargaining in good faith being defined as being empowered to negotiate on wages, fringe benefits, hours and conditions of employment. The Board of Commissioners must give direction to the Collective Bargaining Team, which must be available on very short notice at critical points in the bargaining process.

1. The Collective Bargaining Team is authorized and directed to negotiate on behalf of the Board, wages, fringe benefits, hours and conditions of employment subject to the general policy and economic guidelines established by the Board.
2. The Collective Bargaining Team is directed to meet with elected County officers as appropriate to each bargaining unit to ascertain their desires with respect to forthcoming negotiations and secure authorization to negotiate on their behalf as well as the County Board of Commissioners.
3. The Board reserves the rights, and recognizes the rights of County officers, to review and approve or disapprove the tentative collective bargaining agreement negotiated by the Collective Bargaining Team.
4. Any collective bargaining agreement relating to employees of the Wexford County which is tentatively agreed upon during negotiations shall be subject to final approval by the Wexford County Board of Commissioners.

Attachment (1) - Sample Media Relations Agreement

Between the_____, the Wexford County_____and the Wexford County Board of Commissioners.

_____ Negotiations

It is hereby agreed among the above parties that during the period of negotiations pertaining to renewal of the collective bargaining agreement now in force, that no public statement will be issued by either party as to the state of the negotiations or any matters under discussion at the negotiations except as follows:

1. If either party to the negotiations should deem it essential to communicate with the media, it will communicate this need to the other party in writing.
2. Each party shall exercise full rights to release information to the media forth eight (48) hours after written notice has been received by the other party's chief negotiator (or his designee). Courtesy copies of the full text of all releases will accompany such notice.

For the Union	For Wexford County
_____	_____
_____	_____
_____	_____
Date: _____	Date: _____

C-10.0 Enhanced Access

County Board Approval: October 6, 2004; Reviewed on December 4, 2019

A. Statutory Definitions.

1. Enhanced Access. means a public record's immediate availability for public inspection, purchase or copying by digital means.
2. Public Body, Public Record, and Person mean the terms as defined in Section 2 of the Freedom of Information Act, Act 442 of the Public Act of 1976.
3. Geographical Information System means an organized collection of computer hardware, software, geographic data, and personnel designed to efficiently capture, store, update, manipulate, analyze, and display all forms of geographically referenced information.

B. Policy Adoption.

By means of attached Resolution 04-32, the Wexford County Board of Commissioners, as the governing body of the County of Wexford, hereby adopts this Enhanced Access Policy pursuant to the Enhanced Access to Public Records Act, 1996 P.A. 462, to govern enhanced access for the inspection, copying and purchasing of certain public records that are not confidential or otherwise exempt by law from disclosure.

Data which is not made available through enhanced access shall be available as required under the P.A. 442 of 1976, as amended, being the Freedom of Information Act, and at fees established pursuant to that Act, or at fees established by other statute. Data which is made available through enhanced access shall have fees established that include charges allowed under that Act, plus recovery of some of the County's costs of creating, compiling storing, maintaining, processing, upgrading, or enhancing the data. Fees for custom-made products (including, but not limited to, Geographic Information System analysis and maps) shall be established to cover time and material costs necessary to produce the custom product, regardless of whether or not the data used is available through enhanced access. The Board of Commissioners shall establish fees from time-to-time.

C. Enhanced Access.

Department managers shall have authority to determine what data shall be made available through enhanced access. Upon doing so, the department manager shall prepare a recommendation for enhanced access fee(s) for the adoption of the County Board of Commissioners, and shall not make the data available through enhanced access until such fees are adopted by the County Board.

Data available through enhanced address shall only be available through a system where the user is made aware of and agrees to the following disclaimer, which reads:

Recipients of enhanced access receive all information "As Is." Wexford County, its officers, officials, employees, and public bodies make no warranties of any kind, including, but not limited to, warranties of accuracy, fitness for a particular purpose, or of a recipient's right of use. Recipients are solely responsible for investigating, resisting, litigating and settling such complaints, including the payment of any damages or costs, unless the Wexford County Board of Commissioners elects to participate in the process at the County's expense.

Except for the Board of Commissioners, by resolution adopted by a majority of those elected and serving, no officer, official employee agent, volunteer, contractor or other person or public body may make any representation or warranty of the information on behalf of the County or one of its public bodies.

D. Fees for Enhanced Access.

The fees established by the Board of Commissioners shall be based on the recommendation of the department manager, for providing enhanced access shall enable the County of Wexford to

recover, over time, those operating expenses directly related to providing this enhanced access. "Operating expenses" include, but are not limited to, the County's direct cost of creating, compiling, storing, maintaining, processing, upgrading, or enhancing information or date in a form available for enhanced access, including the cost of supplying the information or record in the form requested by the purchaser.

E. <u>Sales and Distribution of Digital Data.</u>

When data is available through enhanced access, the same data may be made available in the form of a digital copy on a medium and format of the County's choosing. Such digital data shall not be sold or given, but rather shall be made available through a use license agreement with Wexford County. Such license agreement shall, at a minimum, include provisions for:

1. Prohibiting the resale of the data,
2. Citing Wexford County as the source of the data,
3. Not retaining or using beyond a specified expiration date,
4. Correcting and reporting discovered errors back to Wexford County,
5. Including a license fee paid to Wexford County, and
6. Including a disclaimer which reads:

Recipients of enhanced access receive all information "As Is." Wexford County, its officers, officials, employees, and public bodies make no warranties of any kind, including, but not limited to, warranties of accuracy, fitness for a particular purpose, or of a recipient's right of use. Recipients are solely responsible for investigating, resisting, litigating and settling such complaints, including the payment of any damages or costs, unless the Wexford County Board of Commissioners elects to participate in the process at the County's expense.

Except for the Board of Commissioners, by resolution adopted by a majority of those elected and serving, no officer, official employee agent, volunteer, contractor or other person or public body may make any representation or warranty of the information on behalf of the County or one of its public bodies.

F. <u>Sharing Data.</u>

Based on reciprocal agreements, the County of Wexford may share such information with other governmental units.

C-11.0 Privacy Policy

County Board Approval: June 7, 2006; Reviewed on December 4, 2019

A. <u>Social Security Number Privacy Policy.</u>

PROHIBITED SOCIAL SECURITY NUMBER DISCLOSURE

Wexford County shall not, with respect to the social security number of an employee or other individual, do any of the following:

- Publicly display all or more than 4 sequential digits of the social security number.
- Use all or more than 4 sequential digits of the social security number as the primary account number for an individual.
- Visibly print all or more than 4 sequential digits of the social security number on any identification badge or card, membership card, or permit or license.
- Require an individual to use or transmit all or more than 4 sequential digits of his or her social security number over the Internet or a computer system or network unless the connection is secure or the transmission is encrypted.
- Require an individual to use or transmit all or more than 4 sequential digits of his or her social security number to gain access to an Internet Website or a computer system or network unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification number or other authentication device is also required to gain access to the Internet Website or computer system or network.
- Include all or more than 4 sequential digits of the social security number <u>in or on</u> any document or information mailed or otherwise sent to an individual if it is visible on or, without manipulation, from outside of the envelope or packaging.
- Include all or more than 4 sequential digits of the social security number <u>in</u> any document or information mailed to a person, unless any of the following apply:

1. State or federal law, rule, regulation, or court order or rule authorizes, permits, or requires that a social security number appear in the document.
2. The document is sent as part of an application or enrollment process initiated by the individual.
3. The document is sent to establish, confirm the status of, service, amend, or terminate an account, contract, policy, or employee or health insurance benefit or to confirm the accuracy of a social security number of an individual who has an account, contract, policy, or employee or health insurance benefit.
4. The document or information is mailed by the County under any of the following circumstances:
   a. The document or information is a public record and is mailed in compliance with the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.
5. The document or information is a copy of a public record filed or recorded with the County Clerk or Register of Deeds office and is mailed by that office to a person entitled to receive that record.
6. The document or information is a copy of a vital record recorded as provided by law and is mailed to a person entitled to receive that record.

7. The document or information is mailed by or at the request of an individual whose social security number appears in the document or information or at the request of his or her parent or legal guardian.

EXCEPTIONS TO PROHIBITED SOCIAL SECURITY NUMBER DISCLOSURE

The above prohibitions to the disclosure of all or more than 4 sequential digits of a social security number do not apply to any of the following:

- A use of all or more than 4 sequential digits of a 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.
- A use of all or more than 4 sequential digits of a social security number by a law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution, or providing all or more than 4 sequential digits of a social security number to a law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution.

Further, this Policy permits (1) use of all or more than 4 sequential digits of the social security number as the primary account number for an individual; or (2) including all or more than 4 sequential digits of a social security number in any document or information mailed to a person, if the use is in any of the following:

- An administrative use of all or more than 4 sequential digits of the social security number in the ordinary course of business, by a person or a vendor or contractor of a person, to do any of the following:

1. Verify an individual's identity, identify an individual, or do another similar administrative purpose related to an account, transaction, product, service, or employment or proposed account, transaction, product, service, or employment.
2. Investigate an individual's claim, credit, criminal, or driving history.
3. Detect, prevent, or deter identity theft or another crime.
4. Lawfully pursue or enforce a person's legal rights, including, but not limited to, an audit, collection, investigation, or transfer of a tax, employee benefit, debit, claim, receivable, or account or an interest in a receivable or account.
5. Lawfully investigate, collect, or enforce a child or spousal support obligation or tax liability.
6. Provide or administer employee or health insurance or membership benefits, claims, or retirement programs or to administer the ownership of shares of stock or other investments.

- A use of all or more than 4 sequential digits of a social security number as a primary account number that meets both of the following:

1. The use began before March 1, 2005
2. The use is ongoing, continuous, and in the ordinary course of business. If the use is stopped or any reason, this subdivision no longer applies.

CONTROL OF ACCESS TO SOCIAL SECURITY NUMBERS

- Access to records containing social security numbers is limited to employees who need to see those records for the performance of their duties.
- Employees' access to records containing social security numbers shall be monitored

through the use of logs or electronic audit trails.

- During storage, electronic records containing social security numbers shall encrypt the social security numbers. Records in other media that contain social security numbers shall be stored in locked cabinets or otherwise secured against unauthorized access.

DISPOSAL OF DOCUMENTS THAT CONTAIN SOCIAL SECURITY NUMBERS

Discarding or destroying records in any medium containing social security numbers shall be done so in a way that protects the confidentiality of the social security numbers. It shall be accomplished by shredding, erasing, or otherwise modifying that portion of the record containing a social security number to make it unreadable or undecipherable, before the record is discarded.

VIOLATION OF WEXFORD COUNTY SOCIAL SECURITY NUMBER PRIVACY POLICY

An employee who knowingly violates this policy will be subject to disciplinary action up to and including dismissal.

B. <u>Policy Adoption.</u>

By means of the attached Resolution No. 06-26, the Wexford County Board of Commissioners, as the governing body of the County of Wexford, hereby adopts this policy.

D-1.0 Purchasing, Contracts, and Sales

County Board Approval: May 15, 1996. Amended: December 6, 2000; December 7, 2005; January 16, 2013; December 27, 2018

A. Background.

1. In accordance with Act No. 167 of the Public Acts of 1993 (as amended), and in order to identify the County's purchasing policies and exceptions to those policies, all purchases of the County will be made pursuant to the guidelines contained herein.
2. The management of contracts and the sale of County property will fall under the provisions as outlined herein.

B. Title.

This document shall be known and may be cited as the Purchasing Policy of the County of Wexford.

C. Definitions.

For the purposes of this policy, the following terms, phrases, words and their derivations shall have the meaning ascribed to them.

1. *Contractual services* shall mean and includes the rental, purchase, ownership, repair or maintenance of equipment, machinery and other property (except for real property). The term shall not include professional, insurance and personal services or other contractual services which are unique and not subject to competition as determined by the Board of Commissioners.
2. *Supplies* shall mean and include all consumable and non-consumable operating supplies, materials and equipment that are not specifically covered under the term "contractual services".
3. *Using agency* means any department, agency, commission, bureau, authority or other unit in the County government using supplies or procuring contractual services as provided for in this policy.
4. *Specified budget line item* means that budget line item against which an expense for supplies or contractual services is charged.

D. County Purchasing Agent.

The County Administrator is designated as the County Purchasing Agent and is responsible for the purchase and sale of all County property.

E. Powers and Duties of the Purchasing Agent.

The Purchasing Agent shall:

1. Minimize expenditures. Act to procure the highest quality in supplies and contractual services at the least expense to the County.
2. Encourage competition. Discourage uniform bidding and endeavor to obtain as full and open competition as possible on all purchases and sales.
3. Observe rules and regulations. Establish and amend, as required, all rules and regulations authorized by this policy and associated policies pertaining to purchasing, contracts and sales of County property.
4. Continuously analyze purchasing.

a. Keep informed of current developments in the field of purchasing, prices, market conditions and new products.

5. Secure for the County the benefits of research done in the field of purchasing by other governmental jurisdictions, national technical societies, trade associations and private business organizations.

6. Make bulk purchases. Exploit the possibilities of buying supplies in bulk so as to take advantage of quantity discounts. In this instance, bulk purchase of supplies is not oriented toward buying an everlasting/unlimited amount of an item, but rather it is oriented toward combining the need of several using agencies under one purchase in order to obtain a quantity discount.

7. Tax exemptions. Act so as to procure for the County all tax exemptions to which the County is entitled.

F. <u>County Purchase Order (PO).</u>

1. Except for the Department of Public Works, all departments shall secure a County purchase order for equipment and property with a cost that exceeds $500 per item (or unit).

2. In recognition of the unique nature of its operations, the Department of Public Works shall be required to secure a County purchase order for equipment and property with a cost that exceeds $5,000 per item (or unit).

3. All departments shall secure a County purchase order for consumable supplies that are purchased in bulk that exceed $2,500 per buy.

   At the discretion of the Purchasing Agent, a blanket annual purchase order may be issued for items purchased separately, but in larger quantities, throughout the year.

G. <u>Small Item Purchase (under $500).</u>

1. All items under the price of $500 may be purchased directly by the using agency when it has been determined by the Purchasing Agent that it is not economically feasible to buy the item in such quantities to obtain a lower price.

2. Receiving and accounting for supplies that have been purchased:

   a. Receipt/invoice/billing tag must contain:

      1) The signature of the County employee who received initial custody of the supplies.

      2) The signature of the Department Head or Elected Official (or their designated representative) who authorized the purchase.

      3) The budget line item number against which the purchase is to be charged.

3. The Department Head or Elected Official will turn the properly annotated receipt/invoice/billing tag for the supplies purchased to the General Accounting Office for proper processing.

4. As outlined above, a County Purchase Order will be used for all equipment purchases under this Section in excess of $500.

H. Large Item Purchase (between $500 and $5,000).

1. All purchases of supplies and contractual services up to $5,000 may be expended by department managers from their budget lines, upon review by the Purchasing Agent (Administrator/Controller).
2. Sealed bids need not be taken for such items at the discretion of the Purchasing Agent.
3. As part of the review of such purchases, the using agency shall verify to the Purchasing Agent:
   a. That sufficient funds are available in the department budget.
4. That a sufficient unencumbered balance remains in the department budget to cover this purchase.
5. As outlined above, a County Purchase Order will be used for all supplies purchased under the authority of this Section.
6. The procedures for receiving and accounting for large item supplies that have been purchased are the same as for small item purchases.

