

**City of Allen Park, County of Wayne,
State of Michigan**

ORDER No. 2014-048

AN ORDER OF THE ALLEN PARK EMERGENCY MANAGER TO ADMINISTRATIVELY DEVELOP, APPROVE, ADOPT, IMPLEMENT, AND, FROM TIME TO TIME, AMEND AN EMPLOYEE POLICY HANDBOOK.

WHEREAS, under Local Government Fiscal Responsibility Act, Act 72, Public Acts of Michigan, 1990, as amended ("Act 72") and as superseded by the Local Financial Stability and Choice Act, Act 436, Public Acts of Michigan, 2012 ("Act 436"), as well as any successor Acts, and a Contract (the "Contract") dated October 25, 2012 between the State of Michigan and Joyce A. Parker, Joyce A. Parker has been appointed as the Emergency Manager (the "EM") of the City of Allen Park, County of Wayne, Michigan (the "City") and is thereby charged with the power and authority to take all actions necessary to develop and implement financial and operational plans, to regulate expenditures, investments, ensure compliance with federal, state and local laws, regulations, rules, local laws and make provisions for services essential to the public health, safety, and welfare of the City of Allen Park, including the power to exercise the authority and responsibilities of the Mayor, the Chief Administrative Officer of the City, and of the City Council, as the governing body of the City, concerning the adoption and enforcement of ordinances and resolutions affecting the financial condition of the City as provided in the Home Rule City Act, Act 279, Public Acts of Michigan, 1909, as amended ("Act 279"); and

WHEREAS, pursuant to Act 436 and specifically MCL 141.1552(1)(g) authorizing an emergency manager to make, approve, or disapprove any appropriation, contract or expenditure and MCL 141.1552(1)(dd) and (ee) which provides that an emergency manager has the power and authority to exercise, on behalf of the local government, all authority and responsibilities of the governing body including enforcement of ordinances and resolutions as provided under the Home Rule City Act, 1909 PA 279, and take any other action or exercise any power or authority of any officer, employee, board, and commission, recognizing that the power of the emergency manager shall be superior to and supersede the power of any of the aforementioned officers or entities;

WHEREAS, the City of Allen Park has not maintained an updated employee handbook containing the City's expectations of its employees and other workers as reflected within clearly articulated employment related policies and that such an employee handbook would serve to clarify for employees, supervisors, managers, elected officials, and others the uniform standards that will govern all employee and/ or working relationships with the City;

WHEREAS, developing, adopting, amending, implementing, and maintaining an employee policy manual that clearly sets forth the City's policies and expectations and is capable of being easily and quickly updated through an internal administrative process requiring only the City Administrator's written approval before being promptly distributed to all employees and implemented throughout the City's operations is desirable and necessary to assure a uniformity in the quality and integrity of City services and the City's work environment;

WHEREAS, it is necessary that the City of Allen Park have a living, breathing employee handbook that is subject to on-going updates, appropriate amendments, and annual reviews to ensure that such a policy handbook would continue to be a clear statement of the City's standards and expectations for its personnel;

WHEREAS, under Act 436 the EM is authorized and directed to issue to the appropriate officials and employees of the local government the orders the EM considers necessary to accomplish the comprehensive duties, responsibilities required of the Emergency Manager, the purposes of Act 436, the Contract and the proper implementation of the emergency financial plan for the benefit of the City.

RESOLVED, NOW THEREFORE, IT IS HEREBY ORDERED BY THE EMERGENCY MANAGER OF THE CITY OF ALLEN PARK, PURSUANT TO PUBLIC ACT 436 OF 2013, THE CONTRACT, AND ALL OTHER RELEVANT LEGAL MANDATES THAT:

1. Effective this date, the City of Allen Park approves and adopts the City of Allen Park 2014 Employee Handbook;
2. Pursuant to this ORDER, the City Administrator shall be responsible to develop, approve, adopt, disseminate, implement, and amend as necessary or appropriate the City of Allen Park policies, processes, and procedures set forth in the Employee handbook that, in her discretion reflect the City of Allen Park's expectations and standards to assure uniformity in the quality and integrity of City services, its work environment, and professional relationships;
3. The City Administrator is authorized pursuant to this ORDER to review the provisions contained within the Employee Handbook and take all action the City Administrator deems necessary to ensure the Handbook's accuracy, compliance and compatibility with changes in the law, legal, professional, and other expectations, including changes in the implementation model for certain policies and procedures and provide prompt written notification of all Handbook amendments to employees in accordance with its provisions and this ORDER.
4. All orders of the EM, contracts, resolutions of the Allen Park City Council, and parts of resolutions or orders in conflict with this Order are hereby repealed to the extent of such conflict.

IT IS SO ORDERED this 24th day of September, 2014.


JOYCE A. PARKER
Emergency Manager
City of Allen Park

CITY OF ALLEN PARK
EMPLOYEE HANDBOOK

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1. WELCOME AND PURPOSE OF EMPLOYEE HANDBOOK

Welcome! Thank you for bringing your skills, talents and positive attitude to your employment relationship with the City of Allen Park. Our number one goal is responding to the needs of the community through cost effective, exceptional service that results in an enhanced quality of life in Allen Park. We welcome you as a new or continuing employee and hope you will fully embrace the opportunity you have to positively impact the quality of life here in our community. You are the "front-line" to our residents and business community and the interactions you have with them will impact their opinion of the City government and their perception of the value they receive for their tax dollars. We consider our employees and workers to be our most valuable asset, and appreciate that you have accepted the responsibility and accountability that comes with serving the public.

This Employee Handbook is designed to acquaint you with information about working conditions, employee benefits, policies, procedures, and certain practices affecting your employment with the City of Allen Park. It describes many employee responsibilities and City practices, and also outlines the programs developed for your benefit. Compliance with our Handbook and other policies that may be distributed from time to time are not optional but mandatory.

