



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, December 22, 2020 beginning at 4:00 p.m. in the Circuit Court Room, Third Floor, 437 E. Division St., Cadillac, Michigan.

PUBLIC PARTICIPATION

In accordance with the Michigan Department of Health and Human Services Gathering and Face Mask Order and to prevent further spread of the COVID-19 virus, public participation will be remote only. Staff and the Wexford County Board of Commissioners may attend the meeting in-person, or by one of the following three ways:

- **By Telephone:** Dial toll free 1-646-876-9923, enter Webinar ID 6307060616#
- **By Computer:** Go to the Zoom Web Site (zoom.us). Click on “Join a Meeting.” Join using Meeting ID 6307060616.
- **By Smartphone:** Install the Zoom application prior to the call. Launch the Zoom app at the time of the call and join using Meeting ID 6307060616.

YouTube Viewing Only. Go to <https://wexfordcounty.org/circuit-court> page and click on the link or click on https://www.youtube.com/channel/UCo0cqCPLYsPS7c5O1dlOmnA?view_as=subscriber.

TENTATIVE AGENDA

- A. CALL TO ORDER
- B. ROLL CALL
- C. ADDITIONS / DELETIONS TO THE AGENDA
- D. APPROVAL OF THE AGENDA
- E. APPROVAL OF THE NOVEMBER 24, 2020 REGULAR MEETING MINUTES1
- F. PUBLIC COMMENTS

The Committee welcomes all public input.

- G. AGENDA ITEMS
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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.

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WEXFORD COUNTY
HUMAN RESOURCES/PUBLIC SAFETY COMMITTEE
 REGULAR MEETING MINUTES
 NOVEMBER 24, 2020

The virtual meeting was called to order by Commissioner Potter at 4:00 p.m.

Members Present: Michael Bush, Brian Potter and Gary Taylor
 Absent: Michael Bengelink
 Also Present: Duane Alworden, Dispatch Director; Jami Bigger, Executive Assistant/HR Coordinator; Janet Koch, Administrator; Michael McDaniel, Jail Administrator; Kent Myers, Veterans Services Director; Alaina Nyman, Clerk; Paul Owens, North Flight Manager; Trent Taylor, Sheriff

ADDITIONS OR DELETIONS TO THE AGENDA

Deleted: G.6. Employee Recognition

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 Bush to approve the September 22, 2020, Regular Meeting Minutes, as presented. A vote was called all in favor.

Commissioner Bengelink joined the meeting and took over as Chair.

PUBLIC COMMENTS

None.

AGENDA ITEMS

G.1. Sheriff's Office Monthly Report (October 2020)

Sheriff Taylor reported he did not have anything to add to his report that was included in the packet.

Lt. McDaniel reported All Ways Welding started putting up the vertical bars. They have completed one pod. It takes roughly four days to complete a pod. Lt. McDaniel stated it looks very nice.

G.2. North Flight Monthly Update (October 2020)

Paul Owens, North Flight EMS Manager, stated North Flight has started to transition to MMR. December 1 is the "go live" date of the changeover. They have started to re-letter some of the ambulances and put on the new graphics.

Ms. Owens stated response times look good for the month of October. As the snow comes down, response times will be increased. Mr. Owens will primarily be attending future Human Resources/Public Safety Committee meetings as the representative for MMR.

G.3. Emergency Management Monthly Report (October 2020)

Travis Baker, Emergency Management Coordinator, was unable to attend the meeting. Duane Alworden, Dispatch Director, reported on his behalf. He stated for the month of October, Mr. Baker performed the following:

- Attended many state and local virtual meetings regarding COVID-19
- Visited local fire departments to train them on the new radio system
- Worked with Admin. Koch on grants for Personal Protective Equipment (PPE) and other items related to COVID-19
- Worked on his budget for the Emergency Management Department

G.4. Central Dispatch Monthly Report (October 2020)

Duane Alworden, Central Dispatch Director, reported:

- The amount of calls is similar to last month.
- LEIN responses have decreased due to less court activity.
- The Dispatch facility has been locked down even more to prevent COVID exposure. Mr. Baker and Mr. Alworden are working remotely also to lessen exposure to dispatchers.

G.5. Veterans Services Monthly Report (October 2020)

Kent Myers, Veterans Services Director, reported:

- The department had 38 in-office visits and logged 264 phone contacts.
- October was a consistently busy month. The department was able to meet veteran's needs via the phone and internet.
- The grant funds from the Michigan Veterans Affairs Agency have not yet been received. Mr. Myers expects the funds to be dispersed soon.
- A tentative date of September 18, 2021 has been set for the Veterans Expo. Planning will start in early February.
- Commissioner Taylor has been busy working on the memorial wall for WWII veterans. Roughly five shadow boxes have been completed. Donations are still needed.
- Mr. Meyers has been working with veterans on the VA Caregivers Program. The program will allow spouses and family members to receive compensation for caring for a veteran.

G.6. Employee Recognition

It was noted this agenda item was deleted and will be put back on the agenda when it can be done in-person.

G.7. Chief Public Defender Position Description

A motion was made by Bush and supported by Taylor approve the Chief Public Defender position description. A roll call vote was requested. Motion passed 4-0.

G.8. Resignation from the 911 Committee

A motion was made by Taylor and supported by Bush to forward a recommendation to the full board to assume the Village Representative position on the 911 Committee is vacant. A roll call vote was requested. Motion passed 4-0.

G.9. Community Corrections Part-time Wage Scale

A motion was made by Taylor and supported by Bush to forward a recommendation to the Finance Committee to approve a wage scale for the Community Corrections Part-time Substance Abuse Testers to become effective January 1, 2021. A roll call vote was requested. Motion passed 4-0.

G.10. Resolution 20-27 Appreciation for Rene Steinhour's Dedicated Service

A motion was made by Taylor and supported by Bush to forward a recommendation to the full board to approve Resolution 20-27 Appreciation for Rene Steinhour's Dedicated Service. A roll call vote was requested. Motion passed 4-0.

G.11. Appointments to Standing & Special Committees, Boards & Commissions

A motion was made by Potter and supported by Taylor to forward a recommendation to the full board to reappoint Jim Meier and Kerry Keith to the 911 Committee with a term expiring December 31, 2023. A roll call vote was requested. Motion passed 4-0.

A motion was made by Potter and supported by Bush to forward a recommendation to the full board to appoint David Mackey and Michael Hoover to the Airport Authority with a term expiring December 31, 2022. A roll call vote was requested. Motion passed 4-0.

A motion was made by Potter and supported by Taylor to forward a recommendation to the full board to reappoint Larry Copley and Mark Howie to the Cadillac Wexford Transit Authority with a term expiring December 31, 2022. A roll call vote was requested. Motion passed 4-0.

A motion was made by Potter and supported by Bush to forward a recommendation to the full board to reappoint Roger Hopkins to the Department of Health and Human Services with a term expiring December 31, 2023. A roll call vote was requested. Motion passed 4-0.

A motion was made by Potter and supported by Taylor to forward a recommendation to the full board to reappoint Greg Schmidt to the Veterans Services Committee with a term expiring December 31, 2024. A roll call vote was requested. Motion passed 4-0.

A motion was made by Potter and supported by Taylor to forward a recommendation to the full board to reappoint Lorne Haase to the Wexford County Road Commission with a term expiring December 31, 2026. A roll call vote was requested. Motion passed 4-0.

G.12. MEI Special Consideration

A motion was made by Bush and supported by Potter to forward a recommendation to the Finance Committee to accept the request for special consideration for the MEI and approve the additional compensation of \$100. A roll call vote was requested. Motion passed 4-0.

G.13. MAA 2020 Property Tax Achievement Award

A motion was made by Taylor and supported by Bush to forward a recommendation to the full board to send a letter to Joe Porterfield, the Equalization Department and local County Assessors recognizing their achievement. A roll call vote was requested. Motion passed 4-0.