I. Major Item Purchase (over $5,000).

1. Purchases of supplies or contractual services in excess of $5,000 must be made in accordance with the following:
   a. Purchases that are estimated to exceed $5,000 but not more than $10,000 may be made where there is an appropriation for such purchase in the annual budget and where the Purchasing Agent obtains at least three competitive cost quotations. These quotations, with a recommendation from the Purchasing Agent, will be submitted to the County Board for approval via its standing Finance Committee and no purchase order shall be written or vouchers drawn until the Board approves the purchase.
2. Purchases that are estimated to exceed $10,000, where there is an appropriation for such purchase in the annual budget, shall be awarded on written contract following receipt of sealed, competitive bids in accordance with the procedures contained herein. The foregoing shall not prohibit the County Board from waiving the competitive bidding requirement for purchases where the estimated cost does not exceed $30,000 (or another set and specified amount) if the County Board determines that exigent circumstances exist or there is no advantage to the County to proceed by competitive bid When the sealed bid process is set aside by Board action, documentation regarding this set aside process shall be filed with the appropriate purchase documents.
3. All purchases in excess of $10,000 must be reduced to a written contract or agreement which will be approved by the County Board.
4. No sale or purchase shall be divided for the purpose of circumventing the dollar limitation contained in this Section.
5. Sealed bids for contractual services may be waived on approval of the County Board when it is deemed by the Commission to be in the public interest. In similar fashion to the above (pertaining to sealed bid set aside process for the purchase of supplies), when the sealed bid process for contractual services is set side by Board action, documentation regarding this set aside process shall be filed with the appropriate contractual service purchase documents.

6. The procedures for receiving and accounting for major item supplies that have been purchased are the same as for small and large item purchases.

J. <u>Bid Process.</u>

1. An invitation to bid will be advertised at least once in an official newspaper published in the County of Wexford.
2. This request for bid proposals will contain sufficient information to permit legitimate and competitive bids to be made, including:
   a. Specifications of the item(s) or service(s) to be purchased.
3. The amount of surety to be submitted with the bid.
4. The surety to be given with the contract.
5. Sealed bid envelope marking requirements.
6. The time and place for opening of the bids.
7. The conditions of the award of the contract, including any preference and the amount of such preference expressed as a percentage of the bid price which may be considered in determining the lowest and best bidder.
8. A statement to the effect that "County reserves the right to reject any or all bids and to award the contact in the County's best interest and the County may select a bidder other than the lowest bidder in accordance with the terms of the notice".
9. At least five calendar days shall intervene between the date of the last publication of the notice and the final date for submitting of bid proposals.
10. <u>Determining the Best Bid</u>. Purchases shall be made from the lowest and best bidder. Sales shall be made to the bidder whose bid is most advantageous to the County. In determining which bid is most advantageous and/or best, the County Board shall consider:
    a. The ability, capacity and skill of the bidder to perform the contract or provide the service required.
11. Whether the bidder can perform the contract or provide the service promptly or within the specified time frame without delay or interference.
12. The character, integrity, reputation, judgement, experience and efficiency of the bidder.
13. The quality of performance of previous contracts or services of the bidder.
14. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or services.
15. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
16. The quality, availability and adaptability of the supplies or contractual services to the particular use required.
17. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.
18. The number and scope of conditions attached to the bid.
19. Any potential conflicts of interest between bidders and the County governing body and staff organization.

K. <u>Award to Other than the Low Bidder.</u>

When the award is not given to the lowest bidder, a full and complete statement of the reason for awarding the bid to another (higher) bidder shall be prepared by the appropriate standing Committee of the Board of Commissioners and filed with other papers relating to the transaction.

L. Preference for Local Vendors.

If all bids received are reasonably equivalent other than with respect to cost, bidders whose business is located within Wexford County shall be given preference according to the following:

1. If bids are taken for items or services for a cost between $500 and $5,000, the bid of the Wexford County vendor shall not exceed the lowest bid by more than 3.0%.
2. For bids exceeding $5,000, the bid of the Wexford County vendor must not exceed the lowest bid by more than 3.0%.

M. Bid Deposits.

As determined necessary by the County, or as required by law, a surety shall be required of bidders in an amount and in such form as advertised by the County in the public notice inviting bids or other requests for bids.

N. Bid Opening Procedure.

1. Sealed bids. Bids shall be submitted to the Purchasing Agent as described in the request for bid proposals.
2. Opening: Bids shall be opened in public and read at the time and place stated in the public notice/request for bid proposal.

O. Appropriation Sufficiency.

Prior to the approval of any purchase by the County, the using agency shall certify to the Purchasing Agent that an appropriation has been made for this purchase and that a sufficient unencumbered balance remains in the specified budget line item for this purchase or that funds will be available by budgetary reprogramming to cover the claim and/or meet the obligation when it becomes due and payable.

P. Emergency Purchases.

In case of an emergency which requires immediate purchase of supplies or contractual services in excess of $5,000, the Purchasing Agent, County Board Chair and Chairman of the standing Committee on Finance, acting singly or in concert, are empowered to purchase, on the open market at the lowest obtainable price, any necessary contractual services or supplies. A full report of the circumstances of any such emergency purchase shall be filed with the County Clerk by the above mentioned empowered official(s) within 10 calendar days after such purchases and such report shall be entered into the Board of Commissioner minutes as an addendum to the most recent Board meeting.

Q. Public Improvements.

No public improvement costing more than $5,000 shall be contracted for or commenced until estimates, drawings, profiles, specifications or site plans, where appropriate, have been submitted, reviewed and approved by County Board, provided, however, that the foregoing shall not be deemed to limit the ability of the County to contract for public improvements or repairs to the same under exigent circumstances.

R. Contracts.

1. All contracts or agreements to purchase supplies and/or contractual services must be approved by resolution of the County Board EXCEPT cellular telephone contracts.
2. Signature authority:

a. Following approval by the Board of Commissioners, all contracts or agreements to purchase supplies and/or contractual services (EXCEPT cellular telephone contracts) shall be submitted to the County=s corporation counsel for legal review, unless deemed unnecessary by the Board. In cases where no written draft exists, corporation counsel may be asked to draft a formal agreement.

3. When necessary, and in cooperation with the county administrator, corporation counsel is authorized to enter into negotiations on behalf of the County. If negotiated changes result in substantial changes, the contract or agreement shall be resubmitted to the Board of Commissioners for approval.

4. Following the review and approval of corporation counsel, the Chairman of the Board of Commissioners shall sign all contracts or agreements approved by the Board. In no case shall any contract or agreement be signed without Board approval. Contracts signed by anyone other than the Board Chairman shall be considered void and shall not be binding on the County.

5. In all cases where County officials have entered into a written contract or agreement for the purchase of supplies or contractual services, the original, or at a minimum, a copy of the signed document must be forwarded to the General Accounting Office for record purposes.

S. <u>Surplus Stock.</u>

All County departments, agencies, bureaus, authorities, etc., shall submit, on an "as occurring" basis to the Purchasing Agent, listings of supplies which are no longer used or which have become obsolete or worn out. The Purchasing Agent may then:

1. Transfer surplus supplies between County departments, agencies, bureaus, authorities, etc.

2. Sell, trade or exchange surplus supplies to the maximum financial advantage of the County and pursuant to any specific guidelines provided by the Board of Commissioners.

3. Conduct an auction for the sale of surplus supplies and property; any such sales shall be to the highest responsible bidder and in accordance with specific guidelines provided by the Board of Commissioners.

T. <u>Cooperative Purchasing.</u>

The Purchasing Agent shall have the authority to join with other units of government in cooperative purchasing plans when the best interest of the County would be served thereby.

U. <u>Gifts and Rebates.</u>

Officials and employees of the County are prohibited from personally and individually accepting, either directly or indirectly, from any person, company, firm or corporation to which any purchase order or contract is or might be awarded, any rebate, gift or money which may cause influence on the official or employee as his/her work performance relates to the purchase of or contract for goods and services. See Policy B-17.0 for the County's Ethics in Government policy.

V. <u>Payment to Contractor.</u>

Compensation will not be paid to any contractor except in accordance with the terms of said contract.

W. <u>Purchasing Committee.</u>

1. The Purchasing Committee will consist of the Purchasing Agent, the Chairman of the Board of Commissioners' standing Committee on Finance (or his/her designated representative) and the Department Head or Elected Official (or his/her designated representative) of the using agency for which the bid process has been established.

2. Duties of the Purchasing Committee:

   a. Review of requirements and preparation of plans and specifications for the purchase or disposal of any supplies or contractual services.

3. Preparation and promulgation of the request for bid proposals.

4. Receipt of, opening and reviewing of bid proposals.

5. Providing recommendations to the County Board on all purchases requiring the Board's approval.

6. Determining if adequate funds are budgeted and available to support the purchase.

7. The Purchasing Committee shall convene at the request of the Purchasing Agent and shall serve in an advisory capacity on all questions of purchasing policy and practices.

X. <u>Capitalization of Assets.</u>

Assets that have an estimated useful life of three years or more following the date of acquisition and that have a unit cost or fair value of $10,000 or more shall be capitalized and depreciated.

1. Infrastructure: Drains and lake level control structures that, as a network, have an estimated useful life of three years or more following the date of construction or acquisition and that have a network cost or fair value of $300,000 or more shall be capitalized and depreciated as a group. The County shall limit its transition capitalization to:

   a. Drain and lake level control projects that resulted in acquisition, construction, or significant reconstruction or improvements of County drains or lake levels since January 1, 1980; and

2. Those infrastructure networks defined as major by the Government Accounting Standards Board (GASB) Statement 34.

3. Method

   a. Infrastructure – Drains and Lake Level Control: The depreciation method for all depreciable infrastructure related to drains and lake level control shall be straight-line depreciation over the categorical useful life (illustrated in the attached Table I), unless there is a professional, legal or contractual requirement to use another method of depreciation or useful life.

4. Other Assets: The depreciation method for all other depreciable fixed assets shall be straight-line depreciation using the ½-year convention over the categorical useful life (illustrated in the attached Table I), unless there is a professional, legal or contractual requirement to use another method of depreciation or useful life.

5. Guidelines

   a. Control of Fixed Assets Inventory: Fixed assets, excluding infrastructure (i.e water supply lines, roads, bridge), shall be tagged (bar coded). Assets excluding real property or infrastructure having a value of $5,000 to $10,000, defined as control assets, shall be inventoried and tagged but will not be depreciated. Maintenance of financial data for capitalized fixed assets shall comply with

generally accepted accounting principles.

6. Asset Tracking: It shall be each department's responsibility to process fixed asset tracking forms to account for the acquisition, transfer, and disposal of all fixed assets in a timely manner, and to file the forms with the Administrator's Office.

7. Physical Inventory: The Administrator's office shall conduct a physical inventory for each department covered by this policy at least once every three years and to reconcile results of the physical inventory to the fixed asset inventory listing.

8. Exceptions

   a. Excluded Assets: All discretely presented component units are excluded from this policy.

Assets with Value of Less than $10,000: Assets that have a unit cost or fair value of less than $10,000 shall be capitalized and depreciated if mandated by a professional, legal, or contractual requirement.

Categorical Useful Life Table

Category	Estimated Life
Renovations to leased property, leasehold improvements	3 - 8 years
Heavy vehicular equipment (fire trucks, bulldozers, etc.)	3 - 5 years
Cars, trucks, tractors, and lawn mowers	3 - 5 years
Information Technology equipment and software	3 - 5 years
Office equipment and furnishings	3 - 5 years
Infrastructure - Drains and Lake Levels	20 years
Infrastructure - Other	8 - 40 years
Buildings and Improvements	20 - 50 years
Machinery and Equipment	3 - 25 years

D-2.0 County Property Receipt, Identification, and Inventory

County Board Approval: July 17, 1996; Amended December 4, 2019

A. General.

1. As stated in the County purchasing policy, all equipment and property that is purchased with a cost exceeding $50 per item (or unit) will be documented on a County purchasing order. The singular important reason for using a purchase order on such items is to facilitate the assimilation of that equipment/property into the County's plant property inventory listing.
2. All County property with a value of $50 or more shall be included on the County's property inventory and identified with a property identification tag so as to be included under the appropriate County insurance policy.
3. Identification tags will be attached in a manner and place where they cannot easily or accidentally be removed.

B. Procedures.

1. When a piece of equipment or property has been received, the receiving Department shall provide appropriate data (make, model, serial number, etc.) to the County Purchasing Agent in order that the equipment/property can be properly registered in the County equipment inventory data base.
2. Annually, the Purchasing Agent will provide equipment/property inventory listings to each Department for the purpose of conducting an inventory.
   a. Discrepancies noted during this inventory will be immediately resolved between the Purchasing Agent's files and the Department concerned.
3. A report of the completion of this annual inventory will be made to the Board of Commissioners by the Purchasing Agent in November of each year.

D-3.0 Use of County Facilities

County Board Approval: July 17, 1996; Amended December 4, 2019

The primary use of County facilities is the conduct of County governmental business. Consequently, groups that are a part of or associated with Wexford County government have priority use of facility spaces.

1. Facility spaces covered by this policy include the Courthouse and 401 N. Lake Street.
2. Requests for uses at Courthouse shall be submitted to the County Administration Office.
3. Requests for uses at 401 N. Lake Street shall be submitted to MSU Extension, who will provide a weekly reservation calendar to the Administration Office.
4. The use of any County facility for profit-making purposes is prohibited.
5. Permission for the use of County facilities by other groups beyond the hours the Courthouse is publicly open must be granted by the Board of Commissioners.
6. After using the facility, the group shall be responsible for returning the occupied space to its original condition and configuration. The group is responsible for ensuring that all trash created during the use of the space is placed in appropriate containers.
7. The Board of Commissioners reserves the right to revoke permission for use of its facilities or reschedule activities of its facilities when necessary. Board priorities may result in the rescheduling of any meeting on short notice.

D-4.0 Use of County Copier Equipment

County Board Approval: July 17, 1996; Amended December 4, 2019

A. General.

1. It is the general policy of the Board of Commissioners to allow County copier equipment to be utilized for official County business and for other purposes as outlined herein.
2. This policy and procedure Section supersedes previous policy and procedure on this subject.

B. Copier Categories.

There are 6 categories of use for County copier equipment:

1. Official in-house County business.
   a. Where copier equipment is utilized by the County staff in the normal course of County business.
2. County offices that are equipped with copier machines manage budget expenditures in support of their machine via the annual budget process.
3. Other copier machines maintained in common areas are equipped with access code keypads which allow using offices to be billed for their share of the copier cost based on the number of copies made.
4. This is a non-revenue producing category.
5. Official County business in providing copies of official documents to the public. This is a revenue producing and cash transaction category the fee structure for which is provided in Attachment (1) to this Section.
6. Official County business in providing copies of documents for other governmental units (such as townships, villages, cities, etc.).
   a. Governmental organizations that desire to make use of this service will require a copier access code which can be obtained from the Administrator's office.
   b. This is a revenue producing category the billing for which (by access code) will be done quarterly.
   c. Charge per copy is $.10.
7. Freedom of Information Act (FOIA) responses. This is a revenue producing and cash transaction category the fee structure for which is outlined in Section C-7.0 of this *Manual*.
8. It is the policy of the Board of Commissioners to allow County copier equipment to be used for personal use by the County staff. Copies made under this category will be made during non-working hours by the employee.
   a. This is a revenue producing and cash transaction category the fee for which is $.10 per copy.
9. Payment for these copies will be made on an as occurring basis to the office of the Administrator for small volume users.
10. Large volume users (such as Court reporters, recorders, etc.) will require a copier access code as outlined above. Billing for large volume users will be done by access code on a quarterly basis.

11. It is the policy of the Board of Commissioners that use of County copiers should not be in competition with the private sector, and, for that reason, the use of County copiers by the general public is discouraged.

    a. However, it is the policy of the Board of Commissioners that a member of the general public who walks in from the street will be able to have copies made of documents in his or her possession at his or her request. This policy will not receive widespread advertisement, but it is, none-the-less, a County policy.

12. Copies made under this category will be made by County employees and not by the private citizen.

13. This is a revenue producing and cash transaction category with a fee of $1.00 per page.

C. <u>Receipts.</u>

Sections B.2, B.4, B.5 and B.6, as outlined above, are cash transaction categories. As such, a cash receipt is required to be provided when accepting payment for copies made under these categories.