Additionally, most departments and divisions of this local government organization have established departmental policies and procedures which address the specific functions of that work unit. These departmental procedures remain in effect as a complement to the Employee Handbook and will continue so long as they do not conflict with the Employee Handbook or our goals to provide superior service in a cost effective manner.

Please be advised that this Employee Handbook is not an employment contract (express or implied) and accordingly shall not be considered as such. Nothing in this Employee Handbook shall be relied upon as a guarantee for certain privileges, working conditions, or continued employment.

COMMUNICATING EFFECTIVELY. We recognize that the success of the City's government operations and services depends in large part on you. Communication is a significant part of a successful relationship with employees, as well as employees' relationships with each other. We all must work daily to keep the lines of communication open. This requires that everyone ask questions, give complete and truthful information, and express their concerns openly. Good communication requires courtesy and respect. When discussing issues with others, we expect that you will listen carefully to the other party, respect their right to an opinion, and politely express your views to ensure that all communications are effective.

In addition to this Employee Handbook, communications of general interest will be announced verbally at staff meetings, by e-mail (with City Administrator's approval), or on your department bulletin board. To keep fully informed, regularly read the communications posted on e-mail or the common area of your department.

To further ensure that internal communications are effective, periodic staff meetings may be held in your department. All employees shall attend staff meetings, unless excused by your supervisor.

OPEN DOOR POLICY. As the Allen Park City Administrator, I maintain an open door policy. That means, I am always available to discuss and assist in resolving any issue you may have. However, unless otherwise provided in this Handbook, you are expected to respect the organizational structure of our City government and take all issues first to your supervisor for discussion and resolution.

I wish you the best as you embark upon your employment relationship with the City of Allen Park.

Welcome aboard!

City Administrator

Effective Date

Effective __, 2014 this Employee Handbook supersedes all prior policies, verbal communications, staff meeting minutes and/or management memos that may have been previously issued on subjects herein or are inconsistent with this handbook.

Application of This Employee Handbook

The policies contained within this Employee Handbook apply to all part time, full time, elected, appointed employees and members of the City of Allen Park's various Boards and Commissions, whether compensated or not. It is important to note that in some instances the City has entered into collective bargaining contracts with employee unions (AFSCME, APPOA, APSLA, and IAFF). This Employee Handbook is not intended to re-write, modify or change any provision in the prevailing labor agreement. This Employee Handbook sets forth how City management will implement working policies throughout its operations. For clarification of any policy, provision or the parameters of a collective bargaining agreement, an employee shall address their concerns with their supervisor.

Employee Handbook Contents and Revisions

This Employee Handbook is provided as a description of City guidelines, common practices and legal mandates. However, because it is not possible for to foresee all situations that might arise, the City reserves the right to deviate from the guidelines and practices outlined in this Employee Handbook, if in the City Administrator's sole judgment, such deviation is warranted based on the facts of a particular situation.

Occasional revisions may be necessary to keep City policies up-to-date with current laws, bargaining agreements, or other changes. Revisions may include changing, rescinding, or adding to any policy, procedure, benefit, or practice described in this Employee Handbook. *Revisions to the Employee Handbook will take place with the approval of City Administrator and appropriate notice to Unions and employees.* It is the employee's responsibility to keep their

personal copy of the Employee Handbook up-to-date by immediately inserting revisions or changes when issued.

The Human Resources Director will issue revisions and maintain an updated master copy of this Employee Handbook. Employees may contact the Human Resources Director for copies. Other verbal or written communications issued prior to or after the distribution of this Employee Handbook may appear to change some of the contents of this Employee Handbook. However, the provisions set forth in this Employee Handbook will be considered the official position and practice of the City of Allen Park, until a written revision or change is signed by the City Administrator/designee and made available to employees.

2. EMPLOYMENT

Employees are expected to read, understand, and comply with the policies, procedures, and other provisions set forth in this Employee Handbook. Questions of clarification should be referred to the Human Resources Director. This Employee Handbook is the property of the City of Allen Park and should not be provided to individuals who are not our employees. Upon termination, you must return this Employee Handbook and all other City property to your Human Resources office, or your supervisor, before your final departure.

2.01 Employment at the City of Allen Park

Employment Relationship

Unless a collective bargaining agreement or other written agreement or contract specifies otherwise, your employment with the City of Allen Park is considered at will and may be terminated at any time with or without cause.

Please be advised that verbal comments, assertions or promises made by anyone in the City as a guarantee for specific privileges, working conditions, or future employment does not change your at-will employee status and/or the provisions contained in this Handbook.

2.02 Responsibilities of City of Allen Park Employees

A City of Allen Park Employee Shall:

- Read and follow the policies, procedures, legal mandates, and other provisions set forth in this Employee Handbook and all updated provisions approved by the City Administrator and dispersed through the Human Resources Director.
- Perform duties as assigned by management. Your job description sets forth the minimum standards required to achieve the results expected of your position. It can also be used as an instrument of communication between you and your supervisor. Ask your supervisor

for a copy of your job description if you don't have it. Doing whatever is necessary to meet the needs of the City and public is everyone's job.

- Always act in a polite, professional manner, treating the public and co-workers courteously and respectfully.
- Dress appropriately for the job as outlined under the Professional Attire section of this manual.
- Be on-time for work, for meetings and appointments, and deliver work projects by assigned due dates (or deadlines).
- Maintain assigned work areas in a clean and orderly fashion.
- Conduct a safety check of assigned equipment before beginning work.
- Immediately report any problems with equipment to your supervisor.
- Perform all job duties safely.
- Produce quality work with minimal errors and within established timelines.
- Provide honest, truthful, and accurate information regarding your work history, education, and training. Falsification of employment records (including pre-employment data such as your resume or employment application), time records, expense reports, and other City of Allen Park records is grounds for corrective action up to and including immediate termination regardless of length of employment when the falsification is discovered.

2.03 EMPLOYEE POLICIES AND DEPARTMENT POLICIES

This Employee Handbook is to provide you, as a City employee, with the City's expectations for your employment through established personnel policies regarding the many facets of your employment relationship with the City, such as working conditions, employee responsibilities, employee benefits, and other practices affecting your employment with the City of Allen Park.