CORRESPONDENCE

Medical Examiner's Office Report (Lisa Kaspriak – October 2020)

PUBLIC COMMENTS

None.

ADMINISTRATOR'S COMMENTS

Ms. Koch inquired if the committee would like to wait to also present the resolution for Ms. Steinhour in-person. They agreed that was a good idea.

Ms. Koch informed the committee the Emergency Paid Sick Leave Act (EPSLA) is set to expire at the end of December. It is unknown if more federal leave will be granted. After discussion with other County Administrators, Ms. Koch found that some counties allow employees to donate leave time to other employees under certain circumstances. She inquired if the committee would be interested in offering this to employees. The committee agreed it was a good idea. Ms. Koch will present a draft policy to the next Human Resources/Public Safety Committee meeting.

COMMITTEE COMMENTS

Commissioner Potter stated Michigan Department of Corrections employees will be working remotely until at least March 1, 2021.

Commissioner Bush wished everyone a safe and happy Thanksgiving.

CHAIR COMMENTS

Chairman Bengelink apologized for arriving late; he was having technical difficulties. He wished everyone a safe holiday.

ADJOURNMENT

A motion was made by Taylor and supported by Bush to adjourn at 4:30 p.m. A vote was called. All in favor.

Michael Bengelink, Chair

Jami Bigger, Recording Secretary



OFFICE OF THE SHERIFF • WEXFORD COUNTY

Trent J Taylor
Sheriff

Richard R. Doehring
Undersheriff

Wexford County Office of the Sheriff

Monthly Report

November

2020

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 November, the Law Enforcement Division received 628 calls for service. Of those calls, 259 reports were taken. As a result of those complaints taken, 27 arrests were made, and 36 citations were issued.

Law Enforcement Statistic Re-Cap:

Total Calls for Service	628
Total Complaints Taken	259
Felony/Misdemeanor Arrests	27
Citations Issued	36

COURT SECURITY/DEPUTY ARRESTS

Court Arrests	7
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TNT:

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

Original Reports	16
Intelligence Reports	11
Arrests	12
Assist Other Agencies	8

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	109
Total Civil Papers Completed	93

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.

<u>Live Scan Fingerprint:</u>		<u>Pistol Information:</u>	
Michigan School Employment	12	Pistol Permits Issued	6
Concealed Pistol Licensing	35	Denied Permits	2
Other	10	Indiv. Pistols registered	73
Total Prints.....	57		

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 November, the shelter took in 22 animals, adopting 11 and reuniting 9 with their owner(s).

<u>ACTIVITY:</u>	
Total Calls	59
Total Complaints/Reports	8
Animal Bites	3
Citations Issued	3
Animals Lodged in Pound	22
Animals Adopted Out	11
Animals Transferred to Rescue	0
Animals Claimed By Owners	9
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	57
Total number of inmates Booked	57
Total Inmates Booked –Year to date	708
Total Number of Inmates Released	55
Number Released-Year to date	730
Transportation Costs/Month	\$0
Transportation Costs/Year	\$0
Jail Overcrowding/State of Emergency	NO

TRAININGS/RECOGNITIONS:

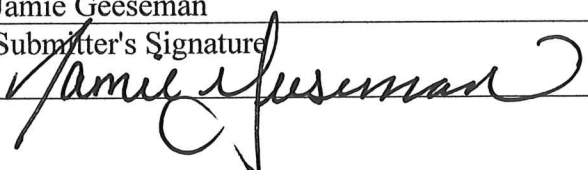
- Wexford County Sheriff's Office and Jail is once again participating in Beards for a Cause. 37 children from area schools received gift cards and 4 children from the County's Angel Tree program were adopted.
- November 17, 2020 Corrections Sgt. completed training on Securus's e-messaging .
- November 30, 2020 Wexford VSU were requested to assist Deputies who responded to a deceased individual. Advocates were able to provide assistance and information to the individual's surviving spouse.

Wexford County Animal Shelter				Reporting Month November 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	15	16	4	1	5	0	0	0
Cats	0	6	6	5	1	6	0	0	0

Financial Results	Cats Altered	Cats Not Altered		Dogs Altered	Dogs Not Altered		Total
Adoption Fees	0.00	0.00		60.00	15.00		75.00
Sterilization Deposits	0.00	25.00		0.00	25.00		50.00
Ordinance Fee Refunds							
Reclaim Fees	9 animals reclaimed						160.00
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 Jamie Geeseman	Date Submitted 12-07-2020
Submitter's Signature 	Phone 231-779-9530

Wexford Board November 2020

Jan to Nov 2020		
Township	Requests	Time
Antioch	4	20.01
Boon	40	18.03
Cadillac	1476	4.22
Cedar Creek	146	8.38
Cherry Grove	160	11.04
Clam Lake	212	6.75
Colfax	45	11.95
Greenwood	59	11.73
Hanover		
Haring	414	6.47
Henderson	12	15.62
Liberty	57	8.87
Manton	140	6.19
Selma	168	11.1
Slagle	8	18.29
South Branch	62	21.1
Springville	4	15.15
Total Requests	3007	
Average Response		6.64

Nov-20		
Township	Requests	Time
Antioch	1	12.22
Boon		
Cadillac	133	4.15
Cedar Creek	23	8.61
Cherry Grove	19	10.64
Clam Lake	20	7.71
Colfax	5	15.66
Greenwood	8	16.83
Hanover		
Haring	50	5.89
Henderson	2	21.3
Liberty	10	6.67
Manton	10	5.47
Selma	13	11.47
Slagle	1	19.3
South Branch	2	22.63
Springville	2	13.64
Total Requests	299	
Average Response		6.65

Wexford County Emergency Management Report

November 2020

- Attended several Federal, State and Local meetings regarding COVID.
- Zoom meetings with area EM offices in Region 7
- - Region 7 shipment of iPads were finally delivered, I will have 5 set up and ready for damage assessment application/ training with Lansing in the coming weeks. Will be exploring the possibility of internet service for these tablets for in field use. (Only activate when needed)
- Continue to monitor COVID cases in the state and locally
- - Working with Janet on a grant for PPE and other items related to COVID.
- Worked with Doctors offices and Long Term Care sites the county on gathering PPE supplies from the Region Healthcare Coalition stockpile.
- - Will begin working with DHD #10 on COVID vaccination locations in the county and setting up plans for these locations for threats and natural disaster contingency plans.

Travis Baker

11-19-2020

Wexford County

Central Dispatch

Public Safety

Report

November 2020

CENTRAL DISPATCH

Total LEIN Responses	11,760
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CAD GENERATED: INCIDENTS:

Sheriff Department	787
Animal Control	56
Michigan State Police	454
Cadillac Police Department	591
Manton Police Department	09
EMS Calls	757
Fire Calls	143
Support Services Calls	68
Central Dispatch	97
911 Hang up/Text Back	200

TOTAL CALLS FOR SERVICE	3161
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TELEPHONE CALLS RECEIVED:

9-1-1 calls	1369
Administrative Calls	3954
TOTAL CALLS RECEIVED:	5323

Wexford County Veterans Services

401 N. Lake Street, Cadillac, MI 49601

231-775-6654

Kent Myers, Director

3 December, 2020

Veterans Services Monthly Report

NOVEMBER 2020 Overview

- Veterans in office visits-21
- Phone calls- 219
- Veterans who received emergency assistance -1
- Veterans ineligible/denied for emergency assistance - 0
- County Burial benefits and letters have been initiated-1

During the month of November we saw 21 veterans or family members in our office. Due to Covid, our in office visits are down. We are assisting as many Veterans as we can over the phone for their safety and ours. We finally received the MVAA grant monies so we can move forward. We had a donation of ten Thanksgiving meals. The donors wish to remain anonymous, but we thank them for making nine families Thanksgiving a joyous one. The tenth meal went to New Hope Shelter to help feed the homeless veterans they house. We also had a donation of ten handmade lap quilts from the Harrietta Stitches. They are all made in red, white and blue fabric. They are lovely and will keep ten elderly veterans warm this winter.