Attachment (1) - Copy Fee Structure

A. <u>General Administrative Copy Fees.</u>

1. Except as outlined in the basic policy statement (i.e., where the fee for governmental units and others is set at $.10 per page) and below, the general administrative fee for a County employee to produce a copy of a document is $1.00 per page. This applies to all offices which could provide or are requested to provide a copy of a document and includes the actual cost of the copy plus the cost of the labor involved in producing the copy.

B. <u>Copy Costs Broken Down by County Office.</u>

1. **Court Transcripts.** In keeping with State statutes, it is the policy of the Board of Commissioners that the fees for copies of Court transcripts will be charged at the rate of $1.75 per page for the original copy and $.30 per page for each additional copy.
2. **Certified Copies of Court Records.** In keeping with State statutes, it is the policy of the Board of Commissioners to charge $10.00 for certified copy of a Court Record.
3. **Office of the County Clerk**.
   a. Statutory rates for copies as determined by the State of Michigan will apply.
4. Certified copy: $15.00 for the first certified copy of the document; $5.00 for each additional certified copy of the document.
5. Duplicate concealed weapons permit: $10.00 (statutory rate)
6. Copies of all other documents are $1.00 per page.
7. **Office of the County Prosecutor.** Police Report (civil case only): $5.00 per report. Statutory rates for copies as determined by the State of Michigan will apply.
8. **Register of Deeds**. All copies of real estate records are $1.00.
   a. Real estate records: $1.00 per page.
   b. UCC filing: $1.00 per page.
   c. State tax lien: $1.00 per page.
   d. Federal tax lien:$1.00 per page.
   e. Plat record: $1.00.
   f. Statutory rates for copies as determined by the State of Michigan will apply.
9. **Equalization Department** fees are charged in accordance with the Wexford County GIS fee schedule in the Equalization Department.
10. **Sheriff's Department.**
    a. Photos come on a disc at a cost of $5.00 per disc
    b. Police report: $5.00 per report.
    c. Statutory rates for copies as determined by the State of Michigan will apply.

D-5.0 County Building Smoking Policy

County Board Approval: July 17, 1996; August 6, 2014; Amended December 4, 2019

A. In the interest of providing a safe and healthy environment for employees, customers, visitors and patrons, and in accordance with the Michigan Clean Indoor Air Act, the use of tobacco products is not permitted in County buildings including the Courthouse, the County Maintenance building, the Human Services building, the Sheriff's Department offices and jail, and the 911 Central Dispatch building. The term “tobacco products” refers to all forms of tobacco including cigarettes, e-cigarettes, cigars and pipes, as well as smokeless tobacco.

B. The tobacco policy for other County buildings, as outlined below, will be determined and enforced by the agency indicated:

Building(s)	Occupant
Human Services (401 N. Lake St.)	Friend of the Court; Building Dept.
	MSUE, Veterans Services
Mental Health (527 Cobb St.)	Northwest Michigan CMH
County Library (411 S. Lake St.)	Cadillac-Wexford Library Board
Airport (8040 E. 34 Rd.)	Airport Authority
Health Department (521 Cobb St.)	District Health Department #10
Wexford County Civic Center	Management Firm
Wexford County Fairgrounds	Northern District Fair Association

D-6.0 Use of County Vehicles

County Board Approval: July 17, 1996; Amended: February 4, 2009; Reviewed December 4, 2019

A. General.

County vehicles are to be used for official County business only.

B. Procedures.

1. The procedures for use of Sheriff's Office vehicles are as outlined in the Sheriff's Department Manual.
2. Persons wishing to utilize a non-emergency general-use County vehicle must have in their possession a valid State of Michigan vehicle operator's license for the class of vehicle to be used.
3. Seat belts and/or shoulder harnesses (as equipped) will be used at all times by all occupants of all non-emergency general use vehicles.
4. Non-County personnel are not allowed to operate County vehicles except for emergency situations or except where the needs of a particular work project require such operation (i.e.: when volunteers are working with County personnel to prepare the fairgrounds race track for a snow- mobile race, etc.).
5. Unless specifically approved in writing by the County Administrator (based on the request/ recommendation of the Department Head or Elected Official), non-emergency general use County vehicles will not be utilized for overnight travel.

C. End of Workday Requirements.

At the end of the workday:

1. All County non-emergency general use vehicles will be parked in the lot behind the main courthouse.
2. All windows will be rolled up and all doors locked when left overnight in this lot.
3. When left overnight, the last user of the day is responsible for ensuring that the interior of the vehicle is clean and that the vehicle has at least one-quarter tank of gas.
4. Maintenance for non-emergency general use County vehicles will be the responsibility of the Maintenance Department.
5. Fuel costs for each vehicle will be prorated and charged to Departments based on vehicle usage.

D. Accident Reporting Procedures.

1. All County employees are required to contact the local police immediately to report an accident and provide information for the preparation of an accident report.
2. All County employees are required to contact their Department Head/Supervisor to provide the details of the accident.
3. The Department Head/Supervisor should contact the Administration Office regarding the incident and provide a written statement as to what happened and provide a copy of the police report and a copy of the estimate for any required repairs to the County vehicle, so this can be reported to the County insurance provider.

D-7.0 Maintenance of Non-Emergency Vehicles

County Board Approval: July 17, 1996; Amended December 4, 2019

A. <u>Maintenance Procedures.</u>

1. General use.
   a. An employee who is assigned the use of a County vehicle will observe the rules for use of said vehicle outlined in Policy B-6.0 of this *Manual*.
2. Maintenance discrepancies noted during operation of the vehicle will be noted in the vehicle log book (described above) and reported to the appropriate maintenance supervisor as outlined below.
3. Vehicle maintenance supervision.
   a. All vehicles under the cognizance of the County Maintenance Department Supervisor for routine preventive and corrective maintenance.
4. Routine maintenance: The following routine maintenance will be performed as indicated:
   1) Warranty checks and repair work: Performed by the dealership as coordinated with appropriate County representatives.
   2) Weekly maintenance, performed by personnel from the County Maintenance Department will be conducted as follows:
      a) Check gas, oil, tires, lights, emergency signals, engine, power train, wipers and fluid, heater, spare tire and the general condition of the chassis.
      b) Engine will be started.
      c) Check all attachments (antennas, mirrors, etc.).
   3) Periodic maintenance will be conducted as required/coordinated:
      a) Oil/filter change and lube job.
      b) Rotation of tires.
      c) Suspension system inspection and repair/replacement.
      d) Engine tuneup.
      e) Brake inspection and repair/replacement.
      f) Wheel bearing inspection and repair/re- placement.
5. Minor repairs such as replacement of headlights, turn- signal bulbs, filters, etc., will be accomplished by the County Maintenance Department.
6. Repairs while on travel: In case of emergency or when the vehicle is out of town/on travel, the vehicle operator is authorized to have sufficient repairs made to the vehicle to allow for completion of travel and return to the County offices.
7. Vehicle operator responsibilities:
   a. Employees assigned to a non-emergency general use vehicle are responsible for checking the level of fuel, operation of window wipers, turn signals, seatbelts, lights and tires before using the vehicle.

8. Fuel should be obtained at designated stations when operating the vehicle locally. When operating on travel or out of the local area, fuel may be obtained by use of the County credit card (see Policy E-3.0) or at the employee's expense (which would be reimbursable on the claim for travel expenses submitted by the employee at the completion of travel).

9. Vehicle storage.

    a. As discussed in Policy D-6.0 of this manual, non-emergency general use vehicles are to be parked in the lot behind the County Courthouse when not in use.

10. Vehicles used to remove snow may be driven home by snow removal employees who are scheduled to remove snow the following day on those days when snow accumulation is expected.

D-8.0 Disposal of Excess County Property

County Board Approval: July 17, 1996; May 17, 2017; Amended December 4, 2019

A. General.

Generally speaking, excess County property and equipment may be disposed of on an annual basis.

B. Procedure.

1. The Board of Commissioners shall approve a listing of items slated for disposal.
2. County property determined to be in excess or which has no further use in County operations will be held by Departments and then made available for sale to the general public at auction.
3. Auction timetable:
   a. June and July are the preferred months in which to hold an auction.
4. The County Purchasing Agent will determine the availability of an auctioneer and schedule the auction date accordingly. Auctioneer services will generally be put out for bid.
5. All County Departments will be advised as date, time and procedures for the auction.
6. Invitations to participate in the auction will be issued to all other governmental units in the County (cities, villages and townships) as well as CWTA, the library, the airport, and school districts.
7. Equipment/property inventory prepared and published.
8. Auction held.
9. Costs apportioned and proceeds parceled out to participants.
10. Costs for advertising, auctioneer and for other expenses related to this auction will be shared by participants.
11. Proceeds will be calculated based on items sold (that belong to each participant) less a fair share of the costs.
12. The Administrator and Maintenance Supervisor may jointly decide that hiring an auctioneer is not feasible or in the County's best interest. If items are to be sold, they shall be sold through publicly advertised silent auction, publicly advertised garage sale, or other publicly advertised means.
13. If the Administrator and Maintenance Supervisor conclude that no sale option is feasible, the items will be donated or disposed of in an appropriate manner.

D-9.0 RESERVED

D-9.1 RESERVED

D-10.0 Cellular Telephone Usage

County Board Approval: April 21, 1999

Amended December 7, 2005, February 1, 2012; Reviewed on December 4, 2019

A. <u>Contractual Obligations and Financial Administration.</u>

1. The departments that have cellular phones shall be determined by the County Board of Commissioners.
2. The actual cell phone contract, options and duration are selected by the departmental manager using the budgeted line as a determining factor and is subject to review by the County Administrator.

B. <u>Distribution and Use.</u>

1. Department managers shall have the authority to assign cellular phones as required to their employees. Such use of these phones is restricted to County personnel.
2. All overages to the basic rate shall be the responsibility of the employee. Timely collection of such overages are the exclusive responsibility of the departmental manager and must be collected from the employee.
3. If the department head determines that a unit employee requires a cell phone, and if no County cell phone is provided (including, but not limited to, a car assigned cell phone) the Employers shall provide a monthly stipend of $35.00 per month to the unit employee. A unit employee who receives such a stipend shall be required to carry the cell phone at all times while on duty and maintain a plan and phone capable of such services as the department head deems operationally required. Employees shall, upon request, provide the department head with proof that the phone/plan meets such requirements.

D-11.0 Information Systems Management

County Board Approval: May 19, 1999

A. Information Management Philosophy.

Good stewardship of valuable County assets dictates careful management of County information resources. To that end, the County will engage in information systems planning on a five-year cycle, with appropriate budget provisions.

B. Information Management Organization.

Wexford County's information management activities/services will be carried out under the general legislative oversight of the Finance Committee of the Board of Commissioners. Administrative direction will be provided by the County Administrator. Day-to-day operations will be coordinated by the County employee designated as a “Systems Coordinator”. The Systems Coordinator will work in conjunction with the County Administrator on matters of acquisition, deployment, support operations, maintenance, repair and replacement of County owned hardware and software. The Systems Coordinator will schedule the use of shared utilities and hardware, will promulgate operational procedures, and will work directly with end-users to assure the proper and effective function of the County's automated systems.

The Systems Coordinator will be the County's representative for all dealings with hardware and software vendors and systems maintenance providers. The Systems Coordinator will schedule periodic and on-call maintenance and be responsible for scheduling and conducting systems back-ups on the local area network(s) (LANs). The Coordinator will perform minor on-site trouble shooting and maintenance and will schedule and/or provide training for end-users. Further, the Systems Coordinator will monitor industry publications to keep current in the field and work with users groups to achieve solutions to various operational problems. The Systems Coordinator will develop and administer systems protocols, including file and disk naming conventions, operations procedures, etc. for both LAN and "Stand Alone" micro-computer installations.

C. Information Management Operations.

1. Acquisitions. All hardware and software acquired by Wexford County will be in accordance with the Information Systems Plan and phase by phase, detailed project implementation plans as pre-approved by the Wexford County Board of Commissioners. All purchases of hardware and software with Wexford County funds, will require the pre-approval of the Systems Coordinator.

2. Training. Wexford County will provide for a necessary in-service training for all County personnel utilizing the County's Information Management System.

   Upon successful completion of training for each major software application, the System Coordinator will record the training completed for the individual and department in a master training file. A training program record will be kept in each employee's personnel file as well.

3. Operation Procedures/Protocols. It shall be the responsibility of the Systems Coordinator to generate overall systems procedures and protocols and to work with end-users to develop protocols for specific applications. The Systems Coordinator will specifically work with applications user groups. The users group may be formed by users of a commonly based functional software application, i.e. Integrated Land Management and Tax Administration, Office Administration, Judicial/Law Enforcement, Budget and Finance, Human Services, Public Records, etc. The purpose of user groups will be to pool technical knowledge and experience, serve as a focal point for training activities, to identify operational problems and

to participate in future long-term systems planning for the particular user group software. User groups are recognized as an excellent tool used to coax maximum performance from the investment in hardware and software.

To the greatest extent possible, Wexford County will maintain standardized applications software. Any proposed departure from standard applications shall conform to the County purchasing policy and shall be approved in advance by the Finance Committee of the Board of Commissioners prior to purchase. All hardware and software shall be purchased from a County computer - internal services fund rather than departmental budgets.

4. Maintenance and Repair. All Hardware and software maintenance and repair shall be pursuant to either maintenance contracts or on-call, as needed maintenance, as authorized by the Systems Coordinator.

5. Information Systems Funding. All County hardware and software shall be capitalized by way of an internal service fund. All currently operational computer units purchased with County funds shall be transferred and so capitalized in the future. All related capital purchases shall be paid from the fund, such as system acquisition and maintenance, consulting fees for systems planning, training and travel related to systems planning and training.

   The budgets of all County departments and budgetary units utilizing County Information Management Systems hardware or software, will be charged for said use by the internal service fund. Said budgets will be adjusted to provide the requisite accounts and levels of appropriation required to support the system charges. Each department/operating unit budget will be charged, annually, one fifth of the direct or prorated purchase price of the hardware and software which it utilizes. Initially the charges will be based on the first five-year period beginning January 1, 2000 and the annual contracted maintenance fees will be charged to the department budgets. These annual equipment and software charge based payments shall be accrued to the internal service fund. Said funds will be used exclusively for upgrade and/or replacement of hardware, software and related items in accordance with the Information Systems Plan. Other revenues generated from services produced by the County Information System, i.e. voter registration lists, maps, appraisal services, etc. and the sale of depreciated used equipment will similarly revert to the designated internal service fund.

6. Supplies. All consumable operating supplies (paper, ribbons, tapes, diskettes, etc.) used in County Information Management Systems operation will be budgeted and paid for from the respective operating budgets of the various County departments and budgetary units.

The Finance Committee shall be the final arbiter of any disputes or disagreements arising from the operation or use of the County's Information Management Systems.

D-12.0 Courthouse Security

County Board Approval: December 3, 2003; Amended February 6, 2008

It is the policy of Wexford County Board of Commissioners that employees entering in and exiting from the Historic Courthouse and the new Courts Building abide by the following policy.

A. Employees who possess a key to the employee entrance door on the west side of the new Courts Building are to use that entrance/exit.

B. Employees who do not possess a key or choose not to use that door, will be subject to screening at the single point of entry provided in the new Courts Building.

C. Entrance into or egress from the Historic Courthouse is not allowed between 8:00 a.m. and 5:30 p.m. The only other time this is allowed is when an employee, who has an office in the Historic Courthouse, needs to enter the building on weekends or holidays.

D. The only individuals allowed to use any other west side entrance to the new Courts Building are the Circuit, District and Probate Court Judges. This is done so that County Judges do not have to come in contact with litigants. These entrances are not for employees.

It is the intention of the Wexford County Board of Commissioners to provide a safe work environment through reasonable policies and corrective actions. Your cooperation with this policy will assist in the reaching this goal.