In addition to the personnel policies contained herein, each municipal department and division may have established department and/or division policies and procedures with which you must comply. Each Department Head and/or Division Head is encouraged and pursuant to this policy provision, has the right to develop policies and procedures that assist in delivering high quality municipal services in an efficient and effective manner. Department and/or Division policies and/or procedures are not established until they are placed in an acceptable written format, approved by the City Administrator and disseminated to the department and/or division workers affected.

2.04 NEW EMPLOYEE ORIENTATION

All newly hired employees shall participate in an orientation. Orientation is the joint responsibility of the new employee's supervisor and the Human Resources Director. The Human Resources Director shall provide new employees with an Employee Handbook, a history of the

organization, an overview of the operations of the organization, and the organization's policies, procedures, and benefits.

The employee's supervisor shall make sure that each employee attends an orientation session. The supervisor shall review with the employee their applicable job description and answer any questions. In addition, supervisors shall make sure that the employee receives necessary job training.

2.05 OTHER EMPLOYMENT

While the City of Allen Park does not prohibit employees from having a second job, secondary employment must not affect the employee's work hours, interfere or conflict with the employee's regular duties, raise any ethical concerns, or necessitate long hours that may impact the employee's working effectiveness. Employees that are contemplating secondary employment are required to submit a written request for approval to their supervisor. The written request should identify the secondary employer, the nature of the duties to be performed, and the anticipated hours the employee will be working. This request will be promptly answered in writing and a copy placed in the employee's personnel file.

2.06 NEPOTISM IN EMPLOYMENT

While the organization has no prohibition against hiring relatives of employees, close family members such as parents, children, spouses, siblings, or in-laws will not be hired into, or transferred from, positions where they directly or indirectly supervise or are supervised by another close family member. The City of Allen Park reserves the right to determine in all cases if a close enough familial relationship exists to prohibit a supervisory relationship.

3. EMPLOYMENT LAWS THAT AFFECT EMPLOYEES

3.01 EQUAL EMPLOYMENT OPPORTUNITY

The City of Allen Park is an Equal Opportunity Employer (EOE). Accordingly, we promote equal opportunity in the areas of recruitment, employment, training, development, transfer, and promotion. Our employment practices are without regard to race, color, religion, creed, sex, age, disability or medical condition, national origin, genetic information, veteran status, handicapped condition, height and weight, misdemeanor arrest not resulting in a conviction and all other categories protected by federal, state, and local anti-discrimination laws.

3.02 EQUAL EMPLOYMENT OPPORTUNITIES FOR PEOPLE WITH DISABILITIES

The City strives to provide equal opportunity for its disabled employees and visitors and is committed to providing an environment free of discrimination.

Disability Discrimination Prohibited

Consistent with the American with Disabilities Act, as amended (ADA), and the Michigan Persons with Disabilities Civil Rights Act (PWDCRA) the City prohibits all unlawful discrimination against persons with disabilities that work for, visit or interact with the City.

Disabled employees and applicants are qualified individuals with a disability. A *qualified individual* with a disability is any person who can perform the essential functions of a job or position with or without reasonable accommodation. Generally, the terms “disability” and “major life activities” will have that meaning which the law states, but for our purposes here, by way of general explanation, a disability means, with respect to an individual: a physical or mental impairment that substantially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment. Major life activities can include caring for one’s self, walking, seeing, speaking, working, breathing, learning, concentrating, standing, lifting, bending. Major life activities also include major bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, brain, respiratory, circulatory, endocrine, and reproductive functions.

Workplace Equality

City will administer and conduct all personnel practices and procedures including employment, compensation, benefits, evaluations, promotions, demotions, assignments, transfers, recruitment, layoffs and terminations, training, education, recreational and social activities, and safety and health programs without regard to an employee or applicant’s disability, except when a bona fide occupational qualification applies or when an accommodation of a disability will create an undue hardship.

This policy applies to every employee that interacts with the workplace or who participates in work-sponsored activities no matter his or her authority, position or classification. Violators of this policy are subject to investigation and discipline including, but not limited to, termination.

Harassment Prohibited

Verbal, physical or any other form of harassment that belittles or demeans any individual on the basis of disability is also strictly prohibited.

Prohibited harassment includes conduct that has the purpose or effect of unreasonably interfering with a disabled employee’s work performance or experience or creating an environment that is hostile, intimidating or offensive.

Accommodations

The federal ADA requires an individual who seeks an accommodation to request an accommodation from his or her employer. The employer and the employee then engage in the interactive process to determine what accommodations may assist the employee in performing his or her essential job functions and whether or not such accommodations are reasonable. Said request should be directed to the Director of Human Resources. In addition, pursuant to MCLA 37.1210(18), the PWDCRA, a person with a disability or handicap who requires reasonable accommodation to perform the essential functions of his/her job, must notify the Human Resources Director or City Administrator of that need, in writing, within 182 days after the need is known.

What is considered a reasonable accommodation varies and is determined by a number of factors, including safety. All requests for accommodation will be evaluated on a case-by-case basis taking into consideration all known circumstances.

Reporting Disability Discrimination

If you believe you are discriminated against or harassed because of a disability or if you know or suspect discrimination or harassment to another employee or workplace participant because of a disability, you must report it immediately to your supervisor, the Human Resources Director, the City Attorney, or the City Administrator.

Please note that you are not required to confront the person or persons that have given you reason to report. However, if you experience wrongdoing, like disability discrimination, you must make a reasonable effort to make the wrongdoing known as soon as or soon after you experience or discover it. Discussing or reporting acts of disability discrimination to any person not listed above does not constitute a report.

Retaliation Prohibited

If you believe you are being subjected to retaliation for reporting a violation of this policy, or participating in an investigation of this policy, you should report the retaliation immediately in the manner provided above. Please note that you do not have to confront the person that is the source of the retaliation before reporting it, but to help prevent retaliation from continuing, you must report it.