We are still working diligently on the Wall project. We now have seven shadow boxes completed and are doing research on about 43 more veterans. As always, donations to the project are appreciated. We are still planning on having the Expo in September. Planning will soon begin for that. The former counselor we had in our office in 2019 for Veterans, will be returning, we hope in January or February. Mike will be a great asset to the department. He brings with him decades of experience helping our Veterans suffering with PTSD.

Susan Marcum, a valued member of our Veterans Services Committee, retired the end of October. She will be missed! We have appointed Rhonda Workman to fill her position. Rhonda is a retired U.S. Army Lieutenant Colonel. We are looking forward to working with her.

We are wishing you all a wonderful and healthy holiday season!

Kent Myers,
Director

Kathy Cline
Co-Director

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: December 22, 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
Donald Larkins	Equalization	15 Years
Flora Grundy	Circuit Court	15 Years
Sharon Ellens	Register of Deeds	15 Years
Wendy Vredenburg	Central Dispatch	15 Years
Mike Solomon	Drain Commissioner	20 Years
Sandra Huttenga	Friend of the Court	30 Years

Don Larkins started with Wexford County on January 1, 2006 as a Property Appraiser and continues to hold this position.

Flora Grundy started with Wexford County on January 3, 2006 as a Department Aide at the Friend of the Court. January 4, 2007 Ms. Grundy transferred to work in the Clerk's office as a Deputy Court Clerk. On March 12, 2012, Ms. Grundy accepted the position of Judicial Secretary in Circuit Court. She was promoted to Circuit Court Administrator in June of 2015 and currently holds this position.

Sharon Ellens started with Wexford County on December 14, 2005 as a Deputy Clerk in the Register of Deeds office. Ms. Ellens continues to serve in this position today.

Wendy Vredenburg started with Wexford County on December 22, 2005 as a full-time Dispatcher/Tele-Communicator. Ms. Vredenburg continues to serve in this position today.

Mike Solomon started with Wexford County on January 1, 2001 when he was elected Drain Commissioner, he has continued to be re-elected and still currently holds the position of Drain Commissioner for Wexford County.

Sandra Huttenga started with Wexford County on January 2, 1991 as Clerk at the Friend of the Court. She was promoted several times, in 1992, 1994, and 1995. In March 1997, Ms. Huttenga was promoted to Assistant Friend of the Court and continues to hold this position.

RECOMMENDATION:

Presentation of the Certificate of Appreciation at the next in-person BOC meeting.

Minutes of a regular meeting of the Wexford County Board of Commissioners, held at the Wexford County Courthouse, 437 E. Division St., Cadillac, Michigan on the sixth day of January, 2021, at 4:00 p.m.

PRESENT: _____

ABSENT: _____

The following preamble and resolution were offered by Commissioner _____ and supported by Commissioner _____.

**RESOLUTION NO. 20-32
EXTENDING APPRECIATION FOR
LORIE SORENSEN’S DEDICATED SERVICE**

WHEREAS, Lorie Sorensen has been a dedicated employee of Wexford County for over thirty years; and

WHEREAS, Lorie Sorensen began her employment with Wexford County on February 12, 1990 as an Assistant to the Administrator. Then, in 1993, she transferred to the Equalization Department and in 1996 she fulfilled the requirements established by the State Assessors Board for a Level Two Certification in Assessment Administration; and

WHEREAS, in 1998 she performed essential duties as a deputy to the Register of Deeds; and

WHEREAS, Lorie was elected as the Wexford County Register of Deeds in January of 2001 and in 2009 was designated as the Grant Administrator for the Remounmentation Grant; and

WHEREAS, Ms. Sorensen was elected by her peers as President of the Michigan Association of Register of Deeds in 2010 and was also presented with the “Register of the Year” award at its annual conference; and

WHEREAS, Lorie is also a member of the Cadillac’s Women’s Club, the Historical Society and IACREOT and for several years has been a liaison to the Human Services Leadership Council for the Board of Commissioners.

NOW, THEREFORE BE IT RESOLVED that the Wexford County Board of Commissioners wishes you the best in your future endeavors and once again thanks you for your efforts for over the past 30 years while you served Wexford County as a very loyal and appreciated employee and public servant.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS;

AYES: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

Gary Taylor, Chairman, Wexford County Board of Commissioners

Alaina M. Nyman, County Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF WEXFORD)

I hereby certify that the forgoing is a true and complete copy of the Resolution 20-32 adopted by the County Board of Commissioners of Wexford County at a regular meeting held on January 6, 2021, and I further certify that public notice of such meeting was given as provided by law.

Alaina M. Nyman, County Clerk

BOARD OF COMMISSIONERS COMMITTEE AGENDA ITEM

TO: HR/PS Committee
FROM: Administration
FOR MEETING DATE: December 22, 2020
SUBJECT: Resolution 20-33 Recognizing Judge Fagerman

SUMMARY OF ITEM TO BE PRESENTED:

Information regarding Judge Fagerman's accomplishments and achievements is still being obtained. A draft resolution will be provided to the Committee before the meeting.

BOARD OF COMMISSIONERS COMMITTEE AGENDA ITEM

TO: HR/PS Committee
FROM: Administration
FOR MEETING DATE: December 22, 2020
SUBJECT: Revised Personnel Policies

SUMMARY OF ITEM TO BE PRESENTED:

The following polices have been reviewed by the ad hoc Policy Committee and are for your consideration. In the table of contents, the included policies are highlighted. The biggest changes to the policies are:

- There was a big change to B-11.0 Employment Conditions, Section B. Harassment. The old language has been replaced with newer language from MMRMA.
- The first few pages of B-12.4 Paid Absence from the Workplace also saw heavy revisions to make it align with current practices.
- The new B-14.9 Remote Work has been drafted because we are now required by MiOSHA to have this type of policy.
- The new B-16.0 Donated Leave policy was suggested at a recent BOC meeting and there was general consensus to move forward with it.
- I would have liked to heavily revise all of B-18.0 Employee Performance Appraisal and Counseling, but only had time to work on bits of the first part.

Most of the remainder of the changes are clean-up. The attached have been sent to to the department heads/deputies, asking them to provide any comments before your meeting on Tuesday.

New policies B-14.9 and B-16.0 have been sent to labor counsel for review. I spoke with him on Friday, and he will be providing suggested revisions. As soon as those are received, they'll be passed on to the committee.

RECOMMENDATION:

The Administrator recommends the committee forward to the full board for approval.

Wexford County Policies and Procedures Manual

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Personnel Management Policies

B-10.13 Office Decorum

County Board Approval: July 17, 1996; Reviewed XX, 2021

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.

Personnel Management Policies

B-10.14 Break Time for Nursing Mothers

County Board Approval: April 3, 2013; [Reviewed XX, 2021](#)

A. Breaks for Nursing Mothers.

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.

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Personnel Management Policies

B-11.0 Employment Conditions

County Board Approval: July 17, 1996; Amended XX, 2021

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~~ is from the Michigan Municipal Risk Management Authority (MMRMA) *Handbook on Sexual Harassment*.