E-1.0 Investment Policy

County Board Approval: June 17, 1998; Amended January 4, 2006; Reviewed December 4, 2019

A. Purpose.

It is the policy of Wexford County to invest its funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow needs of the County and comply with all state statutes governing the investment of public funds.

B. Scope.

The investment policy applies to all financial assets of the County. These assets are accounted for in the various funds of the County and include the general fund, special revenue fund, debt service funds and capital project funds (unless bond ordinances and resolutions are more restrictive), enterprise funds, internal service funds, trust and agency funds and any new fund established by the County.

C. Objectives.

The primary objectives, in priority order, of the County's investment activities shall be:

1. Safety. Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.
2. Diversification. The investments will be diversified by security type and institution in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
3. Liquidity. The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.
4. Return on Investment. The investment portfolio shall be designed with the objective of obtaining a rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

D. Delegation of Authority to Make Investments.

Authority to manage the investment program is derived from the following: County Board of Commissioners' most current resolution designating depositories and MCL 48.40 requiring the County Treasurer to be the custodian of the County's funds. Management responsibility for the investment program is hereby delegated to the County Treasurer who shall establish written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, cash purchase or delivery vs. payment, investment accounting, repurchase agreement, wire transfer agreements, collateral/depository agreements and banking service contracts. No persons may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the County Treasurer. The County Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

E. Authorized Investments.

The County Treasurer is limited to investments authorized by Act 20 of 1943, as amended, and may invest in the following:

1. Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States.

2. Certificates of deposit, savings accounts, deposit accounts, or depository of a financial institution. Authorized depositories shall be designated by the County Board of Commissioners at the Board's organizational meeting after each regular election of commissioners.

3. Commercial paper rated at the time of purchase within the two (2) highest classifications established by not less than two (2) standard rating services and that matures not more than 270 days after the date of purchase.

4. Repurchase agreements consisting of instruments listed in (1).

5. Banker's acceptances of United States banks.

6. Obligations of the state or any of its political subdivisions that at the time of purchase are rated investment grade by not less than one (1) standard rating service.

7. Mutual funds registered under the investment company act of 1940, title I of chapter 686, 54 Stat. 789 15 U.S.C. 80a-3 and 80a-4 t0 80a-64, with the authority to purchase only investment vehicles that are legal for direct investment by the County. This authorization is limited to securities whose intention is to maintain a net asset value of $1.00 per share.

8. Investment pools through an inter-local agreement under the Urban Cooperation Act of 1967, 1967 (Ex Sess) P.A. 7, MCL 124.501 to 124.512.

9. Investment pools organized under the Surplus Funds Investment Pool Act, 1982 P.A. 367, MCL 129.111 to 129.118.

F. <u>Safekeeping and Custody.</u>

All security transactions, including collateral for repurchasing agreements and financial institution deposits, entered into by the County may be on a cash basis or a delivery vs. payment basis as determined by the County Treasurer. Securities may be held by a third party custodian designated by the Treasurer and evidenced by safekeeping receipts as determined by the Treasurer.

G. <u>Prudence.</u>

Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

H. <u>Investment Risk Policy.</u>

Purpose: The deposits and investments of State and local governments are exposed to risks that have the potential to result in losses. It is the policy of Wexford County to meet the requirements of State statutes by addressing common deposit and investment risks related to credit risk, concentration of credit risk and interest rate risk.

Objectives: As defined in Wexford County investment Policy, Resolution 98-010, our primary objectives are safety, diversity, liquidity and return on investments with the foremost objective of this policy being safety of the principal funds. Investment transactions undertaken by the County Treasurer will be conducted in a manner to ensure the preservation of capital in the overall portfolio. The objective will be to minimize credit risk and interest rate risk.

Definitions:

Credit Risk (Custodial Risk and Concentration of Credit Risk)

The County will minimize Custodial Credit Risk, which is the risk of loss due to the failure of the security issue or backer by: limiting investments to the types of securities listed on page 2 of the

Wexford County Investment Policy Subsection E., Authorized Investments; prequalifying the financial institutions, broker/dealers, intermediaries and advisors to ensure acknowledgment and compliance with our Policy.

The County will minimize Concentration of Credit Risk, which is the risk of loss attributed to the magnitude of the County's investment in a single issuer, by diversifying the investment portfolio so that the potential losses from any one type of security or issuer will be minimized.

Investment Rate Risk

The County will minimize Interest Rate Risk, which is the risk that the market value of securities in the portfolio will fall, due to changes in market interest rates by structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities in the open market and investing operational funds primarily in shorter-term securities, liquid asset funds, money market mutual funds or similar investment pools and limiting the average maturity in accordance with known cash requirements.

Foreign Currency Risk

The County is not authorized to participate in investments which have this type of risk pursuant to the Investment Policy.

E-2.0 Cash Receipts

County Board Approval: April 5, 2000; Reviewed December 4, 2019; Revised March 18, 2020

A. Authorization to Receive Cash.

Department heads shall determine which employee positions are authorized to receive cash on behalf of their respective departments, in accordance with the provisions of this policy manual.

B. Receipts.

A pre-numbered county receipt shall be issued for all cash, including checks, received by a county employee. The receipt shall include the amount received, the name of the payer, purpose and method of payment (e.g., cash, check or money order). In addition, all remittance advises received shall be attached to the pre-numbered receipt form.

C. Deposits.

Total cash collected by the County Treasurer shall be reconciled to the sum of the pre-numbered receipts and shall be deposited daily in the appropriate county bank account(s).

1. Each department shall make its own deposits once each week or when in possession of $1,000, whichever comes first.
2. Each department shall prepare and submit to the Treasurer a transmittal indicating where funds are to be deposited, the date of the deposit, receipt number and the actual deposit slips during the last two (2) business days of the month.
3. During times of an emergency closure or emergency alteration of hours within the County offices and/or banking facilities, deposits may be kept in a locked vault. Department heads are to use individual discretion as to the necessity of depositing funds.

D. Bank Reconciliation.

The cash balances of the various fund ledgers shall be reconciled to the bank statements monthly. The cash balances should be the result of the cash receipts and disbursement activities and shall be derived from the same accounting records used in preparing the required financial reports.

E-2.1 Collection of Booking Fees

County Board Approval: December 15, 2010; Amended December 4, 2019

Policy Statement. The following procedures are established to assure the collection of booking fees, allowed under Public Act 124 of 2003, to assist counties in offsetting training expenses for local corrections officers.

An ACT TO AMEND 1846 RS 171, entitled "Of county jails and the regulation thereof," (MCL 801.1 to 801.27) by adding section 4b.

Section 4b states that each person incarcerated into the County jail shall pay a booking fee of $12.00 to the County Sheriff when that person is admitted into the jail.

The County Sheriff may collect a fee owed under this section by withdrawing that amount from any inmate account maintained by the Sheriff for that inmate.

The revenue derived from fees collected under this section will be distributed in the manner provided below, pursuant to MCL 801.4b (4) and (5).

A. Procedure Statement.

CRITERIA FOR COLLECTION OF THE BOOKING FEES

THESE BOOKING FEES SHALL BE ASSESSED TO ALL INMATES BOOKED INTO THE COUNTY JAIL, EACH AND EVERY TIME THEY ARE BOOKED IN. THIS IS TO INCLUDE BOOKING AN INMATE FOR AN ORIGINAL CHARGE, SENTENCING, AND ANY BOND OR PROBATION VIOLATIONS. IF THE INMATE IS SERVING WEEKENDS, ONLY THE ORIGINAL FEE IS TO BE ASSESSED.

One of the following criteria must be met before a booking fee can be assessed:

1. The inmate is held on local Wexford County charges only.
2. The inmate is held on local charges with an out of county hold.

NOTE: An inmate that is here as a boarder for another county or jurisdiction will not be subject to this assessment fee.

B. Establishing and Maintaining A Debit Account For The Collection Of Booking Fees.

1. A debit account shall be created in the **Stellar/Lockdown** System for depositing of the booking fees.
2. The $12.00 booking fee will be deposited into the inmate's commissary account. It will then be debited from the inmates account and placed into the "booking fee" account.
3. Once weekly, a check will be drawn from the debit account for all monies deposited that week. The fees collected shall be receipted into the following accounts: County portion into #263-361-621.00 ($10.00 per booking fee) State of Michigan portion ($2.00 per booking fee) into #701-351-228.60 and transmitted to the County Treasurer's Office.

C. Collection of the $12.00 Booking Fee.

1. Once the condition for the booking fee is met, the inmate will be assessed the $12.00 booking fee. This can be placed into the inmate's account with cash, money order or a check written out to the inmate. The check must meet established criteria for accepting a check for an inmate account. The booking fee will then be debited from the inmate account. A receipt will be given to the inmate.

2. The inmate shall pay the $12.00 booking fee prior to release from the jail. Failure to pay the booking may result in the inmate receiving a civil infraction appearance ticket. This civil infraction is punishable by up to a $100.00 court fine, and may be issued by a certified police office or a corrections officer.

3. Inmates who are determined to be indigent by the corrections officers, may be exempt from paying these fees.

D. <u>Claim Reimbursement of Booking Fee.</u>

1. A booking fee refund form will be given **upon request**, to each inmate at the time a booking fee is taken from him or her. In the event that an arrestee is assessed the booking fee and later found not to be criminally responsible, or charges are dropped, the inmate will submit the form back to us. We will then forward it to the County Treasurer for reimbursement to the inmate.

E-3.0 County Credit Card Account Management Program

County Board Approval, Amendments: February 16, 2000; September 18, 2002; September 15, 2004; September 17, 2008; Amended December 4, 2019

A. Background.

The Board of Commissioners have approved the use of credit card accounts for use when purchasing goods and services for the County:

1. Purchasing Credit Card Program shall be used by all county departments and elected offices.

B. Wexford County Credit Card Account Management Policy.

1. All Elected Officials and Appointed Department Heads are designated as County Credit Card Account Managers and Custodians. In this capacity they shall designate which employees under their supervision shall be authorized to possess a county credit card and establish the financial limit for said employee.
   a. Elected Officials and Appointed Department Heads using the Purchasing Card Program shall set limits on the type of purchases authorized for each Purchasing Card issued to personnel within their department.
2. Elected Officials and Appointed Department Heads may establish procedures within their office to assure that persons authorized to use the Credit Card are consistent with all departmental and county policies for purchasing goods and services.
3. Upon the termination of employment of a County Credit Card Account Manager, all cards and account records will be turned over to the successor in that position or to the Treasurer's office in the event that there is no immediate successor in that position.
4. Management of a County credit card account.
   a. Credit card issuance and control: each card will be logged by signature by the respective department head with the log maintained by the Treasurer.
   b. Only a County employee may use a County credit card.
   c. County credit cards may be used only for the purchase of goods and services in conjunction with official County business.
   d. Specific limitations on County credit card accounts and credit card use:
      1) County credit card accounts arc normally to be utilized by County employees to pay for small quantities of supplies and travel expenses (lodging, meals, transportation, etc.) in conjunction with official County business and travel.
         a) County Employees shall provide the counties tax identification number to vendors so that taxes on items and services are not charged.
         b) You cannot use credit cards for:

            Cash Advances
            Personal Purchases
            You may not have vendors split your transactions.
            Standard category exclusions (i.e. alcoholic beverages, doctors, etc.)

2) County credit cards may be utilized to purchase goods and services with the specific approval of the account manager/custodian subject to the following purchase limits:

a) When a requirement exists to utilize the County credit card for the purchase of tangible goods or contract and repair services at a line item price above $500, County purchasing policy is to be followed.

5. Credit limits are established on each card account as follows:

1) Credit Limits for Elected Officials and Department Heads are designated by the Board as $7,000

6. The following additional procedures and requirements apply:

1) Employees entrusted with County credit cards are responsible for protection and custody of the card and \viii immediately notify their respective card account manager if the card is lost or stolen.

2) Not later than the first business day following the purchase of goods/services or the return from official travel, the user of the credit card will return the credit card to the account manager/ custodian.

3) At the same time the credit card is returned, an itemized Wexford County Credit Card Expense Voucher with original itemized receipts for all purchases attached is to be turned in to the account manager.

7. Upon receipt of the itemized voucher, the account manager will:

1) Authenticate each expense listed on the voucher.

2) Verify that an original itemized receipt is included for each expense.

3) Determine the appropriate budget line item that the payment for each item on this voucher is to be charged to and so indicate in the space provided.

4) Reconcile and validate approved departmental vouchers against the monthly credit card account statement when received.

5) Forward the validated monthly credit card account statement (with budget line item delineated for each charge) and the associated and reconciled/validated departmental credit card expense vouchers to the County Clerk's Office for AP policy verification, then forwarded to the Treasurer's Office.

8. Upon receipt of the validated monthly credit card account statements the Treasurer's Office will journalize the monthly credit card bills before month end. Monthly credit card bills will be paid on an automated payment schedule. If a discrepancy occurs, it will be adjusted on the following monthly statement.

9. The interested County oversight authority for credit card account management is the standing Finance Committee. The Treasurer's Office, as the County's internal audit and fiscal monitoring agent, will periodically review departmental management of these accounts to ensure conformance with approved County policy.

10. Disciplinary measures consistent with existing law will be taken in the event that County credit cards are used inappropriately or not in consonance with this policy.

1) All Elected Officials and Appointed Department Heads may reduce the scope of the Purchasing Card by reducing the purchasing codes authorized by the vendor for first offense violations.

2) Second or subsequent offense violations of credit card policy may result in loss of credit card privileges at the discretion of the appropriate Elected Official and/or Appointed Department Head.

E-4.0 Payroll

County Board Approval: April 5, 2000; Amended December 4, 2019

A. Time Sheets.

All completed time sheets shall be submitted biweekly to the appropriate Department head each Monday, or Tuesday following a Monday holiday. Time sheets will be signed by the employee and by the department head. Signed time sheets are to be presented to the County Clerk that same Monday, or Tuesday following a Monday holiday.

B. Deductions and Withholdings.

The County Clerk shall be notified prior to the end of the pay period of any changes in voluntary deductions or withholding allowances desired by an employee. All voluntary deductions shall be authorized in writing. Any changes made after the Monday or Tuesday that time sheets are due will not be included until the following pay period.

C. Pay Advances.

Pay advances shall not be authorized under any circumstances. Employees may make arrangements for direct deposit of payroll checks issued while on leave.

D. Payroll Problems.

Employees will immediately notify the County Clerk of any problems or errors on their paychecks.

E. E-mail.

No changes, corrections, or calculations will be processed if requested by e-mail. Requests must be made in person at the County Clerk's office or through interoffice mail with original signature.

E-5.0 Charitable Donations

County Board Approval: July 17, 1996; Reviewed December 4, 2019

A. The Board of Commissioners' fiduciary responsibility to the public is the proper management of County monies in support of the public good.

B. The Board of Commissioners will not generally consider the use of general revenue as donations in support of requests for charitable contributions from organizations or individuals who request them.

C. Requests for the donation of goods, services or facilities will be managed as outlined elsewhere in this Manual.

E-6.0 Special Appropriations

County Board Approval: May 19, 1999; Reviewed December 4, 2019

In order to receive appropriations from Wexford County as permitted by state law, multi-county agencies, government agencies and quasi-government organizations shall submit a detailed request in accordance with the County's annual budget guidelines and procedures. If such appropriation is granted, each recipient organization shall provide (and keep current) the following, to the appropriate Wexford County officials listed below:

1. A copy of any current organizational charter or articles of incorporation, enabling legislation and bylaws or intergovernmental agreement to the County Clerk.
2. A roster of officers, directors, and executive employees to the County Clerk.
3. Minutes of each official meeting to the County Clerk.
4. Certificate(s) of Insurance meeting the current insurance requirements of the Wexford County Board of Commissioners to the County Clerk.
5. Financial statements, including the most current year end balance sheet and statement of revenue and expenses for the most recent year to the Finance Committee of the Board of Commissioners.