Any employee or workplace participant that retaliates against another employee or workplace participant for making a good faith complaint of a violation of this policy, or for assisting in an investigation of a complaint of a violation of this policy, is subject to discipline or termination. Retaliation can include, but is not limited to harassment, discrimination, bullying or any other unfair treatment or abuse of power.

Workplace Investigations

If warranted, City will investigate credible allegations of disability discrimination, including harassment. The City may use third parties to investigate allegations of discrimination. All

employees have a responsibility to cooperate fully with any investigation. Unreasonable refusal to participate in an investigation of a complaint of disability discrimination may lead to discipline.

False Claims Prohibited

Any employee or workplace participant that makes a knowingly false claim of workplace wrongdoing, like disability discrimination, will be subject to discipline or termination.

3.03 RELIGIOUS ACCOMODATION

If possible, a reasonable accommodation will be provided to allow time off without pay to observe religious holidays that are not otherwise City holidays. Requests for time off for bona fide religious observances will be considered on a case-by-case basis. So that we can reasonably accommodate your request, you must notify your supervisor of your request to take time off to observe a religious holiday at least three weeks before the date of your planned absence. If vacation time or personal business time is available, you may use it for the observance of such holidays, otherwise, such time off is without pay.

3.04 HARRASSMENT FREE WORKPLACE

The City of Allen Park is committed to providing a work environment based on mutual respect and teamwork. That means a work environment free of illegal harassment. Not all behavior subjectively believed to be harassing conduct is prohibited. Therefore, a definition has been provided.

Illegal Harassment Prohibited

The City defines illegal *harassment* as behavior or comments that create a hostile work environment because of race, religion, color, sex, age, pregnancy, national origin, disability, veteran or family status, weight, marital status, or any other status or condition protected by applicable federal, state or local laws. Verbal, physical, sexual or any other form of harassment that belittles or demeans an individual on the basis of race, religion, color, sex, age, pregnancy, national origin, disability, veteran or family status, weight, or any other status or condition protected by applicable federal, state or local laws is also strictly prohibited.

Prohibited harassment includes conduct that has the purpose or effect of unreasonably interfering with an employee's work performance or experience or creating an environment that is hostile, intimidating or offensive.

Sexual advances; requests or demands for sexual favors; threats; physical conduct of a harassing nature; jokes; slurs; and other harassing language or conduct that is meant to intimidate or that negatively impacts an employee's work environment is strictly prohibited.

Not all disagreeable or unpleasant communications are harassment under the law. To state a claim for illegal harassment, one must show that the harassment is based on one of the foregoing characteristics and that the harassment is because of the characteristic. Simple dislike, inconvenience or other personal predilections do not serve as a foundation for a harassment claim.

Harassment Free Workplace

The City of Allen Park does not tolerate and expressly prohibits harassment or any acts (physical, verbal or otherwise) that create a hostile or intolerable working environment for any employee, [volunteer, applicant, agent, contractor, customer, client or vendor e.g.] because of race, religion, color, sex, age, pregnancy, national origin, veteran or family status, [state other class here] or other status or condition protected by applicable federal, state or local laws.

This policy applies to every person in the workplace and everyone who participates in work-sponsored activities no matter his or her authority, position or classification.

Reporting Harassment

If you believe you are being illegally harassed or if you know or suspect harassment to another employee or workplace participant, you must report it immediately to your supervisor, the Human Resources Director, the City Attorney, or the City Administrator.

Please note that you are not required to confront the person or persons that have given you reason to report. However, if you experience wrongdoing, like harassment, you must make a reasonable effort to make the wrongdoing known as soon as or soon after you experience or discover it. Discussing or reporting acts of harassment to any person not listed above does not constitute a report.

Retaliation Prohibited

If you believe you are being subjected to retaliation for reporting a violation of this policy, or participating in an investigation of this policy, you should report the retaliation immediately in the manner provided above. Please note that you do not have to confront the person that is the source of the retaliation before reporting it, but to help prevent retaliation from continuing, you must report it.

Any employee or workplace participant that retaliates against another employee or workplace participant for making a good faith complaint of a violation of this policy, or for assisting in an investigation of a complaint of a violation of this policy, is subject to discipline or termination. Retaliation can include, but is not limited to harassment, discrimination, bullying or any other unfair treatment or abuse of power.

Workplace Investigations

If warranted, City will investigate credible allegations of harassment. City may use third parties to assist in such investigations. All employees have a responsibility to cooperate fully in any such investigation. Unreasonable refusal to participate in an investigation of a complaint of harassment may lead to discipline.

False Claims Prohibited

Any employee or workplace participant that makes a knowingly false claim of workplace wrongdoing, like a knowingly false claim of harassment, will be subject to discipline or termination.

3.05 SEXUAL HARRASSMENT FREE WORKPLACE

The best work environments are built on a foundation of respect for all those that contribute. For that and many other reasons, City is committed to providing a work environment free of sexual harassment.

Sexual Harassment Prohibited

Sexual harassment is prohibited. Sexual harassment is generally defined as:

Any unwelcome sexual advances, requests for sexual favors and other visual, verbal or physical conduct of a sexual nature. Such conduct constitutes harassment when –

- 1) Submission to the conduct is made either an implicit or explicit condition of employment;*
- 2) Submission to or rejection of the conduct is used as a basis for an employment decision;*
or,
- 3) The conduct interferes with a person's work performance or creates an intimidating, hostile or offensive work environment.*

The following are some examples of conduct that may be considered sexual harassment. This list is provided as a sample of inappropriate workplace conduct, but is by no means all-inclusive.

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual conduct such as derogatory and/or racially/sexually-oriented cartoons, clothing, drawings, posters, photographs or gestures;
- Transmitting sexually suggestive, derogatory or offensive materials via City computers (e.g., E-mail) or accessing such information on the Internet while at work;
- Physical conduct such as assault, unwanted touching, blocking normal movement, or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests as a condition of continued employment or receipt of products/services, or to avoid some other loss, and offers of employment benefits or extra services in return for sexual favors; and,

- Retaliation for having reported or threatened to report harassment.