1. Purpose: Wexford County strives to create and maintain a culture in which people are treated with dignity. The environment of Wexford County should be characterized by mutual respect and the absence of intimidation, hostility, and demeaning conduct. The accomplishment of this goal is essential to the mission of Wexford County. For that reason, Wexford County will not tolerate unlawful discrimination or harassment. Through enforcement of this policy and by education of its employees, Wexford County will seek to prevent, correct, and discipline conduct that contravenes this policy.
2. Wexford County fully supports and complies with laws that protect and safeguard the rights and opportunities of all people to seek, obtain, and hold employment without being subjected or exposed to unlawful harassment or discrimination in the workplace. This policy is intended to provide all employees with an environment free of harassment based on one's race, color, religion, national origin, sex, disability or handicap, age, height, weight, veteran status, genetic information, gender identity or expression, sexual orientation, or any other legally protected status.
3. Sexual harassment is a form of unlawful employment discrimination under federal law (Title VII of the Civil Rights Act of 1964) and Michigan law (the Elliott- Larsen Civil Rights Act). The Equal Employment Opportunity Commission (EEOC) has defined it as consisting of "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when . . . submission to or rejection of such conduct is used as the basis for employment decisions . . . or such conduct has the purpose or effect of . . . creating an intimidating, hostile or offensive working environment." Sexual harassment includes verbal, nonverbal, and physical conduct.
4. Sexual harassment is divided into two general categories:
 - a. "Quid Pro Quo" harassment occurs when employee benefits such as raises, promotions, and better working conditions are directly linked to compliance with sexual advances, or capitulation to sexual demands, by someone in a supervisory capacity or who otherwise has the authority to grant such benefits.
 - b. "Hostile Work Environment" is defined as severe or pervasive verbal, non-verbal, or physical conduct of a sexual nature that is unwelcome, and which substantially and unreasonably interferes with an employee's work performance

by creating an intimidating, hostile, or offensive work environment.

5. Unlawful harassment on the basis of a protected classification

Unlawful harassment also includes severe or pervasive verbal, non-verbal, or physical conduct that denigrates or shows hostility or aversion toward an employee because of a legally protected characteristic, such as his or her sex, race, ethnicity, religion, age, disability, height, weight, veteran status, military service, citizenship status, genetic information, marital status, familial status, gender identity or expression, sexual orientation, or any other protected characteristic as established by law.

Unlawful harassment not involving sexual activity or language (e.g., a male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees on account of their gender.

Unlawful harassment also includes: (1) comments, taunting, acts of physical aggression, epithets, slurs, and negative stereotyping that are offensive or unwelcome that ridicule, denigrate, insult, demean, or are demonstrative of hostility or disrespect toward an individual or group on account of a legally protected characteristic or (2) the distribution or display of any written or graphic material that ridicules, denigrates, insults, demeans, or shows hostility, aversion, or disrespect toward an individual or group on account of a legally protected characteristic (the transmittal of racially charged jokes or memes, nude or obscene posters, photographs, or personal property, etc.).

Any harassment that violates state or federal law is prohibited and will subject the violator to discipline, up to and including termination.

6. Complaint Procedures

Any employee who believes he or she has been the subject of any harassment is encouraged to report the incident immediately to his or her supervisor or an alternative person as designated by Wexford County. The employee's supervisor shall then immediately notify the next level supervisor and/or the County Administrator about the complaint. A complaint may be reported by an employee who was not the target of harassment or retaliation. The complaint will be investigated promptly and thoroughly.

Steps for Filing a Complaint:

- a. The employee should report a complaint initially to either her or his immediate supervisor or someone in an HR or management position. Wexford County, or its designee, will investigate the complaint and prepare a written report. A written response shall be given to the employee as to the findings of the investigation.
- b. Where the immediate supervisor was: (1) alleged to have been a participant in the prohibited activity; (2) condoned the activity; (3) failed to respond in writing within a reasonable period of time without good cause; or (4) the response is unsatisfactory, the employee may at his or her choosing, bypass the immediate supervisor and complain directly to the County Administrator.

7. Non-Retaliation Policy

The above policy not only strictly prohibits harassment but also prohibits any retaliation against an employee who has filed a complaint pursuant to the policy, or has assisted or participated in a complaint investigation. Any supervisor, agent or employee who is found to have taken actions determined to be retaliatory in nature against a complainant shall be subjected to immediate discipline, up to and including immediate discharge. Any person who believes he or she experienced retaliation for exercising his or her rights under this policy is encouraged to report it immediately.

It is expected that all employees will fully adhere to the policies and practices set forth above. Any employee who believes he or she is, or may be, subjected to objectionable conduct is encouraged to report it immediately, regardless of who is creating the situation. Any employee or supervisor who violated this policy may be subject to discipline, up to and including discharge. Reasonable accommodation will be provided, upon request, for persons with disabilities who need assistance filing or pursuing a complaint of 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.~~
 - a. ~~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.~~
 - b. ~~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.~~
 - a. ~~Display of photographs, cartoons or drawings that would be offensive to a reasonable person.~~
 - b. ~~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.~~
 - c. ~~Propositions or requests for sexual favors.~~
 - d. ~~Physical contact which is sexual in nature.~~
 - e. ~~Stating or implying that deficient job performance is attributable to a person's gender.~~
 - f. ~~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 and 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.c. 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.

5.4. 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*).

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

9.d. 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.c. 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. Health and Safety.

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. AIDS.

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.

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12-17-2020

Personnel Management Policies

B-11.1 Internet and Email Acceptable Use Policy

County Board Approval: August 5, 2009, Amended November 4, 2009; [Reviewed XX, 2021](#)

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.

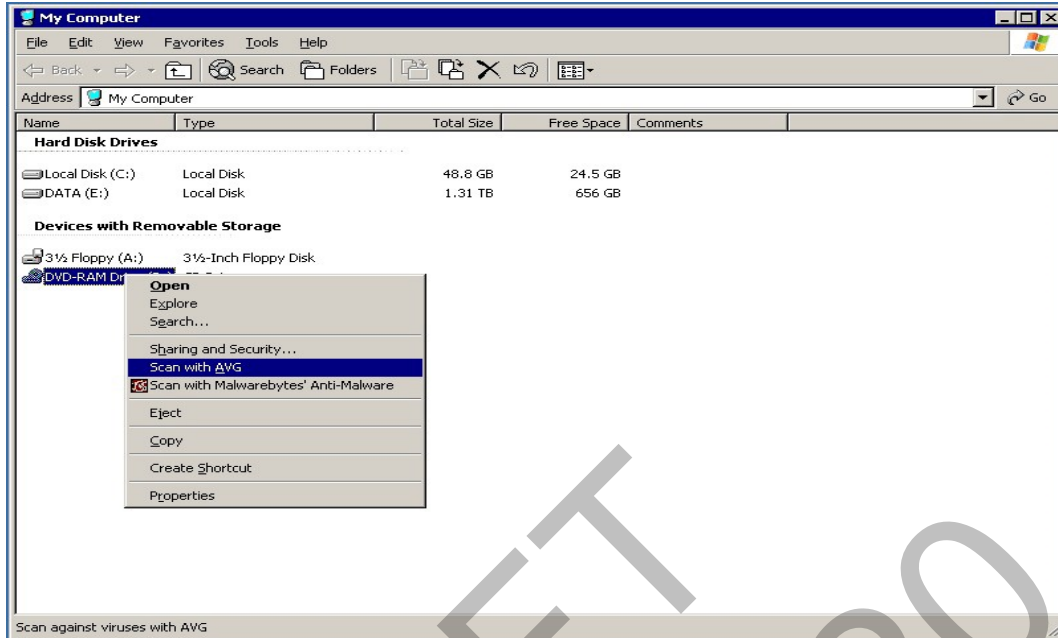
D. Costs.

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. Procedures.

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, **BEFORE** 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.

Personnel Management

B-12.1 Leave of Absence, General

County Board Approval: May 15, 1996; Amended XX, 2021

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:

<u>Leave Category</u>	<u>Approval Authority</u>
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.~~b. Unpaid leaves of absence (that is, County does not provide compensation) and approval authority:

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

~~3.~~2. 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.~~3. 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.~~4. Employees shall not accept other employment while on a leave of absence except when agreed to in advance with the Employer.

~~6.~~5. 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.~~6. 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 ~~is~~ is 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 and Safety 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 and Safety (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.b. 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.c. 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).

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Personnel Management Policies

B-12.2 Temporary Light Duty

County Board Approval: May 15, 1996; Reviewed XX, 2021

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.