The County Board of Commissioners may require an organization or agency so funded to provide, at its own expense, audited financial statements if the Board of Commissioners determines it to be necessary.

Failure to comply with this policy may result in the County Board of Commissioners demanding a full refund of the annually appropriated amount paid to an agency or organization so funded and/or withdrawing any future county financial support for said agency or organization.

E-7.1 Accounts Receivable

County Board Approval: April 5, 2000; Amended December 4, 2019

A. Invoice Preparation.

Each department shall be responsible for preparing invoices for revenues due to the County. All invoices shall include a remittance advice (or suitable application form) to be returned to the County with payment. The remittance advice shall include the name, amount invoiced, invoice number, purpose and account number.

B. Posting and Distribution.

A copy of all invoices or bills for money owed the county shall be provided to the Treasurer on a daily basis. The Treasurer's Office shall record the receivables in the general ledger. The Treasurer's Office shall also maintain a detailed subsidiary record by invoice that is reconciled to the general ledger control on a monthly basis.

C. Method of Accounting.

For all remittance invoices received by the County, the Treasurer shall credit the receivable. A monthly listing of all amounts invoiced but not yet received shall be prepared and reconciled to the general ledger.

E-7.2 Accounts Payable

County Board Approval: April 5, 2000; Amended December 4, 2019

A. Department Authorization.

All requests for payments, i.e., invoice or expense voucher, shall be approved by the designated individual responsible for the cost center (department) to which the expense shall be posted. The authorization shall indicate that the expense is authorized and correct by affixing the account number and his or her initials to the invoice. All approved bills must be submitted to the General Accounting Office within ten (10) days of receipt.

B. Warrant Reports.

The Clerk's Office shall prepare a warrant report to the Finance Committee showing the vendor name, nature of the expense, invoice number and warrant number or check number if the unsigned check represents the warrant. Any items paid prior to the Finance Committee audit shall be noted on the warrant report. Members of the Finance Committee shall sign the warrant for all claims approved by the Board. A copy of the warrant shall be filed with the invoice claim.

C. Finance Committee Audit.

All claims shall be approved by the Finance Committee prior to payment, except as follows. These claims shall be post-audited at the next Board meeting.

1. Payroll
2. Utility bills
3. Invoices with penalties or discounts that would be incurred if payment is not received prior to the Committee meeting where claims will be approved
4. Insurance payments
5. Contracted services
6. Bond / Loan Payments
7. Bills received before noon the day prior to a Finance Committee meeting will be included for approval at the meeting.

D. Expenditure Control.

The general statute governing County budget activity is the Uniform Budgeting and Accounting Act. In addition to provisions of this statute, general statements concerning the Board's intent with regard to the administration of each year's budget are set out in the annual appropriations measure. The County Board wishes to amplify the general conditions of State law and those contained in the appropriations measure by specifically directing all County officers and employees not to authorize or participate in the expenditure of funds except as authorized by the annual appropriations measure. The Board recognizes that in addition to possible Board sanctions for willful disregard of this policy, state law (MCL141.437 through MCL 141.44) provides for civil liability for violations of the annual appropriations measure.

1. Annual budgetary appropriations shall be deemed maximum authorization to incur expenditures. Department heads shall not consider appropriations contained in the budget as a mandate to expend county funds, nor does the budget constitute authorization to commit the County to specific obligations.
2. The Administrator, Accounting Supervisor and Finance Committee shall monitor expenditures to ensure that spending does not exceed budgetary limits. County funds shall

not be diverted for purposes significantly inconsistent with those specified in the appropriations measure.

3. The General Accounting Office shall maintain appropriation ledger accounts in which are to be recorded such expenditure encumbrances and obligations for the future payment of appropriated funds.

4. Each warrant, draft, or contract of the County shall specify the funded appropriations designated by number in the accounting system classification established pursuant to law from which it is payable and shall be paid from no other fund or appropriation. Expenditures shall not be charged directly to any contingent account. Instead, the necessary amount of appropriation from such account shall be transferred in accordance with this policy to the proper general appropriation account and the expenditure then charged thereto.

5. No obligation shall be incurred against, and no payment shall be made from, any appropriation account unless there is a sufficient unencumbered balance in the appropriation and sufficient funds are, or will be available to meet the obligation.

E-7.3 Transfers and Supplemental Appropriations

County Board Approval: April 5, 2000; Amended December 4, 2019

A. Line Item Transfers.

Department heads are required to operate their departments within budgeted amounts and to spend the county funds only for those purposes stated in the budget, and to spend no more money than is appropriated.

1. After notifying the Administration Office, using the form provided by the Administration Office, department heads shall have authority to make transfers among the various line items within cost centers (departments) without prior approval. However, personnel wage, salary and benefits line items may not be amended in this manner.
2. Amendments to personnel wage,salary, and benefits line items may be made with prior approval of the Finance Committee.
3. After notification and/or approval has been established, the line item transfer claim is to be forwarded to the Treasurer's Office to be recorded in General Ledger.

B. Transfers Between Activity Centers and Departments.

1. Department heads may transfer an unencumbered balance, or any portion thereof, from one activity center to another activity center as long as both activity centers fall within the jurisdiction of the same department.
2. Transfers of any unencumbered balance, or any portion thereof, in any department to any other department may not be made without amendment of the adopted appropriations measure.

C. Supplemental Appropriations.

The Board of Commissioners may make supplemental appropriations by amending the original general appropriations measure, provided that revenue in excess of that anticipated in the original general appropriations measure becomes available.

D. Appropriation Adjustment Required.

Whenever it appears to the Administrator or Treasurer that actual and probable revenues in any fund will be less than the estimated revenues upon which appropriations from such fund were based, a recommendation shall be developed which, if adopted, will prevent expenditures from exceeding available revenues in the current fiscal year. Such recommendation shall include proposals for reducing appropriations, increasing revenues, or both. Before year end the recommendations for bringing appropriations in the balance with estimated revenues, the Board of Commissioners shall amend the appropriations measure to reduce appropriations or shall approve such measures necessary to provide revenues sufficient to equal appropriations, or both.

E-7.4 Financial Reporting

County Board Approval: April 5, 2000; Amended December 4, 2019

A. Periodic Expenditure and Revenue Report.

The Administration Office shall prepare a monthly financial report for the Finance Committee. The report will be current through the last day of the previous month, and shall be presented to the Committee at a regular meeting. The financial report for each fund will show the following information for revenues and expenditures:

1. Account Number
2. Description
3. Original budget
4. Amended budget
5. Current expenditures
6. Year to date
7. Budget balance
8. Unencumbered budget balance

B. Periodic Balance Sheet Report.

The Administration Office shall prepare a monthly balance sheet showing the assets, liabilities and equities for each fund.

C. Investment Performance Report.

The Treasurer shall prepare a quarterly report of all interest bearing activities, including the name of the financial institution, type of investment, anticipated yield and date of maturity.

D. Financial Reports Review.

The Administration Office shall review the financial reports prior to the Finance Committee meeting and shall recommend any necessary budget amendments or fund transfers.

E-8.1 Annual Budget Development Process

County Board Approval: April 5, 2000; Amended December 4, 2019

A. General.

The purpose of this policy is to establish a budget system for Wexford County; to define the powers and duties of the County officers in relation to that system; to provide that the County Administrator shall be furnished with information by the departments, boards, commissions, and agencies (hereinafter referred to as departments) relating to their financial needs, receipts and expenditures; and to provide for an annual appropriation measure. All documents related to the creation of the budget shall be available for inspection in the Administration Office throughout the budget development process.

B. Budget Calendar.

In the month of May the Administrator shall submit a budget calendar to the Finance Committee and Board of Commissioners for approval. At a minimum, the budget calendar shall identify effective dates for the following items.

1. Board of Commissioners approves calendar for budget preparation.
2. Board of Commissioners approves the revised long-range financial plan.
3. Board of Commissioners establishes instructions for departments to follow in submitting budget estimates.
4. Budget information, forms, and instructions are distributed to all departments submitting budgets.
5. The Administrator meet with departments to review goals and objectives as determined by the Board of Commissioners for the ensuing year.
6. All preliminary budget information, work programs and support documentation due from the departments.
7. Administrator conduct initial review of department budgets with department representatives, then assemble a recommended budget for consideration by the Finance Committee.
8. Finance Committee conducts budget meetings on appealed items from department heads.
9. Preliminary budget assembled and submitted to the Finance Committee for review and recommendation to the Board of Commissioners.
10. Board of Commissioners conducts budget meetings on unresolved appeals from department heads.
11. Board of Commissioners adopts Annual Apportionment Report and establishes an operating millage rate.
12. Advertise for public hearing on budget.
13. Board of Commissioners holds public hearing on the budget.
14. Board of Commissioners adopts budget.

C. Long-range Financial Management Plan.

Prior to preparation of the Annual Budget, the Board of Commissioners shall adopt a long-range County Financial Management Plan for the ensuing calendar year and the subsequent three (3) years. The Plan shall be used as a guide for the preparation of the annual budget. The Plan shall

be prepared in a manner as follows:

1. The Administrator shall prepare the County Financial Management Plan in cooperation with department heads, select and special committees, boards and commissions.

2. The County Financial Management Plan shall consist of projected expenses for all departmental functions including personnel services, operations, capital improvement and debt services; projected revenues, anticipated sources and methods of funding; and be organized by department/function.

3. The Finance Committee shall review the draft County Financial Management Plan and make recommendations to the Board of Commissioners.

D. Budget Instructions.

No later than August 1 of each year, the Administrator shall send budget instructions to each department. The instructions shall include information that:

1. Is necessary to assure that the budgetary estimates of the department are prepared in a consistent manner.

2. Indicates limits of budgetary estimates and items that are to receive emphasis.

E. Department Budget Review.

The Administrator and Accounting Supervisor shall review the budgetary estimates and may meet with a representative of each department to clarify the estimates and to ensure their accuracy. The Administrator and Accounting Supervisor shall assemble and submit a recommended budget to each department not less than ten (10) days prior to submittal of the budget document to the Finance Committee.

F. The Budget Document.

The Administrator shall consolidate the estimates received from the various departments together with the amounts of expected revenues. Recommendations related to those estimates shall be developed to assure compliance with the budget policy statement. The Administrator shall work to jointly assure that the total of estimated expenditures, including an accrued deficit in any fund, does not exceed the total of expected revenues, including any unappropriated surplus. The draft budget document shall consist of the following parts:

1. Revenues. Detailed estimates of all anticipated revenues applicable to proposed expenditures; summary statements of anticipated revenues classified by fund and source; comparisons between revenues actually received during the completed fiscal year, those received and anticipated for the current fiscal year, and those anticipated for the ensuing fiscal year; the estimated surplus or unobligated balance of the current fiscal year, and any additional information as required by the Board of Commissioners.

2. Expenditures. Detailed estimates of all operating and capital outlay expenditures for the ensuing fiscal year shall be included. A statement of proposed expenditures from all funds classified by organization unit, character, object, functions and activity shall also be included. It shall show, in the same classification of expenditure, the expenditures of the last completed fiscal year, those anticipated for the current year, and shall include as separate items any deficit from the preceding fiscal year that was not included in the budget for the current year and any anticipated deficit resulting from operations of the current year.

3. Capital Outlay. Any recommendations for capital projects shall be included in the budget document. The total estimated cost at completion and the source of funding for proposed projects shall be included.

G. Transmittal of the Budget to the Board of Commissioners.

No later than the date shown in the approved Annual Budget Calendar of each year, the Finance Committee shall transmit the proposed budget to the Board of Commissioners. The proposed budget shall be accompanied by:

1. A proposed general appropriations measure, consistent with the budget, which shall set forth the anticipated revenue and required expenditure authorities for the ensuing fiscal year, consistent with the uniform chart of accounts prescribed by the State of Michigan.
2. A budget message which shall explain the reasons for increases and decreases in budget compared with the current fiscal year, definition of factors used in determining the important budgetary changes, and any other information determined to be useful to the Board of Commissioners in its consideration of proposed appropriations.

H. Consideration of Budget by Board of Commissioners.

The Finance Committee shall submit the proposed budget to the Board of Commissioners for approval.

1. The Finance Committee may direct the Administrator to submit any additional information it deems relevant in its consideration of the budget. The Committee may conduct budgetary review meetings for the purpose of clarification or justification of proposed budgetary changes.
2. The Committee may revise, alter, or substitute the proposed general appropriations measure in any way, except that it may not change it in any way that would cause total appropriations, including an accrued deficit, to exceed total estimated revenues, including any unappropriated surplus.
3. The Board Commissioners shall fix the time in place of a public hearing to be held on the budget and proposed appropriations measure.
4. The Administrator shall then have published, in a newspaper of general circulation within the county, notice of the hearing and an indication of the place at which the budget and proposed appropriations measure may be inspected by the public. This notice must be published at least ten (10) days prior to the date of the hearing.

I. Passage of the General Appropriations Measure.

No later than the date stated in the annual budget calendar, the Board of Commissioners shall pass a general appropriations measure providing the authority to make expenditures and incur obligations on behalf of the county. The Board of Commissioners shall cause to be levied and collected the general property tax in an amount up to the county's fixed portion as voted on by the electorate. Unless noted in the general appropriations measure, all County budgets are adopted on a cost center basis.

J. Failure to Enact a General Appropriations Measure.

In the event that the Board of Commissioners fails to pass the general appropriations measure January 1, the Administrator shall notify all officers, departments, boards, and commissions that they may, in the new fiscal year, make expenditures and incur obligations under the provisions of the general appropriations measure effective for the fiscal year just completed, except that the authority for any item of appropriations in any month shall be limited to amount not to exceed one twelfth of the annual appropriation amount for that item. Expenditures shall continue in this manner each month until the effective date of the general appropriations measure for the new fiscal year.

K. Amendment of the General Appropriations Measure.

The Board of Commissioners may authorize the Administrator to transfer between appropriation

items, within limits stated in the appropriations measure resolution, which is made part of the annual budget document and approved by the Board as part of the annual budget document.

1. Upon expiration of a 60-day period after the beginning of a new fiscal year, The Board of Commissioners shall not pass any amendment to the general appropriations measure for the last completed fiscal year or make any supplemental appropriations based on that measure.

2. A deviation from the original general appropriations measure shall not be made without first amending the general appropriations measure. Amendment shall follow the same procedure used for the original consideration of the budget and appropriations measure pursuant to Section I of this policy.

E-8.2 Fund Balance

County Board Approval: April 5, 2000; amended December 27, 2018; Reviewed December 4, 2019

A. <u>General.</u>

The County Board of Commissioners shall maintain a fund balance in the County's general fund. This fund balance shall be defined as the "undesignated portion of the general fund balance that represents expandable available financial resources to be used exclusively for maintaining a stable tax and revenue structure and to provide for the orderly delivery of services to county residents; to maintain and improve the County=s credit standing; and to provide financial resources that can be used to meet contingency and working capital requirements."

1. The fund balance of the general fund shall not be less than 30 percent of the annual general fund operating budget. Appropriations shall not be made from the fund balance of the general fund if the balance will fall below this level unless authorized by two-thirds vote of the Board of Commissioners.
2. Appropriations shall not be made from the fund balance until a recommendation is received from the Finance Committee and that all supplemental appropriations are in accordance with the guidelines established by the County.
3. All departments requiring supplemental appropriations from the fund balance shall notify the Administrator, who shall in turn notify the Finance Committee of the need for the supplemental appropriation. The Finance Committee shall review the request and file a report with the Board of Commissioners recommending either approval of the supplemental appropriation, or disapproval outlining reasons for the recommendation.
4. Amounts in excess of the minimum in the fund balance may be appropriated by a majority vote of the Board of Commissioners.
5. The County has adopted a fund balance policy (Resolution 12-16) which defines governmental fund balances per Governmental Accounting Standards Board ("GASB"). The County Board shall approve all commitments by formal action. The action to commit funds must occur prior to fiscal year-end, to report such commitments in the balance sheet of the respective period, even though the amount may be determined subsequent to fiscal year-end. A commitment can only be modified or removed by the same formal action. The County Board delegates the responsibility to assign funds to the County Administrator or his/her designee. Assignments may occur subsequent to fiscal year-end.