Such behavior is prohibited in the workplace and in other work-related settings such as seminars away from City Hall, out-of-town conferences and social events with co-workers (whether or not the social event is sponsored by the City). Such conduct by vendors/contractors or visitors to our City also will not be tolerated. This includes male-to-female, female-to-male, male-to-male, and female-to-female harassment. This policy applies to every person in the workplace and everyone who participates in work-sponsored activities no matter his or her authority, position or classification.

Reporting Sexual Harassment

If you believe you are sexually harassed or if you know or suspect sexual harassment to another employee or workplace participant, you must report it immediately to your supervisor, the Human Resources Director, the City Attorney, or the City Administrator.

Please note that you are not required to confront the person or persons that have given you reason to report. However as soon as or soon after you experience or discover it. Discussing or reporting acts of sexual harassment to any person not listed above does not constitute a report.

Retaliation Prohibited

If you believe you are being subjected to retaliation for reporting a violation of this policy, or participating in an investigation of this policy, you should report the retaliation immediately in the manner provided above. Please note that you do not have to confront the person that is the source of the retaliation before reporting it, but to help prevent retaliation from continuing, you must report it.

Any employee or workplace participant that retaliates against another employee or workplace participant for making a good faith complaint of a violation of this policy, or for assisting in an investigation of a complaint of a violation of this policy, is subject to discipline or termination. Retaliation can include, but is not limited to illegal harassment, discrimination, bullying or any other unfair treatment or abuse of power.

Workplace Investigations

If warranted, City will investigate credible allegations of sexual harassment. City may use third parties to assist in such investigations. All employees have a responsibility to cooperate fully in any such investigation. Unreasonable refusal to participate in an investigation of a complaint of sexual harassment may lead to discipline.

False Claims Prohibited

Any employee or workplace participant that makes a knowingly false or frivolous claim of workplace wrongdoing, like a knowingly false claim of sexual harassment, will be subject to discipline or termination.

3.06 DISCRIMINATION

Illegal discrimination in the workplace is against the law. If you feel that you are a victim of illegal discrimination **immediately** report it to the Human Resources Director or the City Administrator, even if you have discussed it indirectly with the individual(s) involved.

Please provide the following information when reporting discrimination:

- 1) Date(s), time(s), and location(s) of the incident/incidences that took place;
- 2) Description of each incident: e.g., Was any physical contact made? What was said and/or done? etc.;
- 3) Name(s) of anyone present during each incident; and,
- 4) Anyone with whom you've discussed the incident/incidences.

The Director of Human Resources will undertake or oversee an investigation of all complaints of discrimination. The results of the investigation will be reported to the complaining party. Investigation of a discrimination complaint may include, but is not limited to, interviewing the complaining party as well as other employees or witnesses necessary to obtain sufficient information upon which to make an assessment of the situation. While we will make every effort to be sensitive to privacy issues, in the course of an investigation we will discuss relevant information with appropriate parties on a need-to-know basis. Witnesses and members of management are required to cooperate in investigations if it is determined that they have information that could assist the investigation team.

Retaliation against an employee who complains of discrimination is strictly prohibited and will not be tolerated.

We are committed to investigation and correcting any form of discrimination taking place in our City. We are committed to addressing these issues within our organization, and we believe we can effectively address such matters internally when employees advise us of a problem in this area.

4. EMPLOYMENT STATUS & RECORDS

4.01 EMPLOYMENT RECORDS

The City of Allen Park is required to keep accurate, up-to-date employment records on all employees to ensure compliance with state and federal regulations, to keep benefits information up-to-date, and to make certain that important mailings reach all employees. The organization considers the information in employment records to be confidential.

Employees must inform the City of Allen Park of updates to their personnel file such as a change of address, changed telephone numbers, emergency contact, marital status, number of dependents, or military status. Employees should also inform their supervisor and Human Resources of any outside training, professional certifications, education, or any other change in status. In addition to a general personnel file, the City of Allen Park maintains a separate medical file for each employee. Access to an employee's medical file is extremely limited.

The City of Allen Park will only verify dates of employment and job titles to outside agencies inquiring by telephone. No other information will be provided without written authorization from the employee, except what is required to comply with the law.

All current employees will be permitted to review their personnel files at reasonable times with reasonable notice.

If a manager is notified by any governmental agency that it is going to conduct an inspection of the I-9 documents, the manager should contact the Human Resources office immediately.

4.02 EMPLOYMENT ELIGIBILITY DOCUMENTS

Federal regulations require the City of Allen Park to comply with the Immigration Reform and Control Act of 1986. All new employees must complete an I-9 Form and provide proof of their identity and their ability to work in this country. The Human Resources office is responsible for obtaining the I-9 Form and verifying the eligibility to work in the United States. Employees will be expected to complete the I-9 Form during orientation on their first day of work. The Human Resources office will complete the Employer Section of the I-9 Form. If a new employee is unable to provide the necessary documentation within three working days from the date of hire, he/she must provide proof that he/she has applied for the required documents. If this not provided, the employee will be terminated.

4.03 EMPLOYEE DEFINED

1. A **FULL TIME EMPLOYEE** is an employee who, is regularly scheduled by the City to work an average of 35 or more hours per week. All full time unionized employees are entitled to benefits as outlined in their respective collective bargaining agreement.

Appointee/Administrative employees are entitled to those benefits outlined in the Appointee /Administrative Benefit Plan. Copies of the collective bargaining agreements and Appointee/Administrative Benefit Plan can be provided from the Human Resources Department.

2. A **REGULAR PART-TIME EMPLOYEE** is an employee who may work less than 30 hours a week, with no limit to number of weeks. Part-time employees do not receive benefits.

3. A **TEMPORARY PART-TIME EMPLOYEE** is an employee who may work up to 26 consecutive calendar weeks per year. Hours cannot exceed 35 hours a week for Clerical and 40 hours a week for Maintenance. Temporary employees do not receive benefits.