Personnel Management Policies

B-12.3 Service with Another Jurisdiction

County Board Approval: May 15, 1996; Reviewed XX, 2021

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 Safety Committee. Decisions made in this area by this Committee must also delineate pay status (with or without).

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Personnel Management Policies

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; Amended XX, 2021

A. Vacation Leave.

1. Administrative information:
 - a. Pay status: paid leave.
 - b. Approval authority: Department Head or Elected Official.
2. Full-time employees who worked during the period establishing their vacation eligibility as set forth below shall accrue vacation on a bi-weekly work period in accordance with the following schedule.

Vacation shall be credited to each eligible employee at the end of the bi-weekly work period in which 75 hours (or 80 hours depending on the requirements of the position) of paid service is completed as listed below. When paid service does not total 75 (or 80) hours in a biweekly work period the employee shall be credited with a pro-rated amount of vacation for that work period based on the number of hours in pay status divided by 75 (or 80) hours multiplied by the applicable accrual rate.

<u>Seniority Required</u>	<u>Per Pay Period Time Off</u>
<u>1 year</u>	<u>3.0769 hours</u>
<u>5 years</u>	<u>4.6153 hours</u>
<u>12 years</u>	<u>6.1536 hours</u>
<u>20 years</u>	<u>7.692 hours</u>

Vacation shall be available for use only in biweekly periods subsequent to the biweekly work period in which it is earned.

3. Regular part-time employees are eligible for vacation leave and will accrue vacation at the above rates when their accumulated work hours reach the equivalent of the seniority levels noted above.
4. In order to be eligible for vacation benefits, employees must have worked for the County a minimum of 1950 hours (if a 75 work period) or 2080 hours (if the employee works in an 80 work period position). This applies to both full time and part time employees.

~~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:~~

<u>Time in Service</u>	<u>Vacation Leave for Full-Time Employees</u>	<u>Vacation Leave for Part-Time Employees</u>
<u>1 Year</u>	<u>10 Days</u>	<u>10 half days</u>
<u>5 Years</u>	<u>15 Days</u>	<u>15 half days</u>
<u>10 Years</u>	<u>20 Days</u>	<u>20 half days</u>
<u>15 Years</u>	<u>20 Days</u>	<u>20 half days</u>
<u>20 Years</u>	<u>25 Days</u>	<u>25 half days</u>

~~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.~~

~~a. 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.~~

~~b. 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.~~

5. Maximum Accrual

Employees may accumulate vacation leave only up to the maximum accumulation limits provided below:

<u>Time in Service</u> <u>Seniority Required</u>	<u>Maximum</u> <u>Accumulation Limit</u>	<u>Maximum</u> <u>Pay Out Limit</u>
<u>0 to 25 or more years</u>	<u>250 hours</u>	<u>200 hours</u>

4.6. 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).~~

6.7. Vacation leave scheduling shall be the result of coordination between the employee and the employee's supervisory chain of command.

7.8. 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. Paid Holidays.

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 ~~three~~ 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. Administrative Leave.

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. Paid Personal Leave.

1. Administrative information:
 - a. Pay status: paid leave.
 - b. Approval authority: Department Head or Elected Official.
2. All regular full-time non-probationary 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. An employee who successfully complete their probationary period will be awarded a prorated amount of paid personal leave.
 2. Probationary periods are defined in collective bargaining agreements and in Policy B-9.0 Job Vacancies, Section H. Probationary period.
- 3.4. 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.
- 4.5. 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. Medical Leave.

1. Administrative information: Changes effective March 29, 2019 and such changes supersede any prior policy or past practice:

a. Full-time employees and regular part-time employees who work 25 hours or more per week.

~~2-b.~~ Pay status: paid leave

~~3-c.~~ Approval authority: Department Head/Elected Official

4.2. 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-b.~~ 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-c.~~ 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-d.~~ Upon return from medical leave, an employee must be given his/her previous job.

~~8-c.~~ 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-f.~~ 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.

10.3. Absence from work under the Family Medical Leave Act (FMLA) of 1993 is discussed in a separate section below.

11.4. 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.

14.5. 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.b.~~ 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.c.~~ Medical leave may be used upon accrual.

17.6. Unused medical leave:

~~18.a.~~ 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.a. 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.b. 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.c. Employees whose employment status with the County is severed forfeit all accrued medical leave benefits.

22.d. 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. Jury Duty Leave.

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. Family and Medical Leave.

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.b. 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.c. 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

~~3-1.)~~ 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.

~~4-2.)~~ 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.

~~2-1.)~~ 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-d.~~ 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-c. 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.f. 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-g. 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 be 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-h. 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.i.~~ 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. Disability Leave.

1. Administrative information:
 - a. Pay status: paid leave, see below for additional information.
 - ~~2.b.~~ Approval authority: Department Head/Elected Official.
- ~~3.2.~~ 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.

- 4.3. 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.
- 5.4. 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.
- 6.5. 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.
- 7.6. 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.
- 8.7. 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.
- 9.8. 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. Bereavement Leave.

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.

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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

Personnel Management Policies

B-12.5 Unpaid Absence from the Workplace

County Board Approval: May 15, 1996; Reviewed XX, 2021

A. Military Leave.

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 long 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. Worker's Compensation Leave.

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. Maternity Leave.

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. Educational Leave.

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. Unpaid Personal Leave.

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.

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Personnel Management Policies

B-13.0 Employee Recognition

County Board Approval: September 18, 1996; Amended November 17, 1999, December 5, 2012;
Amended XX, 2021

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~~ by the Board of Commissioners. 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 Safety 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.

Personnel Management

B-14.1 Fringe Benefits, General

County Board Approval: July 17, 1996; Amended XX, 2021

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.b.~~ Paid holidays.
 - ~~3.c.~~ Administrative leave.
 - ~~4.d.~~ Paid personal leave.
 - ~~5.e.~~ ~~Sick~~ Medical leave.
 - ~~6.f.~~ Jury duty leave.
 - ~~7.g.~~ Family and medical leave.
 - ~~8.h.~~ Disability leave.
 - ~~i.~~ Bereavement leave.
 - ~~9.j.~~ Donated leave.
- ~~10.2.~~ Unpaid leave time.
 - a. Military leave.
 - ~~11.b.~~ Workers' compensation leave.
 - ~~12.c.~~ Maternity leave.
 - ~~13.d.~~ Educational leave.
 - ~~14.e.~~ Unpaid personal leave.
 - ~~15.f.~~ Health and dental coverage.
 - ~~16.g.~~ Life insurance coverage.
 - ~~17.h.~~ Longevity pay.
 - ~~18.i.~~ Retirement plan.
 - ~~19.j.~~ Social Security.

C. Eligibility.

1. Regular full-time employees: All full-time employees are eligible for all fringe benefits outlined in paragraph ~~2.b~~B above or as provided for in their respective collective bargaining agreement.
2. Regular part-time employees: ~~All part time employees~~ are eligible for fringe benefits outlined in paragraphs B.2.a, B.2.B., and B.2.7 2.b.(1), 2.b.(2.) and 2.b.(7.) above on an annualized pro-rated basis. Part time employees may be eligible for B.1.e Medical Leave; please see details in B-12.4 Paid Absence from the Workplace, Section E. Medical Leave.

3. Irregular part-time employees: Are not eligible for any fringe benefits except for B.2.j. 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 B.2.j. 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. Benefit Levels.

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-12.40: Paid Absence from the workplace.

E. Benefit Accrual.

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 employees and a conversion factor will be applied by the General Accounting Clerk's 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.

Personnel Management

B-14.2 Longevity Pay

County Board Approval: July 17, 1996; Amended April 2, 2008; May 1, 2013; Reviewed XX, 2021

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.

Personnel Management

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; Amended October 7, 2020

A. General.

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 thereafter 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 after October 7, 2020 shall only be eligible for the Health Savings Account (HSA) plan. Coverage will begin the 61st day after the employee's hire date.
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 an event 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. Health Savings Account (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 HSA 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.