E-8.3 Fraud Policy

County Board Approval: October 15, 2008; Amended December 4, 2019

A. Background.

Wexford County is committed to protecting its revenue, property, information and other assets by hereby establishing a policy to facilitate and develop controls which will aid in the detection and prevention of fraud. It is the intent of Wexford County to promote consistent organizational behavior by providing specific guidelines and responsibilities regarding appropriate actions that must be followed for the investigation of fraud and other similar irregularities.

B. Scope of Policy.

The policy applies to any fraud, or suspected fraud, involving employees as well as consultants, temporary workers, vendors, contractors, outside agencies, doing business with employees of such agencies, and/or any other parties with a business relationship with Wexford County.

C. Terms and Definitions.

As used in the policy, the terms listed below shall have the following definitions:

1. Embezzlement is to misappropriate property entrusted to one's care to one's own use.
2. Misappropriate means to wrongfully take or make use of an asset without authority or right.
3. Loss is defined by Wexford County as losing possession or control of any type of asset through fraudulent activities.
4. Employee(s) refer to all Wexford County employees, independent contractors, consultants and temporary workers.
5. Assets refer to the entire property of the County and include but are not limited to all building property, vehicles, equipment, computers and software, cash receivables, wages and benefits.
6. Equipment is defined as a capital asset that is not consumable or expandable; it is movable, even though sometimes attached to other objects or buildings; its removal does not create a readily observable physical impairment or deterioration. Examples include, but are not limited to; office equipment including computers, desks, cabinets, printers and scanners, electronic data processing equipment, cameras and recording devices, maintenance equipment, tools and inventory items.

D. Actions Constituting Fraud.

Examples of fraud and misuse of Wexford County assets include but are not limited to:

1. Embezzlement
2. Misappropriation, misapplication, destruction, removal or concealment of Wexford County property
3. Alteration or falsification of documents
4. Theft of any asset (money, tangible property, materials, inventory, etc.)
5. Intentional circumvention of procedures
6. Authorizing or receiving compensation for goods not received or services not performed
7. Authorizing or receiving compensation for hours not worked

8. Misrepresentation of fact

E. Zero Tolerance Policy.

The Wexford County Commissioners hereby adopt a zero tolerance policy regarding willful fraud or misuse of county assets. Employees of Wexford County shall read and understand this policy. An individual who violates this policy will be subject to any or all of the following: civil action, restitution and/or criminal charges to the fullest extent of the law. In addition to the above listed remedies, employees who violate this policy will be subject to disciplinary action up to and including discharge.

F. Investigation Responsibilities.

The primary responsibilities for the investigation of all suspected fraudulent acts as defined in the policy are assigned to the County Administrator or the Elected Official who has oversight of the subject department or employee. The Administrator/Elected Official will issue reports to appropriate personnel and if appropriate to the Board of Commissioners. If the County Administrator is the person suspected of the inappropriate behavior, the Chairman of the Board of Commissioners shall assume the responsibilities of the Administrator in relation to this policy and all phases of the process.

Decisions to prosecute or refer the examination to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel, Administrator/Elected Official and Board of Commissioners if deemed appropriate, as will final decisions on the disposition of the case.

G. Reporting Procedures.

The reporting individual should be informed of the following:

1. The reporting individual has the option of first reporting the behavior/incident to the department head/manager. The behavior/incident must then be reported to the Administrator/Elected Official within 24 hours of becoming aware of the suspected fraud (the matter cannot be dismissed by the department head/manager).
2. In the event that the suspected fraud involves another local unit of government, the Administrator/Elected Official will report the suspected fraud to the State Department of Treasury.
3. If it is not deemed appropriate to discuss the matter with the department head/manager first, the Administrator/Elected Official must be contacted directly.
4. Do not contact the suspected individual in an effort to determine facts or demand restitution.
5. Do not discuss the case, facts, suspicions or allegations with anyone unless specifically asked to do so by the Administrator/Elected Official.

H. Administration.

The Wexford County Board of Commissioners is responsible for the administration, revision, interpretation and application of the policy. This policy will be reviewed periodically and revised as needed.

E-9.0 Electronic Funds Transactions & Automated Clearing House Agreements

County Board Approval: August 6, 2003; November 19, 2008; Reviewed December 4, 2019

The following policy shall govern the use of Electronic Transactions and Automated Clearing House (ACH) agreements for Wexford County:

A. Definitions.

"Automated Clearing House" or "ACH" means a national and governmental organization that has authority to process electronic payments, including, but not limited to, the National Automated Clearing House Association and the Federal Reserve System.

An "ACH arrangement" means the agreement between the originator and the ACH transaction and the receiver of an ACH transaction.

An "ACH transaction" means an electronic payment, debit, or credit transfer processed through an automated clearing house.

An "ACH Policy" means the procedures and internal controls as determined under this written policy developed by the County Treasurer and adopted by the Board of Commissioners.

B. Authority to Enter into ACH Agreements and Electronic Transfer of Public Funds.

The Treasurer or Electronic Transaction Officer (ETO) may enter into an ACH agreement as provided by Public Act 738 of 2002, effective December 30, 2002. The Wexford County Board of Commissioners shall have adopted a resolution to authorize electronic transactions and have received a copy of the policy. Applicable definitions in the Act shall apply.

An ACH arrangement under PA 738 of 2002 is not subject to the Revised Municipal Finance Act, 2001 PA 34, MCL 141.2101 to 141.2821, or to provisions of law or charter concerning the issuance of debt by the township.

C. Responsibility for ACH Agreements.

The Treasurer or ETO shall be responsible for all ACH agreements, including payment approval, accounting, reporting, and generally overseeing compliance with the ACH policy. Documentation detailing the goods or services purchased, the cost of goods or services, the date of the payment, and the department levels serviced by payment, can be contained in the electronic general ledger software system or in a separate report to the governing body.

D. Internal Accounting Controls to Monitor Use of ACH Transactions.

1. The Treasurer or ETO shall be responsible for the establishment of ACH agreements. The Treasurer or ETO shall notify the person responsible for approval and payment of those accounts to be paid by ACH or electronic transfers.
2. Upon receipt of an invoice for payment for accounts paid by ACH, the person responsible for approval and payment shall approve payment and notify the Treasurer or ETO of the date of debit to the accounts. Accounts payable, by this method, may include utility and recurring lease payments. All other invoices approved by the person responsible for approval and payment, and payable by ACH may be paid in that manner if deemed in the best interest of the County, e.g., to avoid a late fee.
3. For payment of State and Federal payroll taxes, the Treasurer or ETO shall initiate payment to the proper authority upon receipt of the information from the payroll department using the established Electronic Funds Transfer Policy and state program.

4. For deposits from state, county, and/or federal authorities, and from third-party payment processors, e.g., banks, vendors, the Treasurer or ETO shall obtain the amount of the deposit and send an advice to the person responsible for accounting records.

5. All invoices shall be held by the person charged with keeping the records along with copies of payment advices.

E-10.0 Policies and Procedures - Federal Awards Administration

County Board Approval: July 19, 2017; Reviewed December 4, 2019

A. Overview.

1. Purpose - This manual has been prepared to document the policies and procedures for the administration of federal awards of Wexford County, Michigan (the "County"). These policies and procedures are intended to be sufficiently comprehensive to adequately meet the requirements of 2 CFR 200 (the "Uniform Guidance"). However, in no case are these policies and procedures intended to supersede or limit federal or state laws or regulations, or the provisions of individual grant agreements.

2. Hierarchy of Authority - In the event that conflicting guidance on the administration of Federal awards is available, the County has deemed guidance from the Office of Management and Budget (0MB) to be most authoritative, followed by guidance from the granter agency and finally the state and local agencies.

3. Revisions - Guidance provided by the Federal government through the 0MB Compliance Supplement is expected to be updated each year. Such updates are considered by the County as they become available and policies and procedures will be revised accordingly

   The Administrator and designated representatives are authorized and required to establish and document operating procedures to ensure compliance with the provisions of federal and state regulations and the provisions of grant agreements. Such procedures are documented herein, and will be reviewed and updated as necessary, but not less than once every three years.

4. Training - Accounting personnel and program administrators of Federal awards will be provided the necessary training through various mechanisms, such as: (1) consulting with the County's auditors as needed for clarification, (2) participating in various training opportunities, such as those offered by appropriate professional organizations, (3) reading guidance issued by the granter agency, (4) participating in program related webinars.

5. Compliance Failures - Compliances failures, whether noted internally by management or through the external audit process, will be addressed immediately by reviewing the reason for the failure with responsible personnel and devising an improved process to encourage compliance in the future.

B. Financial Management Systems.

1. General Accounting and Financial Management

   It is the policy of Wexford County, Michigan (the "County") to comply with all statutory, regulatory, and contractual requirements in the conduct of and accounting for its financial operations. The official books of record for the County will be maintained subject to the following provisions:

   Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

   - Personnel Management Responsibilities (B - 4.0)
   - Financial Reporting (E - 7.4)

   Additional Policies and Procedures. The following policies and procedures will also be applied, to the extent that they do not conflict with or contradict the Board policies listed above:

a. The County will account for its operations in accordance with the Generally Accepted Accounting Principles (GAAP) applicable to local units of government.

2. The County will comply with the provisions of 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (the "Uniform Guidance").

3. The County will comply with all contractual requirements detailed in its duly executed grant agreements with awarding agencies.

4. The Board will contract annually with an independent CPA firm for the purposes of conducting the County's external financial audit. To the extent that the County has expended federal awards in excess of $750,000, the County will have a single audit performed in accordance with 2 CFR 200.

5. The Administrator's Office shall maintain a book of Official Policies adopted by the Board, in addition to this Policies and Procedures manual.

6. The County shall be responsible for maintenance of all accounting and financial records (including journals, timesheets, bank statements, audit reports, and similar documents). Such records shall be retained as required by contractual or regulatory requirements as described in the section of this manual titled "Records Retention."

C. <u>Purchasing and Procurement.</u>

It is the policy of Wexford County, Michigan (the "County") to ensure that all disbursements of County funds are properly reviewed and authorized, and consistent with sound financial management principles. In order to meet these objectives, all disbursements of County funds shall be subject to the following provisions:

Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

- Commissioner Per Diem, Expenses and Official Business Travel (A - 3.0)
- Personnel Management Responsibilities (B - 4.0)
- Official Travel and Business Expenses (C - 4.0)
- Purchasing, Contracts and Sales (D - 1.0)
- County Credit Card Account Management Policy (E – 3.0)
- Accounts payable (E - 7.2)

Additional Policies and Procedures. The following policies and procedures will also be applied, to the extent that they do not conflict with or contradict the Board policies listed above:

1. Purchases made with federal funds will be made using one of the five allowable methods specified by the Uniform Guidance. Where such regulations differ from the general County, the more restrictive of the requirements shall apply.

   - *Micro-purchases* - Purchases of services and supplies with an aggregate cost of $3,000 or less (or $2,000 in the case of acquisitions for construction subject to the Davis- Bacon Act). Bids or quotations are not required, though the County will attempt to make the purchase in the most economical fashion possible.
   - *Small purchases* - Purchases of services or supplies with an aggregate cost of $150,000 or less. Quotations must be obtained from an adequate number of qualified sources.
   - *Sealed bids* - Vendors are invited to bid based on detailed specifications.

- *Competitive proposals* - Vendors are invited to submit a proposal based detailed specifications. Unlike the sealed bid method, competitive proposals typically involve technical or professional services where the qualifications, experience, reputation, and other factors are considered in awarding the contract.
- *Non-competitive proposals* - These purchases must be for an emergency, pre-approved by the grantor agency, or because the item is only available from a single source. This type of procurement should occur infrequently and be clearly documented. A Sole Source Vendor Justification Form has been drafted in the appendix of this manual.

2. Invoices will be received by the County. The Department Head is responsible for the reviewing and approving the invoice as indicated by signature or initials. Once approved by the Department Head, the department representative will submit to the County Clerk's office for processing. At this time, the expenditure is considered for allowability under grant agreements (see "Allowable Costs/Cost Principles" in the single audit section of this manual).
3. Appropriate general ledger expense accounts will be noted on the approved invoices by the Department Head.
4. When an employee or commissioner incurs work-related expenses to be reimbursed by the County, the following requirements apply:
   a. The County travel expense voucher report will be submitted to the Department Head for approval. Once approved by the Department Head the report will be then submitted to the Clerk's Office along with all supporting receipts for processing of payment through payroll. A representative from the department is responsible for reviewing the Department Head's expense report for appropriateness.
5. Receipts or support will be attached to the report for all expenses. If a receipt is not available, a Receipt Exception Form may be prepared and signed by the employee and the employee's supervisor. A Receipt Exception Form has been included in the appendix to this manual.
6. An employee will not be reimbursed for any expense that is disallowed by Federal cost principles.
7. Mileage will be reimbursed by the County at the standard IRS rate.
8. An employee making a disbursement using personal funds on behalf of the County may be subject to State sales tax, while payments made by the County directly are exempt from such tax due to its status as a local unit of government. As such, an employee will only incur a work-related expense with personal funds to the extent that it is not practical or reasonable for the purchase to be made directly by the County. This type of procurement should occur infrequently and be clearly documented.

Cash Receipts. In order to safeguard the funds of the County, cash receipts will be deposited promptly and intact.

Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

- Cash Receipts (E - 2.0)

Additional Policies and Procedures. The following policies and procedures will also be applied, to the extent that they do not conflict with or contradict the Board policies listed above:

1. Cash and check collections at the County departments:

a. Cash and checks collected by the departments must issue receipts for all amounts received.

2. An individual from each department, separate from receiving cash or check, brings a system generated receipt report (including deposit slip, cash/checks, as applicable) to the Treasurer's Office. In departments where there is more than one employee the individual will be separate than the individual receiving the cash or check.

3. At the end of the each day an individual from the Treasurer's Office counts the payments received (cash/checks) and prepares the bank deposit. A different employee from the Treasurer's Office prints the system generated receipt report and compares the amounts to the deposit slip, as evidenced by signature or initials. The Treasurer is then responsible for taking the deposit to the bank.

4. Department accounting software reports indicate the general ledger accounts the deposit is to be posted towards.

5. Electronic Funds Transfers are processed, reconciled and reviewed by the Treasurer's Office.

6. Credit Card Payments can be by County Departments. submitted with department transmittals weekly or monthly.

7. Wire transfers and ACH/EFT payments received for Federal and State grant funds will be recorded by the Treasurer's Office through the cash receipt system or through general journal entry. Journal entries will be signed/initialed and dated by the preparer, and independently reviewed and approved.

D. <u>Payroll and Timekeeping.</u>

The following provisions apply to the payment of employees and recording of time and effort (as required) in accordance with Federal Cost Principles.

Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

- Salary and Wage Structure (B - 8.0)
- Standard Workweek and Overtime (B - 10.7)
- Paid Absence from the Workplace (B 12.4)
- Unpaid Absence from the Workplace (B 12.5)
- Fringe Benefits, General (B - 14.1)
- Payroll (E - 4.0)

Additional Policies and Procedures. The following policies and procedures will also be applied, to the extent that they do not conflict with or contradict the Board policies listed above:

1. All employees, with exception of elected officials, shall submit a timesheet for each pay period, with the following information:

   a. The total number of hours actually worked each day

2. The use of any holiday, personal, vacation, sick, or other approved time off with pay

3. The total number of hours to be paid

4. The employee signature and the signature of the Department Head

5. Submitted to the Clerk's Office for payroll processing

6. In the event that an after-the-fact correction is necessary to an employee's timesheet due to errors in the allocation of time worked, such corrections must be submitted to the Clerk's Office by the Department Head in writing by both the employee and his/her supervisor.