4. A **SEASONAL EMPLOYEE** is an employee who may work in a specific season (i.e., Tax, Election, summer) or Program (i.e., ice skating, soccer). May either work 30 hours a week or more, if less than 26 non-consecutive weeks, or if less than 30 hours a week, may work for duration of program/season, but in no case over 11 months. Seasonal employees do not receive benefits.

4.04 CHANGES IN PERSONAL INFORMATION

To ensure that needed records are accurate and up-to-date, it is mandatory for you to notify Human Resources, in writing, whenever changing the following:

- **Name**
- **Telephone**
- **Address**
- **Marital status**
- **Birth of a Child**

This information must be submitted within thirty (30) days. Failure to notify the Human Resources office within this time frame may result in cancellation of insurance.

Additionally, those employees driving a city owned car and those employees driving their own vehicle while performing City business must maintain a valid driver's license and notify the Human Resources office in a change in the status of their driver's license. Parking on City Property while not maintaining a valid driver's license is also prohibited. Failure to maintain a valid driver's license if one is required for the performance of ones' job may subject the employee to discipline including suspension up to termination of employment.

4.05 EMPLOYMENT VERIFICATIONS AND REFERENCES

From time-to-time you may need the City to verify your employment for loans or to prospective employers. While we are not required to provide such information, we do as a courtesy. All employment verification/reference requests, either by mail or phone, must be directed to the Human Resources office. We will not be liable for information provided when the request is

directed to someone other than the Human Resources office. To protect confidentiality, we will only release the employee's dates of employment and job title, unless we have written authorization from the employee to release additional information.

4.06 PERFORMANCE APPRAISALS

To provide employees feedback about their performance, and to facilitate two-way communication, periodically supervisors may provide employees with an evaluation of their performance in a form and manner approved by the City Administrator. Performance appraisals are encouraged yearly and for new hires and those receiving promotions.

A. Union Employees

Refer to specific contractual language for the length of the probationary period for new hires and for promotions. An evaluation should be completed prior to the end of the probationary period.

B. Appointee/Administrative Employees

At-will employees have no probationary period. They can be evaluated at any time of their employment; however, an annual evaluation is kept in that employee's personnel file.

4.07 SOCIAL SECURITY NUMBER PRIVACY POLICY

In compliance with Michigan state law and federal law, it is the policy of the City of Allen Park to protect the confidentiality of social security numbers. No person shall knowingly acquire, disclose, transfer or unlawfully use the social security number of any employee or other individual unless in accordance with applicable state and federal law and the procedures and rules established by this policy.

Administrative Procedures/Rules

A. Social Security Number Defined

As used in this policy, the term "social security number" includes both the entire nine-digit number and more than 4 sequential digits of the number.

B. Public Display

Social security numbers shall not be placed on identification cards or badges, membership cards, permits, licenses, time cards, employee rosters, bulletin boards or any other materials or documents that are publicly displayed. Documents, materials or computer screens that display social security numbers or other sensitive information shall be kept out of public view at all times.

C. Access to Social Security Numbers

Only persons authorized by the responsible department or other administrative unit head shall have access to information or documents that contain social security numbers.

D. Mailed or Transmitted Documents

Documents containing social security numbers shall be mailed or transmitted in the following circumstances:

- (i) State or federal law, rule, regulation or court order or rule authorizes, permits or requires that a social security number appear in the document.
- (ii) The document is sent as part of an application or enrollment process initiated by the individual whose social security number is contained in the document.
- (iii) The document is sent to establish, confirm the status of, service, amend or terminate an account, contract, policy or employee or health insurance benefit or to confirm the accuracy of a social security number of an individual who has an account, contract, policy or employee or health insurance benefit.
- (iv) The document or information is a copy of a public record filed or recorded with the county clerk or register of deeds office and is mailed by that office to a person entitled to receive that record.
- (v) The document or information is a copy of a vital record recorded as provided by law and is mailed to a person entitled to receive that record.
- (vi) The document or information is mailed by or at the request of an individual whose social security number appears in the document or information or his or her parent or legal guardian.

Documents containing social security numbers that are mailed or otherwise sent to an individual shall not reveal the number through the envelope window, nor shall the number be otherwise visible from outside the envelope or package.

Social security numbers shall not be sent over the internet or a computer system or network (e.g. through E-mail) unless the connection is secure or the transmission is encrypted. No individual shall be required to use or transmit his or her social security number over the internet of a computer system, or to gain access to an internet website, computer system, or network (e.g. through e-mail) unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification number or other authentication device is also required to gain access to the internet website or computer system or network.

E. Storage and Disposal

All documents or files that contain social security numbers shall be stored in a physically secure manner. Social security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access.

F. Information Collected

Social security numbers should only be collected where required by federal and state law or as otherwise permitted under the Michigan Social Security Number Privacy Act. If a unique identifier is needed, a substitute for the social security number shall be used.

G. Accountability

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

H. Policy Guidance

If any questions regarding social security number privacy and security should arise, contact the Human Resources Director for policy clarification and guidance.

5**EMPLOYEE BENEFIT PROGRAMS****5.01 EMPLOYEE BENEFITS**

In addition to your wages or salary, employees of the City of Allen Park have other benefits which could include sick leave, vacation, health and dental insurance, life insurance, a pension, deferred compensation and an employee assistance program through the health insurance program. Contact the Human Resources office to learn which employee benefits you are entitled to receive.

5.02 CONTINUATION OF HEALTH PLAN COVERAGE (COBRA)

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, or "COBRA" (Public Law 99-272, Title X), the City of Allen Park will offer qualified persons the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the group health plans would otherwise end. Persons eligible to continue coverage under COBRA are known as "qualified beneficiaries," and the events which trigger continuation coverage are known as "qualifying events."