The first HSA payment for a new employee will be prorated based on the employee’s hire date and will be credited or deposited to the employee’s HSA with the first appropriate payroll following the start of insurance coverage.

B. COBRA.

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.

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Personnel Management

B-14.4 Retirement Plan

County Board Approval: July 17, 1996, Amended XX, 2021

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~~ 6th 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.

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Personnel Management
B-14.5 Life Insurance

County Board Approval: July 17, 1996, Amended XX, 2021

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 Administration 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.

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Personnel Management

B-14.7 Employee Training and Development

County Board Approval: July 17, 1996, Reviewed XX, 2021

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 Safety 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.

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12-17-2020

Personnel Management

B-14.8 Education Grants

County Board Approval: December 6, 1995, Reviewed XX, 2021

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 Safety 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.

DRAFT
12-17-2020

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	<u>COST INFORMATION</u> 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)

Personnel Management

B-14.9 Remote Work

A. General.

Remote work allows employees to work at home, on the road, or in a satellite location for all or part of their work week. The Wexford County Board of Commissioners considers remote work a viable option when both the employee and the job are suited to such an arrangement. Remote work is not an entitlement, it is not a county-wide benefit, and it in no way changes the terms and conditions of employment with Wexford County.

In the event of an emergency, such as a weather disaster or pandemic, employees may be required to temporarily work remotely to comply with emergency rules and/or to ensure continuity of services to the public.

B. Procedures.

1. This policy applies to all County employees whose job responsibilities are appropriate for a remote work arrangement. Remote work may be appropriate for some employees and jobs but not for others.
2. Remote work is not designed to be a replacement for appropriate child care. Although an employee's remote work schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands.
3. When it is mutually beneficial to the County and the employee, and approved by the employees' direct supervisor, an employee may be allowed to work remotely. Final approval shall be granted by the appropriate Elected Official or Department Head.
4. Preparations should be made by employees and supervisors in advance to allow for remote work in emergency circumstances. This may include appropriate equipment needs such as hardware, software, phone, and data lines.
5. Equipment supplied by the County will be maintained by the County. Equipment supplied by the employee, if deemed appropriate by the County, will be maintained by the employee. The County accepts no responsibility for damage or repairs to employee-owned equipment.
6. The County will determine the equipment needs for each employee on a case-by-case basis. Equipment supplied by the County is to be used for County purposes only. No County employee or representative will travel to an employee's off-site work location to assist with technology needs.
7. The employee will establish an appropriate, designated remote work environment for remote work purposes. The County will not be responsible for costs associated with the setup of the employee's remote office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the remote workspace.
8. Consistent with the County's expectations of information security for employees working at the office, remotely working employees will be expected to ensure the protection of all County information accessible from their remote work location. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.
9. Employees are expected to maintain their remote workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a remote workspace location and in

conjunction with his or her regular work duties are normally covered by the county's workers' compensation policy.

10. Remotely working employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her remote worksite. Prospective remote workers are encouraged to discuss expectations of remote work with family members prior to beginning remote work.
11. The Elected Official or Department Head should use the following criteria in determining whether an employee is an appropriate candidate for remote work:
 - a. Dependability
 - b. Flexibility
 - c. Proven performance
 - d. No record of disciplinary action
 - e. Comprehensive knowledge of their position
 - f. Availability of adequate internet connection

The below criteria should be used to determine if job responsibilities of the position can be successfully fulfilled during remote work:

- a. Measurable work activities
- b. Little need for face-to-face interaction with coworkers
- c. Clearly established goals and objectives
- d. Duties that can be performed alone
- e. Equipment needs that are limited and can be easily stored at the off-site location
- f. System access and data security of confidential or restricted data.

C. Working Remotely.

Position duties, obligations, job responsibilities, and standards of performance will not change due to remote work. Employees face the same expectations in relation to professionalism, work output, and customer service, regardless of where the work is being performed. The amount of time an employee is expected to work in a given week will not change, although the exact scheduling of allotted hours will be left up to the discretion of their direct Elected Official or Department Head. If an employee's physical presence is required at the County's primary work location, they may be expected to report upon notification by their Elected Official or Department Head. Additionally, employees are expected to abide by the following general rules:

1. Be transparent about your availability and keep your calendar and availability status up to date indicating when you are online or offline.
2. Maintain strong communication by conducting regular check-ins with your Elected Official or Department Head and coworkers.
3. Prepare any necessary child care strategies.
4. Remain accessible at any time during your work schedule.
5. Request supervisor approval to use vacation, sick, or other leave in the same manner as when working at the employee's regular work location

Employees authorized to work remotely must accurately record all hours worked using the following Remote Work Timesheet Form. For non-exempt personnel, hours worked in excess of

those scheduled per day and per work week require the advance approval of the employee's supervisor. Failure to comply with this requirement may result in the immediate termination of the remote work agreement.

Employees should not assume any specified time period for remote work arrangements, and the County may require employees to return to regular in-office work at any time. Failure to comply with these requirements may result in disciplinary action and/or loss of remote working privileges.

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Attachment (1) – Remote Work Timesheet

Name _____

Department _____

Day	Date	Start Work	Time Out (Lunch)	Time In (Lunch)	End Work	Total Daily Hours
<i>Example of how to complete this form:</i>						
Monday	10-19-20	8:30 am	Noon	1:00 pm	5 pm	7.5

Weekly regular hours
Weekly overtime hours
Weekly total hours

I certify that the above is accurate to the best of my knowledge.

Employee Signature _____

Date _____

Personnel Management

B-14.10 Workers' Compensation

County Board Approval: July 17, 1996. Amended XX, 2021

- 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 Clerk's Office and from the Sheriff's Office 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 Clerk's Office.

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Personnel Management

B-15.0 Supplemental Personnel Requests

County Board Approval: July 5, 2000, Amended XX, 2021

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 Administration 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 Safety Committee (HROCHRS) to approve or deny the request. The results of the HROC-HRS meeting will be forwarded to the Finance and Appropriations Committee (FAC) for review and recommendation. The ~~FAC and~~ HROCcommittee 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.

Personnel Management

B-16.0 Donated Leave

County Board Approval: _____

A. General.

County employees may voluntarily donate their vacation or sick leave to other County employees who are disabled due to a non-compensable illness, impairment, injury, or physical or mental condition.

County employees may also donate their leave time to another employee who is not disabled themselves but rather off work due to the disablement, illness, impairment, injury, or physical or mental condition of their spouse, child, mother, or father.

B. Requirements.

1. The receiving employee must use all accrued vacation leave, comp time, sick leave, paid personal days, and any other County sources of paid time off prior to receiving the donated hours.
2. The receiving employee must have over six months of continuous County employment.
3. The receiving employee cannot be on probationary or temporary status.
4. An employee may use the equivalent of 70 days of donated leave in a 12-month period in the case where they are the disabled party.
5. If the receiving employee is not the disabled party but rather the disabled party is the receiving employee's spouse, child, mother or father, the total amount of donated leave allowed in a 12-month period is 30 days.
6. Donated leave refers to either vacation, sick leave, personal days, or any combination of the three.
7. The minimum unit of donated time is four hours of leave.
8. An employee who is voluntarily donating vacation hours must retain a minimum leave balance equivalent to two weeks of vacation leave hours.
9. An employee may also voluntarily donate sick leave, as long as the donating employee retains a minimum balance equivalent to two weeks of sick leave hours.

C. Procedures.

1. To receive voluntarily donated time, the receiving employee must first submit a written request to their elected or appointed department head. Accompanying this request must be a written statement from the employee's health provider certifying that the leave is necessary, the length of time expected to be absent from work, and when the leave shall begin. This medical statement should not disclose detailed information about the medical condition or any long-term prognosis for the condition.
2. The receiving employee must submit the request and a written statement from the employee's elected or appointed department head noting their response to the request to the Administration Office. Upon approval by the County Administrator, the request will be transmitted to the Clerk's Office.
3. Inter-departmental requests for donated hours will be made by the requesting employee's elected or appointment department head. Out-of-department requests for donated hours will be made by the County Administrator.