7. Department Head time sheets, with the exception of elected officials, must be reviewed by the Administrator's office.

8. Employees track time either by electronic or manual timesheets. The department head reviews timesheets and aggregates the hours by employee per pay period. The aggregate information is provided to the Clerk's Office for payroll processing.

9. Pay rates are established at the time of hire and updated as needed by the Board utilizing a step program by position schedule which is then reviewed utilized by the Clerk's Office for payroll processing. Terminations are communicated to the Clerk's Office by the Department Heads utilizing personnel change forms or other forms of communication.

10. Payroll Registers are reviewed by the Clerk prior to disbursement.

E. <u>Bank Reconciliations.</u>

The following procedures will apply to the reconciliation of bank accounts:

1. Bank reconciliations will be performed monthly for each bank account.

2. Bank reconciliations will be completed within 6 weeks of the month-end.

3. Bank reconciliations for all accounts will be prepared by the department or the Treasurer's department and subject to a signed, independent review and approval.

F. <u>Journal Entries and Non-routine Transactions.</u>

The County will occasionally need to record a general journal entry or other non-routine transaction. Such transactions may relate to Federal awards. The following policies and procedures apply to all general journal entries:

1. General journal entries will be an allowable transaction type for recording: corrections and adjustments, accruals and reversing entries, EFT payments, ACH transfers to the extent that the entries can be reasonably supported.

2. All general journal entries will be filed sequentially and with adequate supporting documentation.

3. Each general journal entry will be signed/initialed and dated by the preparer.

4. All entries should be subject to review and approval by an independent individual or department employee, which will also be signed/initialed as evidence of the control.

G. <u>Capital Assets.</u>

The following provisions will govern the purchasing, accounting, and inventory of capital assets:

Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

- Purchasing, Contracts and Sales (D - 1.0)
- Use of County Vehicles (D - 6.0)
- County Property Receipt, Identification and Inventory (D - 2.0)
- Accounts payable (E - 7.2)

Additional Policies and Procedures. The following policies and procedures will also be applied,

to the extent that they do not conflict with or contradict the Board policies listed above:

1. Procurement of capital assets will be governed by the Board's procurement and purchasing policies.
2. Donated capital assets will be recorded at estimated acquisition value at the date of donation.
3. All capital assets will be depreciated using the straight-line method over estimated useful lives.
4. Capital asset records will be maintained by the Administrator's Office and updated at least annually at year-end for audit purposes.
5. To the extent that capital assets are purchased with Federal funds, such items will be flagged as "Federally-funded" in the financial accounting records in order to ensure the appropriate use of proceeds on sale (if applicable) in accordance with Federal guidelines.
6. A complete physical inventory of capital assets will be completed no less than once every two years. As part of this process:
   a. Capital assets will be physically inventoried and compared to the records used for financial accounting purposes. Inconsistencies will be investigated and resolved and the financial accounting records will be adjusted accordingly.
7. A detailed listing of capital assets from the financial accounting records will be provided to building principals and other department heads for input on accuracy, completeness, and existence of assets. Inconsistencies will be investigated and resolved and the financial accounting records will be adjusted accordingly.
8. Remaining useful lives of capital assets will be reviewed for reasonableness and adjusted when considered necessary and appropriate.
9. Other policies and procedures related to compliance with the provisions of the 0MB Compliance Supplement are included within this manual in the section titled "Equipment and Real Property Management".

H. <u>Long-term Debt.</u>

The following provisions will govern the issuance of long-term debt (including, but not limited to: bonds and notes payable, capital assets, installment purchase agreements, and compensated absence):

Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

- Purchasing, Contract and Sales (D - 1.0)
- Paid Absence from the Workplace (B - 12.4)
- Unpaid Absence from the Workplace (B - 12.5)
- Fringe Benefits, General (B - 14.1)
- Payroll (E - 4.0)
- Collective Bargaining Agreements

Additional Policies and Procedures. The following policies and procedures will also be applied, to the extent that they do not conflict with or contradict the Board policies listed above:

1. Compensated absences payable for earned but unused sick and vacation time, as provided for in bargaining agreements, will be recorded as a liability. Such accruals will be limited

to the maximum payout based on these policies. A certain amount will be designated as current each year, based on management's estimate.

I. Grant Administration.

1. Grant Development, Application, and Approval

   a. Legislative Approval - The point at which legislative approval is required is determined by the requirements of the grant program. If the grant must be submitted by "an individual authorized by the legislative body", then Board approval is required prior to submitting the application.

2. Matching Funds - Grants that require state or local match must be coordinated through the Administrator's Office. At a minimum, funds must be identified within the existing budget to provide the match, or a budget amendment will be required. Depending on the nature of the grant, level of service provided once grant funds are depleted will be approved by the Board.

3. Refer to the section within this manual titled "Matching, Level of Effort, and Earmarking" for additional information on compliance with the provisions of the 0MB Compliance Supplement.

4. Grant Budgets - Most grants require the submission of an expenditure budget. The approved grant budget should be provided to the Administrator's Office for input into the financial account system.

5. Grant Program Implementation

   a. Notification and Acceptance of an Award - Official notification of a grant award is typically sent by a funding agency to the program director and/or other official designated in the original grant proposal. However, the authorization to actually spend grant funds is derived from the Board through the approval of a grant budget, unless the resolution authorizing the grant application authorizes the Administrator to amend the budget upon notification of the grant award.

      Adoption of the grant budget as a component of the County-wide operating budget is deemed to be sufficient approval.

6. Establishment of Accounts - When a new grant award is received, the program director will provide the Administrator's Office with information needed to establish revenue and expense accounts for the project. Ordinarily, this information will include a copy of a summary of the project and a copy the full project budget.

7. Purchasing Guidelines - All other County purchasing guidelines apply to the expenditure of grant funds. The use of grant funds does not exempt any purchase from normal purchasing requirements. All typical paperwork and bidding requirements apply. All normal staff approvals apply.

8. Financial and Budgetary Compliance

   a. Monitoring Grant Funds Individuals may use some internal mechanism (such as a spreadsheet) to monitor grant revenues, expenditures and budgetary compliance. The Administrator's Office maintains all this information in the general ledger (the County's accounting system) as well, and this is considered to be the County's "official" accounting system by the granting agencies.

9. Fiscal Years - Occasionally, the fiscal year for the granting agency will not coincide with the County's fiscal year. This may require adjustments to the County's internal budget accounts and interim financial reports as well as special handling during fiscal year-end

close. It is the responsibility of the program director to bring such discrepancies to the attention of the Administrator's Office at the time the grant accounts are established.

10. Grant Budgets -When the general ledger accounting structure for a grant is designed, it will include the budget that was prepared when the grant application was submitted. The terms of each specific grant will dictate whether any budget transfers between budgeted line items will be permitted. In no case will the County be authorized to exceed the total budget authority provided by the grant.

11. Other Guidelines Specific information on policies and procedures related to compliance with the provisions of the 0MB Compliance Supplement have been addressed later in this manual and should be considered along with the information in this section.

J. Year-end Closing and Reporting.

The following provisions will govern the year-end close-out process of the County for purposes of external financial reporting:

1. Accruals will be recorded as needed to ensure that revenues and expenditures are reported in the appropriate accounting period:

   a. Accounts Payable Disbursements - Invoices for goods or services received during the previous fiscal year will be recorded as expense/accounts payable as of December 31. Such determinations will be made by the Clerk's Office.

2. Payroll-related Accruals - Costs of hourly personnel paid after Fiscal Year End for services performed during the previous year will be recorded as expenditures/salaries payable at Fiscal Year End. The amount will be based on hours worked during the fiscal year multiplied by the employee's hourly rate. Additional consideration will be made for FICA taxes, retirement benefits, health insurance, and related employee benefits.

   Payroll accruals will be prepared and documented by the Clerk's Office.

3. Prepaids - Payments made prior to year-end that cover goods or services to be received in a future period will be recorded as prepaid items as of December 31.

4. Inventory - Inventory will be counted as close as possible to Fiscal Year End. Amounts will be valued at current cost and provided to the Administrator's Office for review and adjustment in the general ledger.

5. Receivables General - Cash received after year-end for which a good or service was provided during the previous fiscal year will be recorded as revenue/accounts receivable. All such adjustments will be supported by appropriate documentation, such as remittance advices or dated subledgers.

6. Receivables grant - After all year-end expense accruals have been recorded, an entry will be recorded for the difference between grant expenditures and related grant receipts as of Fiscal Year End as revenue/grants receivable. Grant receivables will only be recorded to the extent that sufficient amounts remain in the grant award.

7. The preparation of the year-end financial statements in accordance with GAAP will be outsourced to the independent external auditors, based on the County's trial balance. The draft financial statements provided by the auditors will be reviewed in detail by the Administrator's Office along with any audit-proposed journal entries, to ensure that the audited financial statements agree to the County's books and records.

   Refer to the policy on "audits" within this manual for further information on audit requirements and related County policies.

8. To the extent that the County is required to have a single audit completed in accordance with 2 CFR 200, the County will accumulate the information necessary to prepare a schedule of expenditures of federal awards (SEFA or the "schedule") in accordance with Federal and State requirements. This schedule will be characterized as follows:

   a. The schedule will include all federal financial assistance, including: grants, contracts, property, loans, loan guarantees, interest subsidies, cooperative agreements, insurance, or direct appropriations. Amounts will be reported whether received directly from the Federal government or through a pass-through agency (given that the County is determined to be a subrecipient and not a vendor).

9. Non-cash assistance will be identified as such in the schedule.

10. The schedule will be prepared on the same basis of accounting as the related financial statements.

11. Federal awards will be grouped based on Federal awarding agency. Each Federal award with current expenditures will be listed along with its CFDA number, pass- through grantor name (if applicable) and award/pass-through grantor number (if applicable). Such information will agree to the award documentation.

12. If the CFDA number of a Federal award cannot be reasonably determined, it shall be reported in the schedule using the two-digit prefix for the related Federal agency, followed by “UNKNOWN.”

13. To the extent that amounts are passed-through to subrecipients, such amounts will be identified on the face of the Schedule by award number.

14. To the extent that a separate line item is included in the financial statements for Federal revenue, this amount shall agree to expenditures in the schedule. Any reconciling items will be disclosed in the footnotes to the schedule.

15. The footnotes to the schedule will disclose the significant accounting policies used in preparing the schedule.

16. The footnotes to the schedule will disclose the method of charging indirect costs to federal awards (if applicable.)

K. <u>Annual Audit.</u>

Every Michigan government must have a financial statement audit completed each year by a certified public accounting firm.

Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

- None

Additional Policies and Procedures. The following policies and procedures will also be applied, to the extent that they do not conflict with or contradict the Board policies listed above:

1. The County will have a financial statement audit completed annually as of its fiscal year ended December 31.

2. An adequate written agreement (the "engagement letter") will be signed by the County and its independent auditors. It will contain information on: period to be audited, support to be provided, reporting requirements, fees, time requirements, contractual information, and a statement that the engagement is intended to meet governmental oversight agencies'

requirements (2 CFR 200, GAAS and GAS). A copy of the engagement letter will be provided each year to the Board.

3. The Administrator shall be responsible for overseeing the process of preparing for the annual audit. In order to minimize errors in this process, all audit schedules and workpapers should be reviewed by an individual other than the preparer.

4. To the extent that expenditures of federal awards equal or exceed $750,000, the County will also have a single audit completed in accordance 2 CFR 200. Refer to the section of this manual titled "Year-end Closing and Reporting" for information on the schedule of expenditures of federal awards.

5. The audit will be submitted electronically to the Michigan Department of Treasury on or before the statutory deadline. The electronic submission will be performed by the County's independent auditors.

6. If a single audit is conducted, the data collection form and reporting package will be submitted electronically to the Federal Audit Clearinghouse as a joint effort between the County and its independent auditors.

L. <u>Policies for Compliance with the OMB Compliance Supplement.</u>

1. General Information

   a. <u>Source of Information</u> Each year the Federal government (Office of Management and Budget) issues a comprehensive document on the compliance requirements each grant recipient is obligated to follow in general terms, along with program-specific guidance on various grant awards. Each of the compliance requirements are considered individually in this manual.

   The following pages document the policies and procedures of the County related to compliance with such procedures, as applicable. In each year that the County is subject to a single audit, applicable compliance requirements are expected to be tested in detail by the County's independent auditors.

2. <u>Objectives</u> The objectives of most compliance requirements are generic in nature. While the criteria for each program may vary, the main objective of the compliance requirement is relatively consistent across all programs. As such, the policies and procedures of the County have been based on the generic sense of the compliance requirement. For selected compliance requirements, this manual addresses the specific regulations applicable to individual grants. This is not intended to imply that a program is not subject to such policies if it is not specifically mentioned here. It is the intention of the County that all Federal awards are subject to the following policies and procedures.

3. <u>Controls over Compliance</u> - In addition to creating policies and procedures over compliance with provisions of Federal awards, the County has implemented internal controls over such compliance, generally in the form over administrative oversight and/or independent review and approval. In order to document these control activities, all independent reviews are signed/initialed and dated.

4. <u>Documentation</u> - The County will maintain adequate documentation to support both the compliance with applicable requirements as well as internal controls over such compliance. This documentation will be provided to the County’s independent auditors and/or pass-through grantor agencies, as requested, during the single audit and program audits.

5. Source of Governing Requirements The requirements for activities allowed or unallowed are contained in program legislation, Federal awarding agency regulations, and the terms and conditions the award.

M. Activities Allowed/Unallowed and Allowable Costs/Cost Principles.

The requirements for allowable costs/cost principles are contained in 2 CFR 200, subpart E, program legislation, Federal awarding agency regulations, and the terms and conditions of the award. The requirements for the development and submission of indirect (facilities and administration (F&A)) cost rate proposals and cost allocation plans (CAPs) are contained in 2 CFR part 200 Appendix V.

In order to ensure compliance with these requirements, Wexford County, Michigan has implemented the following policies and procedures:

1. All grant expenditures will be in compliance with the Uniform Guidance. State law, County policy, and the provisions of the grant award agreement will also be considered in determining allowability. Grant funds will only be used for expenditures that considered reasonable and necessary for the administration of the program.
2. Grant expenditures will be approved by Department Head initially through the purchase order process, and again with the bill or invoice is received. This will be evidenced by signature or initials and date on the invoice. Accounts payable disbursements will not be processed for payment by the Administrator's Office until necessary approval has been obtained.
3. Payroll costs will be documented in accordance with the Uniform Guidance as described in the section of this manual titled "Payroll and Timekeeping".
4. The County will be permitted to charge indirect costs to federal grants at either (1) the federally negotiated indirect cost rate (if one exists) or (2) the de minimis rate of 10 percent. The selected rate will be applied to Modified Total Direct Costs (MTDC).

N. Cash Management.

Source of Governing Requirements The requirements for cash management are contained in 2 CFR 200.305, program legislation, Federal awarding agency regulations, and the terms and conditions or the award.

In order to ensure compliance with these requirements, Wexford County, Michigan has implemented the following policies and procedures:

1. Currently, all of the County's grants are awarded on a reimbursement basis. As such, program costs will be expended and disbursed prior to requesting reimbursement from the grantor agency. The County will continue to monitor new grant agreements, and will follow the method of cash management (e.g. reimbursement basis, advances, etc.) as prescribed within the grant agreement.
2. Cash draws will be initiated by the individual responsible for grant compliance, who will determine the appropriate draw amount. Documentation of how this amount was determined will be retained and signed/dated.
3. Each cash draw will be reviewed by an appropriate individual responsible for the grant administration, who will sign/initial and date the paperwork as evidence of the review.
4. The physical draw of cash will be processed through the means prescribed by the grant agreement for other awards by the Treasurer's Office and monitored by the Administrator's Office.