6. WORKER'S COMPENSATION

6.01 CHECK DISTRIBUTION PROCEDURE

- 1) Upon notification of a work-related injury, the Human Resources office will notify the Finance Department that a potential lost time exists.
- 2) The MML/Meadowbrook will be notified by Human Resources of lost time employees.
- 3) When the Worker's Compensation check is received by the City the original is to be given to Finance/Payroll, and a copy given to Human Resources.
- 4) Copies of the Worker's Compensation checks will be utilized as follows:
 - a. By the payroll clerk for the computation of the wage supplement.
 - b. By Human Resources for verification that the checks were issued by MML/Meadowbrook.
- 5) If Worker's Compensation is denied for any reason, payroll will be notified by Human Resources.

7. WORK CONDITIONS & HOURS

7.01 CITY HALL HOURS

City Hall is open to the public from 8:30 a.m. until 4:30 p.m. Monday through Thursday except legal holidays. City Hall employees work the same hours unless assigned a different schedule by their supervisor. Police and Fire Operations are 24 hour/7days per week.

7.02 ATTENDANCE AND PUNCTUALITY

You are expected to be at work and on-time for work every day that you are scheduled to work. We recognize the need for employees to be absent from work due to illness or the need to take care of personal business during the normal workday. The following rules apply for various types of absence.

Sick Leave

Sick leave, for those employees who are eligible to accrue sick leave, may only be used when you are sick, injured (not on worker's compensation) or have an appointment with a doctor, dentist, or therapist. You may also use sick leave for the same reasons for the care of an immediate family member, which is defined as your spouse, child, parent, grandchild,

grandparent, domestic partner or in-law of the same relation. If you are absent for more than three consecutive days, you must bring a doctor's note for those days.

If you have no hours of sick leave accrued, then you must use vacation leave. If you have no vacation accrued and do not qualify for any other leave, or the ADA interactive process does not indicate continued employment, you may be disciplined or terminated for non-attendance.

Leave of Absence

Employees may qualify for a non-paid leave of absence for their own major illness, the major illness of a family member, the birth or adoption of a child, workers' compensation injury or military and/or National Guard duty. See the Family Medical Leave Act section of this Employee Handbook.

Absenteeism

It is important to remember that absenteeism, tardiness and/or leaving early causes other employees within the organization to have to bear the burden of filling in for the absent employee.

Employees who are not on an approved leave of absence and are absent from work without sufficient sick time to cover that absence are subject to discipline.

Consecutive days of absence for the same reason are deemed to be one incident. Occasionally an employee will exhibit a pattern of absenteeism that must be corrected, despite having sufficient sick time to cover those absences (i.e., consistently missing a specific day of the week, the day before or after a holiday, the day before or after a scheduled vacation). Such cases will be reviewed with the Human Resources Director before issuing any corrective action.

Employees who are going to be absent, tardy, or leave early from work are responsible for notifying their supervisors as soon as possible, regardless of whether they have sufficient sick time to cover the absences. Employees who are absent and fail to notify their supervisors will be subject to corrective action for failure to notify. Employees who have been absent three consecutive days without contacting their supervisors will be considered to have voluntarily resigned.

7.03 EMERGENCIES AFFECTING OPERATIONS

Employees should always presume that City Hall is open for business during normal business hours. In the event of emergencies that affect normal business operations (e.g., severe weather conditions, power outage, etc.), management will make a determination whether the office will be open or closed, and will notify employees by phone or other possible means if the office is to be closed. Absent such notification, the employee should plan to come to work. If the employee does not report to work, they must give notice to their supervisor and utilize vacation days to be compensated for the time off work. The City also utilizes local media outlets and the City's web site to get the word to employees in the event that the City is closed due to severe weather

conditions. If any department is unable to occupy their office due to any emergency or situation beyond their control, employees may be asked to report to work elsewhere.

7.04 EMPLOYEES WITH LIFE-THREATENING ILLNESSES

Employees with life-threatening illnesses such as cancer, heart disease, and AIDS often are able to continue working with minimal impact on the workplace. We support the efforts of such employees and will provide reasonable accommodation whenever possible as long as the employee is able to perform his or her essential job functions.

7.05 AIDS AND MEDICAL RELATED CONDITIONS

We recognize that Acquired Immune Deficiency Syndrome (AIDS), and related conditions such as AIDS-Related Complex (ARC), or persons who are HIV positive, as well as those with Hepatitis-type viruses pose significant concerns for employees in the workplace. Accordingly, we have established the following guidelines for handling issues that arise when an employee is affected with any of these conditions.

- Based on overwhelming medical evidence and scientific opinion, including statements from the U.S. Public Health Service Center for Disease Control, these conditions are not casually transmitted in ordinary social or occupational settings. Therefore, subject to changes in available medical information, employees with AIDS or any of its related conditions may continue to work as long as they are certified able to perform essential job functions by a licensed health care provider.
- Co-workers may not refuse to work with affected employees, or withhold service to affected members of the public for fear of contracting any of these conditions.
- Employees may not harass or otherwise discriminate against an HIV/ARC/AIDS affected employee or recipients of City services.
- Employees who engage in such behavior by refusing to work with, or by harassing or otherwise discriminating against employees or recipients with these conditions are subject to corrective action up to and including termination of employment.
- We will treat any of these conditions the same as other illnesses in terms of our employee policies and benefits, group health and life insurance, disability leaves of absence and other disability benefits.

We are committed to maintaining a safe and healthy work environment for all employees. Recognizing the need to be accurately informed about these conditions, we will provide on request, information regarding the facts about these medical conditions. Employees who would like this information should contact the Human Resources office.

7.06 DISCLOSURE OF MEDICAL INFORMATION

Medical information is considered confidential. We will make every effort to maintain the confidentiality of medical information divulged to us, however, we cannot guarantee absolute confidentiality when such information is shared with other than the of Human Resources Director or his/her designee.

Department heads, supervisors, and employees are expected to respect the sensitivity of medical information and to maintain confidentiality when they become privy to such information. Employees who disclose confidential medical information about another employee are subject to corrective action up to and including termination of employment.