Personnel Management
B-17.0 Code of Ethics

County Board Approval: May 15, 1996, Amended XX, 2021

A. General.

4. 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.
5. 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.
6. 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.
7. 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. Ethics and Conflict of Interest.

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 "de minimis" 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~~25.00. County employees, appointed and elected officials are encouraged to distribute these types of gifts throughout their department.
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. Representation of Private Interests. 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. Supplementary Employment. 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. Investments in Conflict with Public Responsibilities: 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. Enforcement.

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).

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Personnel Management

B-18.0 Employee Performance Appraisal and Counseling System

County Board Approval: July 17, 1996; Amended: December 5, 2001, Amended XX, 2021

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.b.~~ 2. Performance Rater (PR). ~~Nominally~~ The immediate supervisor of the employee.
 - ~~3.c.~~ 3. Regular Performance Appraisal. The annual performance appraisal scheduled by this Section for the month of the employee's anniversary date.
 - ~~4.d.~~ 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.
- ~~5.2.~~ 5.2. 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.a.~~ 6. Attachment (~~2~~1) - Employee Performance Appraisal Input Form.
 - ~~7.b.~~ 7. Attachment (~~3~~2) - Employee Performance Appraisal Form.
 - ~~8.c.~~ 8. Attachment (~~4~~3) - Supervisor's Checklist and Guide to Effective Counseling and Performance Appraisal.
 - ~~9.d.~~ 9. Attachment (~~5~~4) - Employee Counseling Form.
 - ~~10.e.~~ 10. Attachment (~~6~~5) - Administrator Evaluation Form
- ~~11.3.~~ 11.3. 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 (21) 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 (32)) along with a completed Attachment (21) 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 (32) 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, communication's ability and organizational ability?
- 4) Performance grades.

Attachment (32) 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 (32) to this Section.

12.b. 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 (43) 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 only that he/she has seen the performance appraisal. Note: It is important to understand that employee signature action on this document does not 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 (54) 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.c. 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.d. 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.c. 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.

~~16.4.~~ 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.
- b. The first line of the text in block 1 shall read:

~~“THIS PERFORMANCE APPRAISAL IS SUBMITTED AS A (PROBATIONARY) SPECIAL PERFORMANCE APPRAISAL FOR THE PURPOSE OF DOCUMENTING _____.”~~ (Note: choose one of the following to fill in this blank: Probationary period, outstanding performance or substandard performance.)

- ~~17.c.~~ 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.

~~18.5.~~ 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.

- ~~19.b.~~ 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.

~~20.6.~~ 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.

~~21.7.~~ Administrator Evaluation.

The Board shall perform a six-month probationary evaluation of the Administrator using Attachment ~~(56)~~ 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 ~~A~~attachment ~~(56)~~ 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
Category B. 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
Category C. Full-time non-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

<u>County Position</u>	<u>Performance Rater</u>	<u>Senior Performance Rater</u>
<u>Category D. Full-time Sheriff Lieutenants under COAM contract.</u>		
Jail Administrator Lieutenant	Undersheriff	Sheriff
Department Administrative Lieutenant	Undersheriff	Sheriff
Department Detective Lieutenant	Undersheriff	Sheriff
<u>Category E. Full-time, non-Union hourly employees.</u>		
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
<u>Category F. Full-time hourly employees, TPOAM contract.</u>		
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
<u>Category G. Full-time hourly Sheriff's employees, POAM contract.</u>		
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

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Attachment (21) - 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 (32) - 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

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

Check One

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

Below Standards (1.0*)

- Needs excessive supervision.
- Work output requires continuous rework.
- Wasteful of resources

Check One

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*)

- Displays unethical behavior.
- Tolerates bias, unfairness or harassment of fellow workers.
- Lacks respect for Equal Opportunity objectives.
- Disregards the rights of others.

Check One

1.0*

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.

2.0

3.0

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.

4.0

5.0*

Character: Adaptability, attitude, judgment

Below Standards (1.0*)

- Displays poor self-control.
- Abrasive demeanor and/or conduct.
- Consistently exhibits poor judgement

Check One

1.0*

Meets Standards (3.0)

- Displays excellent self-control.
- Excellent demeanor and conduct.
- Exhibits excellent judgement.
- Forthright and honest

2.0

3.0

Exceeds Standards (5.0*)

- Displays excellent self-control.
- Excellent demeanor and conduct.
- Exhibits excellent judgement.

4.0

5.0*

Responsibility: Initiative, reliability, punctuality

Below Standards (1.0*)

- Constant prodding required to finish work.
- Cannot be relied upon.
- Frequently tardy.

Check One

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

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.

4.0

5.0*

Teamwork: Consensus, Goal-oriented, deadline management

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.

Check One

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

Below Standards (1.0*)

- Seldom take initiative; Cannot plan or prioritize.
- Unable to communicate; Fails to get job done.
- Little potential for additional responsibility

Check One

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

Employee: _____ Date _____

(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: _____ Date _____

Sr. Performance Rater: _____ Date _____

Reviewing Authority: _____ Date _____

Statement desired (employee initials required) Yes: _____ No: _____

(Note. If a statement is desired, submission date ~~is~~ must be within 5 working days of the signature date above.)

DRAFT
12-17-2020

Attachment (43) - 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. Counseling.

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, there 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. Post-Counseling.

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 (54) to this Section and retain this working record in Departmental files.
4. Note: Attachment (54) 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 (45) - 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: _____

DRAFT
12-17-2020

Attachment (56) - 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.

Personnel Management

B-19.0 Disciplinary Actions

County Board Approval: July 17, 1996; Amendments: April 7, 2004; Amended XX, 2021

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. Disciplinary Action Versus Counseling.

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. Types of Disciplinary Actions.

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 Safety 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.

DRAFT
12-17-2020

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.

DRAFT
12-17-2020

Attachment (3) - Supervisory Disciplinary Worksheet

A. Instructions.

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?

<u>Date</u>	<u>Incident</u>	<u>Disciplinary Measure</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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:

<u>Position</u>	<u>Signature</u>	<u>Yes</u>	<u>No</u>	<u>Date</u>
Immediate Supervisor:	_____	_____	_____	_____
Supervisor:	_____	_____	_____	_____
County Administrator: <i>(if required)</i>	_____	_____	_____	_____
Chairman, Human Resources and Safety Committee <i>(if required)</i>	_____	_____	_____	_____

DRAFT
12-17-2020

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

Clerk's Office

Administration Office

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~~

~~Clerk's Office~~

~~Administration 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

Clerk's Office

Administration 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

Personnel Management

B-20.0 Personnel Records Management

County Board Approval: August 21, 1996; Amended XX, 2021

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:

<u>Office</u>	<u>Responsible For</u>
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 Office (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	<u>Official County personnel records relating to compensation and benefits.</u> 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. Recordkeeping Requirements.

1. Mandatory items to be included in official personnel records.
Per State and Federal statute, the employer must include all 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.b. 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.c. 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.d. 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.e. 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 may not 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.f. 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.

7.2. 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.b.~~ Staff planning materials relative to more than one employee (such as salary increases, bonus plans, pro- motion plans, job assignments, etc.).
- ~~9.c.~~ 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.d.~~ 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.e.~~ Records relating to a criminal investigation of the employee.
- ~~12.f.~~ Records kept separately regarding grievance investigations not used for purposes specified above.
- ~~13.g.~~ 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.b.~~ Access to official County personnel records relating to compensation and benefits will be adjudicated by the General Accounting Office.

~~3.c.~~ Access to individual official County personnel records/files will be adjudicated by the respective record custodian as outlined above.

~~4.2.~~ 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.b.~~ 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.

~~6.3.~~ 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.b.~~ If disciplinary action was not taken as a result of the investigation, the investigative file must be destroyed.