5. A copy of the cash draw will be filed along with the approved paperwork described above and retained for auditpurposes.

O. Eligibility.

Source of Governing Requirements - The requirements for eligibility are contained in program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

Grant administrators are aware of existence of such compliance requirements and will monitor grant agreements for any change in applicability. Formal policies and procedures will be developed, as needed, to meet changes in circumstances.

P. Equipment and Real Property Management.

Source of Governing Requirements - The requirements for equipment and real property are contained in 2 CFR section 200.313 (equipment), 2 CFR section 200.311 (real property), 48 CFR section 52.245-1 (equipment and real property), program legislation, Federal awarding agency regulations, and the terms and conditions of the Federal award.

Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

- Purchasing, Contract and Sales (D - 1.0)
- Use of County Vehicles (D - 6.0)
- County Property Receipt, Identification and Inventory (D - 2.0)
- Accounts payable (E - 7.2)

Additional Policies and Procedures. The following policies and procedures will also be applied, to the extent that they do not conflict with or contradict the Board policies listed above:

In order to ensure compliance with these requirements, Wexford County, Michigan has implemented the following policies and procedures:

1. All equipment will be used in the program for which it was acquired or, when appropriate, other Federal programs.
2. When required, purchases of equipment will be pre-approved by the grantor or pass-through agency. The Administrator's Office will be responsible for ensuring that equipment purchases have been previously approved, if required, and will retain evidence of this approval.
3. Equipment records will be maintained, a physical inventory of equipment shall be taken, and an appropriate system shall be used to safeguard equipment, as described in the section of this manual titled “Capital Assets.”

Q. Matching, Level of Effort and Earmarking.

Source of Governing Requirements - The requirements for matching are contained in 2 CFR section 200. 306, program legislation, Federal awarding agency regulations, and the terms and conditions of the award. The requirements for level of effort and earmarking are contained in program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

Wexford County, Michigan defines “matching,” “level of effort,” and “earmarking” consistent with the definitions of the 0MB Compliance Supplement:

Matching or cost sharing includes requirements to provide contributions (usually non-Federal) of a specified amount or percentage to match Federal awards. Matching may be in the form of allowable costs incurred or in-kind contributions (including third-party in-kind contributions).

Level of effort includes requirements for (a) a specified level of service to be provided from period to period, (b) a specified level of expenditures from non-Federal or Federal sources for specified activities to be maintained from period to period, and (c) Federal funds to supplement and not supplant non-Federal funding of services.

Earmarking includes requirements that specify the minimum and/or maximum amount or percentage of the program's funding that must/may be used for specified activities, including funds provided to subrecipients. Earmarking may also be specified in relation to the types of participants covered.

In order to ensure compliance with these requirements, Wexford County, Michigan has implemented the following policies and procedures:

1. Compliance with matching, level of effort, and earmarking requirements will be the responsibility of the Administrator's Office.
2. Adequate documentation will be maintained to support compliance with matching, level of effort, and earmarking requirements. Such information will be made available to entity administration, auditors, and pass-through or granter agencies, as requested.

R. Period of Performance.

Source of Governing Requirements - The requirements for the period of performance are contained in 2 CFR section 200.71 (definition of "obligations"), 2 CFR section 200.77 (definition of "period of performance"), 2 CFR section 200.309 (period of performance), 2 CFR section 200. 343 (closeout), program legislation, Federal awarding agency regulations; and the terms and conditions of the award.

In order to ensure compliance with these requirements, Wexford County, Michigan has implemented the following policies and procedures:

1. Costs will be charged to an award only if the obligation was incurred during the funding period (unless pre-approved by the Federal awarding agency or pass-through grantor agency).
2. All obligations will be liquidated not later than 90 days after the end of the funding period (or as specified by program legislation).
3. Compliance with period of performance requirements will initially be assigned to the individual approving the allowability of the expense/payment. This will be subject to review and approval as part of payment processing.

S. Procurement, Suspension and Debarment.

Source of Governing Requirements - The requirements that apply to procurement under grants and cooperative agreements are contained in 2 CFR sections 200.317 through 200.326, program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

The requirements for nonprocurement suspension and debarment are contained in OMB guidance in 2 CFR part 180, which implements Executive Orders 12549 and 12689, "Debarment and Suspension;" Federal awarding agency regulations in Title 2 of the CFR adopting/implementing the 0MB guidance in 2 CFR part 180; program legislation; and the terms and conditions of the award.

Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

- Purchasing, Contracts and Sales (D - 1.0)
- Accounts Payable (E - 7.2)

Additional Policies and Procedures. The following policies and procedures will also be applied, to the extent that they do not conflict with or contradict the Board policies listed above:

1. Purchasing and procurement related to Federal grants will be subject to the general policies and procedures of the County (described in the section of this manual titled "Purchasing and Procurement").
2. Contract files will document the significant history of the procurement, including the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and the basis of contract price.
3. Procurement will provide for full and open competition.
4. The County is prohibited from contracting with or making subawards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred.
5. "Covered transactions" include those procurement contracts for goods and services awarded under a nonprocurement transaction (i.e., grant or cooperative agreement) that are expected to equal or exceed $25,000 or meet certain other specified criteria. All nonprocurement transactions (i.e., subawards to subrecipients), irrespective of award amount, are considered covered transactions.
6. The County will include a suspension/debarment clause in all written contracts in which the vendor/contractor will certify that it is not suspended or debarred. The contract will also contain language requiring the vendor/contractor to notify the County immediately upon becoming suspended or debarred. This will serve as adequate documentation as long as the contract remains in effect.
7. When a vendor/contractor is expected to be paid federal funds of $25,000 or more in a given fiscal year and a written contract does not apply, the Department Head will be responsible for conducting a search of the entity name on the federal excluded parties' databases at www.sam.gov and provide to the Administrator's Office. A screen shot will be printed for the procurement file as evidence fo this process.
8. As an alternative to the procedures above, the County may request that the vendor/contractor sign a certification regarding suspension and debarment. The certification will be deemed to remain in effect unless notified otherwise by the vendor/contractor. A sample suspension/debarment certification form is included in the appendix to this manual.
9. If a vendor is found to be suspended or debarred, the County will immediately cease to do business with this vendor.
10. Executed contracts, suspension/debarment certificates and procurement files will be retained and filed by the Administrator's Office.

T. Program Income.

Source of Governing Requirements The requirements that apply to program income are contained in 2 CFR section 200.80 (definition of "program income"), 2 CFR section 200.307 (program income), program legislation, Federal awarding agency regulations, and the terms and conditions of the Federal award.

In order to ensure compliance with these requirements, Wexford County, Michigan has implemented the following policies and procedures:

1. Program income will include (but will not be limited to): income from fees for services performed, the use or rental of real or personal property acquired with grant funds, the

sale of commodities or items fabricated under a grant agreement, and payments of principal and interest on loans made with grant funds. It will not include interest on grant funds unless otherwise provided in the Federal awarding agency regulations or terms and conditions of the award.

2. Wexford County, Michigan will allow program income to be used in one of three methods:

   a. Deducted from outlays

   b. Added to the project budget

   c. Used to meet matching requirements

   Absent specific guidance in the Federal awarding agency regulations or the terms and conditions of the award, program income shall be deducted from program outlays.

3. Program income, when applicable, will be accounted for as a revenue source in the same program code as the Federal grant.

U. Reporting.

Source of Governing Requirements - Reporting requirements are contained in the following documents: Financial reporting, 2 CFR section 200.327; Monitoring and reporting program performance, 2 CFR section 200.328; Program legislation; Federal awarding agency regulations; and the terms and conditions of the award.

In order to ensure compliance with these requirements, Wexford County, Michigan has implemented the following policies and procedures:

1. Reports will be submitted in the required frequency and within the required deadlines.
2. Reports will be completed using the standard forms (as applicable) and method of delivery (i.e., e-mail, grantor website, postal service, etc.).
3. Regardless of the method of report delivery, a copy of the submitted report will be retained along with any documentation necessary to support the data in the report. The report will evidence the date of submission in order to document compliance with timeliness requirements.
4. Financial reports will always be prepared based on the general ledger using the required basis of accounting (i.e., cash or accrual). In cases where financial data is tracked outside of the general accounting system (such as in spreadsheets or paper ledgers), this information will be reconciled to the general ledger prior to report submission.
5. Preparation of financial reports will be the responsibility of the Department Heads or Administrator's Office.
6. All reports (whether financial, performance, or special) must be reviewed and approved by a knowledgeable administrator or Board member prior to submission. Both the preparer and reviewer will sign and date the report and retain this documentation.
7. Copies of submitted reports will be filed with supporting documentation and any follow-up correspondence from the grantor or pass-through agency. Copies of all such reports will be made available to entity administration, auditors, and pass-through or granter agencies, as requested.

V. Subrecipient Monitoring.

Source of Governing Requirements The requirements for subrecipient monitoring for the subaward are contained in 31 USC 7502(f) (2) (Single Audit Act Amendments of 1996 (Pub. L.

No. 104-156)), 2 CFR sections 200.330, .331, and .501(h); Federal awarding agency regulations; and the terms and conditions of the award.

This requirement has not historically been applicable to any of the Federal grants of Wexford County, Michigan. Grant administrators are aware of existence of such compliance requirements and will monitor grant agreements for any change in applicability. Formal policies and procedures will be developed, as needed, to meet changes in circumstances.

W. Special Tests and Provisions.

Source of Governing Requirements The laws, regulations, and the provisions of contract or grant agreements pertaining to the program

Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

- None

Additional Policies and Procedures. The following policies and procedures will also be applied, to the extent that they do not conflict with or contradict the Board policies listed above:

1. The Department Head or Administrator's Office will be assigned the responsibility for identifying compliance requirements for special tests and provisions, determining approved methods for compliance, and retaining any necessary documentation.
2. Davis-Bacon Act:
   a. The Department Head is responsible for identifying when Davis-Bacon Act requirements apply to a grant.
3. When requesting bids or proposal for such projects, the RFP/solicitation for bid will clearly state the applicability of the Davis-Bacon Act.
4. The Department Head will be responsible for obtaining weekly certified payrolls from vendors and subcontractors.
5. The Department Head, at his/her discretion, will be permitted to conduct surprise interviews of employees of contractors and subcontractors at job sites in order to verify the accuracy of data submitted in the certified payrolls.

X. Conflict of Interest.

Transactions involved Federal awards are subject to all conflict of interest policies, as applicable:

Board Policies. The following policies have been separately reviewed and approved by the Board, and are incorporated here by reference:

- Personnel Management Responsibilities (B - 4.0)
- Purchasing, Contracts, and Sales (D - 1.0)

Y. Records Retention.

The majority of the County's financial records are maintained by County Administrator and Treasurer's Offices. Records are maintained in accordance with the County's Policies and Procedures Manual

Appendix A - Certification Regarding Suspension & Disbarment

By signing below, I agree that my company/organization of any of its principals, personnel, division or affiliates presently or in the past have not been debarred or suspended from entering into contracts with any federal, state or local governmental entity.

The company/organization has not been convicted or had a civil judgment rendered against them

for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under public transaction; violation of Federal or State anti-trust statutes, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

The company/organization is not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local).

The company/organization has not had one or more public transactions (Federal, State or local) terminated for cause or default.

The certifications made in this statement are deemed to be valid as long as the company/organization continues to conduct business transactions with Wexford County, Michigan unless notification is made in writing to the County. The company/organization will notify the County immediately if any of the certifications made in this statement become invalid.

Company/Organization Name _____

Certification Made by (Name and Title): _____

Date: _____

Appendix B - Sole Source Vendor Justification Form

It is the policy of Wexford County, Michigan to provide for full and open competition in the procurement of goods and services. In certain situations, a purchase may only be available from a single source. In such instances, this Sole Source Vendor Justification Form is prepared in order to document the facts and circumstances and support the exception to the County's standard purchasing and procurement policies.

Date: _____

Vendor/Contractor: _____

Description of Purchase: _____

_____

_____

_____

Reason for Sole Source Purchase

☐ The product/service meeting the County's specifications is only available from one source.

☐ The purchase is for additional quantities of an item already used By the County.

☐ The product or service is specifically required under provisions of a contract or grant agreement (describe in detail): _____

_____

☐ Other (describe in detail): _____

_____

_____

Name of Individual Completing Form _____ Date: _____

Name of Individual Approving Sole Source And Authorizing Purchase: _____ Date: _____

Appendix C - Employee Expense Report Receipt Exception Form

It is the policy of Wexford County, Michigan (the "County") to require employees to submit receipts for all expenses (excluding mileage and meals) being claimed for reimbursement. If an employee is unable to provide a receipt for a claimed reimbursement, the following form should be attached to the expense report in lieu of the receipt.

Employee Name: _____

Amount Claimed for Reimbursement
Without Receipt: _____

Reason for not Providing Receipt: _____

_____

_____

_____

My signature certifies that I have incurred the expense reported above using personal funds as part of my job duties at the County.

Employee Signature: _____

Date: _____

Supervisory Approval: _____

Date: _____

F-1.0 RESERVED

F-2.0 Inclement Weather Situation

County Board Approval: December 6, 1995; Amended December 4, 2019

A. **General.**

County offices are expected to remain open and employees are expected to report for work during normal business hours except under severe situations, which includes inclement weather.

B. If, prior to the beginning of a workday, a state of emergency is declared by Wexford County due to the weather, non-public safety related offices will be closed for the upcoming day.

1. The Circuit, District and Probate Courts will not have their operating hours modified without first obtaining the approval of the Chief Judge. In the absence of the Chief Judge, the respective Court Administrator will be consulted.
2. If any Court remains open while the remainder of the Courthouse is closed, security will be maintained at the Courthouse entrance.
3. Impacted employees will be paid at their normal daily rate for the non-work day. If an employee is already on a previously scheduled paid day off (i.e.: vacation day, sick day, personal day, etc.) the employee will be charged for the day as previously arranged.

C. If, prior to the beginning of a workday, the roads conditions may not be conducive for safe travel, the Wexford County Emergency Management Coordinator and County Administrator will have a discussion to review the status of Wexford County roads and the weather forecast for the day. The County Administrator may determine that non-public safety related offices should be closed for the upcoming day. In the absence of the County Administrator, the County Clerk will perform this role.

1. The Circuit, District and Probate Courts will not have their operating hours modified without first obtaining the approval of the Chief Judge. In the absence of the Chief Judge, the respective Court Administrator will be consulted.
2. If any Court remains open while the remainder of the Courthouse is closed, security will be maintained at the Courthouse entrance.

If non-public safety related offices are closed, impacted employees will be paid at their normal daily rate for the non-work day. If an employee is already on a previously scheduled paid day off (i.e.: vacation day, sick day, personal day, etc.) the employee will be charged for the day as previously arranged.

D. If, during work hours, a state of emergency is declared, or the Wexford County Emergency Management Coordinator issues a notice for County citizens to stay off the roads, the County Courthouse will remain open and employees can refer to paragraph E of this policy for guidance.

E. During inclement weather, except for the instances described in paragraphs B and C, all offices will remain open. If an employee cannot make it to work, or if an employee is at work and determines that they would like to go home due to inclement weather, the individual may elect to take either vacation or personal leave for that time or be allowed to accept lost time without pay. In cooperation with their Supervisor, employees will be allowed to make up lost time only with two (2) pay periods, without accruing overtime. Employees will not be disciplined if they choose not to come in due to the weather.

F. For the purposes of this policy the Sheriff's Office and Central Dispatch are not included in the definition of a non-public safety related office. The Sheriff and Central Dispatch Director will determine which positions under his/her supervision are considered "public safety related."

G. Publication of County operating hour modifications resulting from inclement weather will be made on the County website. Every attempt will be made to publish such a notice prior to 7:00 am. Additionally, the Wexford County Emergency Management Coordinator will issue release of notification of County operating hour modifications through a variety of methods, e.g., press release, social media.

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