~~8.c.~~ 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 Office or the Office of the Prosecutor.) In this exception, the employee

must be notified as outlined above but the file need not be destroyed.

DRAFT
12-17-2020

BOARD OF COMMISSIONERS COMMITTEE AGENDA ITEM

TO: HR/PS Committee
FROM: Commissioner Bengelink
FOR MEETING DATE: December 22, 2020
SUBJECT: Administrator Evaluation Form

SUMMARY OF ITEM TO BE PRESENTED:

Commissioner Bengelink requested the Human Resources/Public Safety Committee review the Administrator Evaluation form discuss revisions at the meeting. The Administrator Evaluation form follows.

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.

BOARD OF COMMISSIONERS COMMITTEE AGENDA ITEM

TO: HR/PS Committee
FROM: Administration
FOR MEETING DATE: December 22, 2020
SUBJECT: Part Time Maintenance Worker/Custodian Position Description & Classification

SUMMARY OF ITEM TO BE PRESENTED:

The 2021 budget approved by the Board of Commissioners on December 16 included funding for a part time maintenance worker/custodian. However, there is no existing position description or position classification that accurately reflects the County's current needs. Following is a proposed position description and classification that has been reviewed by the Maintenance Supervisor.

This will be a TPOAM General Unit position. Labor counsel has been consulted, and the union has been notified. Per contract, the Union has ten days to object to the level of classification.

RECOMMENDATION:

Administration recommends the Human Resources/Public Safety Committee approve the position description and classification.



WEXFORD COUNTY POSITION DESCRIPTION

Position: Part Time Maintenance Worker/Custodian

Adopted: _____

- A. Summary. Performs a variety of tasks under the direction of the Maintenance Supervisor. These tasks include, but are not limited to, minor maintenance and repair tasks on County facilities and equipment and custodial duties at County facilities.
- B. Supervision Received. Supervision is received from the Maintenance Supervisor.
- C. Supervision Exercised. None.
- D. Responsibilities and Essential Duties and Functions. An employee in this position may be called upon to perform 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. Meets with Supervisor on a routine basis to discuss department goals, concerns, and the status of assigned work.
 2. Maintenance duties, which will include tasks such as the following:
 - a. Installation and removal of window air conditioners.
 - b. Minor electrical repairs such as replacing bulbs, fans, and switches.
 - c. Minor plumbing repairs such as replacing aerators and flush handles.
 - d. Interior and exterior painting.
 3. Custodial duties, which may include tasks such as the following:
 - a. Maintaining and stocking restrooms and general custodial supplies.
 - b. Cleaning and disinfecting walls in offices, hallways, and restrooms.
 - c. Cleaning and disinfection of sinks, toilets, and other fixtures. Cleaning and polishing drinking fountains, mirrors, and chrome fixtures.
 - d. Sweeping and mopping of tiled floors.
 - e. Use of vacuum cleaners and carpet sweepers to clean carpeted surfaces. Spot cleaning of carpeted surfaces.
 4. Miscellaneous tasks, which will include tasks such as delivering boxes of paper to offices upon request.
 5. Responds to requests for furniture and equipment movement, changes in cleaning practices, and materials delivery. Assist in moving furniture, setting up, and cleaning up for meetings and other events.
 6. Assists the Maintenance Supervisor with accurately recording changes in property inventory as required by County policy.
 7. May be required to follow up on the work of contractors to ensure proper completion of contracted work.

8. Wintertime duties include shoveling and spreading salt on an as-needed basis.
9. In the absence of the Maintenance Supervisor, evaluates malfunctioning equipment and emergency service calls with the assistance of the County Administrator, recommends and coordinates outside assistance or carries out corrective action.
10. Duties may include work inside all areas of the County's jail.
11. On an infrequent basis, may be required to respond to evening or weekend emergency call-ins.
12. Performs related duties as required.

E. Essential Functions, Qualifications and KSAs for Employment. All of the following functions, qualification, KSAs and duties are essential. An employee in this class, upon appointment, should have the equivalent of the following:

1. Ability to work effectively with the general public, elected and appointed department heads, and fellow employees.
2. Physically able to perform required duties.
3. Mechanically inclined.
4. Ability to reason and process numbers effectively.
5. Ability to read instructions, safety materials, and government regulations.
6. Ability to lift and carry at least 50 pounds on a routine basis.
7. Ability to run, crawl, climb stairs and ladders, kneel, squat, stoop, work in cramped body positions, and maneuver where physical mobility is required.
8. Ability to lift and move supplies, furniture, boxes, and other items while setting up for events, stocking supplies, and performing other tasks.
9. Ability to operate heavy equipment and power tools.
10. Ability to use various cleaning agents and tools.
11. Ability to use equipment when there is an inherent risk of getting burned, bruised, scraped, or cut.
12. Required education and experience include graduation from high school or equivalent and one year of related experience.
13. A valid Michigan driver's license.
14. Ability to pass a background and security check.
15. Experience in the maintenance and repair of building and mechanical systems is desired.



Position: **Part Time Maintenance Worker/Custodian**

Date: **December 18, 2020**

Category	
1) Education	24
2) Work Experience	60
3) Freedom of Action	60
4) Complexity/Problem Solving	60
5) Accountability/Error Potential	60
6) Contacts	60
7) Responsibility for Others	26
8) Number of Personnel Supervised	12
9) Environmental Factors	40
10) Technical Knowledge	80
Total	482
Compensation Level	L4

Review Level: **County Administrator**

Approved? Y/N

Y

Signature

A handwritten signature in blue ink that reads "Janet Koch".

Monthly Report
Wexford County



Medical Examiner's Office

As Of **November 30, 2020**

		Jan 2020	Feb 2020	Mar 2020	Apr 2020	May 2020	Jun 2020	Jul 2020	Aug 2020	Sept 2020	Oct 2020	Nov 2020	Dec 2020	FY 2020	% +/- from prev. year	FY 2019	FY 2018
# Cases Investigated by MMMEG		16	7	9	7	12	19	13	8	12	12	17		132	45.5%	99	78
	Scene Investigations	10	4	5	6	9	15	12	4	7	7	11		90			
	Cremation Permits	21	17	24	22	24	32	29	24	30	23	23		269	35.2%	217	241
Manner of Death																	
	Homicide	0	0	0	0	0	1	0	0	0	0	0		1		0	0
	Suicide	1	1	0	0	0	2	0	0	1	1	0		6	-6.5%	7	9
	Accident	2	4	2	0	2	3	3	3	1	3	0		23	-16.4%	30	16
	Natural	13	2	7	7	10	13	10	5	10	7	12		96	71.7%	61	53
	Pending	0	0	0	0	0	0	0	0	0	0	5		5	445.5%	1	0
	Indeterminate	0	0	0	0	0	0	0	0	0	1	0		1		0	0
COVID-19																	
	COVID Cases Reviewed			0	1	0	1	0	0	0	0	1		3			
	Cases M.E. Tested in Field				1	0	0	0	0	0	0	0		1			
	Confirmed Cases M.E. pronounced in Field				0	0	0	0	0	0	0	0		0			
Suspected Drug Related		0	1	0	0	1	3	1	1	0	0	1		8	-20.7%	11	14
Special Cases																	
	UnClaimed Bodies	0	0	0	0	0	1	0	0	0	0	1		2	118.2%	1	1
	Unidentified Bodies	0	0	0	0	0	0	0	0	0	0	0		0		0	0
	Exhumations	0	0	0	0	0	0	0	0	0	0	0		0		0	0
Ordered																	
	Toxicology	2	1	2	0	1	2	2	1	2	2	3		18	-6.5%	21	14
	Autopsy	1	0	0	0	1	4	0	0	0	1	2		9	96.4%	5	6
Donations																	
	Whole Body	1	0	0	0	0	0	0	0	0	0	0		1		2	3
	Eyes/Cornea	1	0	0	0	0	0	0	0	0	0	0		1		2	1