The Director of Human Resources is designated as the City HIPAA coordinator.

7.07 HOUSEKEEPING

Good housekeeping by all of us is important to maintain a safe and healthy work environment. It means better and more pleasant working conditions, helps reduce accidents, adds to the efficiency of our operations, and contributes to the quality of our work and the services we provide.

The appearance of our workplace and our employees is very important to our efficiency, and to conveying the right message to our customers and prospective customers.

Some examples of how employees can assist with housekeeping tasks include:

- All desks/work tables should be kept neat and orderly at all times with all materials put away in files or cupboards at the end of the day.
- Empty coffee cups, dishes and other kitchen items should be removed from desks and washed at the end of each day. DO NOT stack dishes in the sink!
- The break room and other common employee areas should be kept neat and tidy at all times. This is everyone's responsibility.
- Conference areas should be straightened up immediately after each meeting.
- Employees are encouraged to conserve energy. Turn off lights when not needed, close doors in heated or air conditioned areas, turn down the heater/air conditioner half an hour before the end of the work day.
- Eating areas should be thoroughly cleaned immediately after eating, before returning to work.
- Shut off lights and equipment, and lock up the office when you are the last one to leave at night.

7.08 PARKING

Parking at our facilities or driving on City business, is at your own risk. We do not assume liability for theft or damage to your car or personal belongings.

7.09 SAFE PRACTICES

The following safe practices apply to all employees. As a condition of employment, each employee is expected to adhere to the following safe work practices:

- 1) Follow all safety practices, render every possible aid to safe operations, and immediately report all unsafe conditions to your supervisor or the Human Resources office.
- 2) Immediately report all accidents, injuries and illnesses related to work to your supervisor and the Human Resources office.
- 3) In the event of a fire, sound the alarm and then evacuate the building in accordance with designated evacuation procedures.
- 4) Upon hearing the alarm, stop work and proceed to the nearest clear exit. Gather at the designated safe location.
- 5) Only trained and designated workers may attempt to respond to a fire or other emergency.
- 6) Fire extinguishers shall be kept clear at all times.
- 7) Employees shall not store excessive combustibles (paper, etc.) in work areas.
- 8) Aisles, hallways and doorways shall be kept clear at all times.
- 9) Employees shall follow all prevention methods outlined in training sessions provided.
- 10) Work shall be well planned and supervised to prevent injuries in the handling of all materials and equipment.
- 11) Employees shall cleanse themselves thoroughly after handling hazardous substances and follow all instructions pertaining to the use of such substances.

7.10 PREVENTING AND REPORTING WORKPLACE VIOLENCE

Preventing workplace violence begins with the awareness that violence can occur anywhere and at anytime. Consequently, every person that interacts with or within the City's workplace is responsible for helping prevent violence.

What Is Workplace Violence?

Workplace violence can include:

- Verbal, written or physical threats of violence;
- Assault and battery;
- Attempted murder or murder;
- Plots to damage a facility, property or to intimidate, threaten, hurt, or kill employees or others that interact with the workplace; and
- Other violent actions or crimes at work or during work-related events or directed toward an employee or workplace participant while performing his or her job duties, or directed at or to property.

The City prohibits all forms of violence. Any employee that threatens, plots to commit or commits a violent act is subject to discipline, including termination.

Reporting Threats, Suspicions, Concerns and Acts of Violence

Should life-threatening violence occur in the workplace or at a work event or anywhere you are performing your job duties, you should call 911 or law enforcement and take yourself away from the threat immediately.

If you have witnessed an act of violence using deadly or potentially deadly force, then you should call 911 or law enforcement and, if possible, inform your supervisor, the City Administrator and Public Safety Director at once so long as you can do so without placing yourself or other workplace participants at risk.

If you have a reasonable suspicion that an act of violence is about to occur, you should call 911, law enforcement and, if possible, the City Administrator.

If you have concerns that an employee or other workplace participant may commit an act of violence or if you have heard rumors of potential violence from employees or others that interact with your workplace, you should contact the City Administrator and the Director of Public Safety.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on City premises shall be removed from the premises as quickly as safety permits and shall remain off City premises pending the outcome of an investigation. Following investigation, the organization will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties,

suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

To ensure that our employees do not become victims of violence, all employees must:

- Understand that violent acts or threats of violence toward another employee, visitor, recipient of City services, or vendor of the City will not be tolerated and could be grounds for immediate termination.
- Be aware of your surroundings and report any unusual or suspicious activity.
- Immediately report any threats of violence or acts of aggression to your supervisor.
- Immediately advise your supervisor if you are having a domestic or other non-work related dispute that may come into the workplace (this is important for your protection and the protection of your co-workers).

All employees are responsible for notifying management of any threats that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they have witnessed that they regard potentially threatening or violent or which could endanger the health or safety of an employee when the behavior has been carried out on a city-controlled site or is connected to city employment or company business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened. The organization understands the sensitivity of the information requested and has developed confidentiality procedures that recognize and respect the privacy of the reporting employee.

7.11 WEAPONS

The City of Allen Park prohibits employees from possessing or carrying weapons concealed or otherwise, of any kind on City property, in City vehicles or while on City time. This includes:

- Any explosive;
- Any weapon;
- All firearms; and
- All non-folding knives with blades that are more than four (4) inches in length.

If an employee is unsure whether an item is covered by this policy, contact the Human Resources office. Employees are responsible for making sure that any item they possess is not prohibited by this policy. Police Officers, Code Enforcement Officers, Security Guards, Arson Investigators and other individuals who are authorized by the City (or State or Federal authorities) to carry a weapon on the property are allowed to do so.

7.12 REPORTING WORK-RELATED INJURY/ILLNESS

In the event of work-related injury or illness, you are required to contact your supervisor and the Human Resources office **immediately**. The notification is required even if the injury/illness seems minor and/or no time is lost from work. This is necessary to ensure that any subsequent claim is handled correctly and to comply with legal reporting and record maintenance requirements. Failure to immediately report such injury or illness also may result in a claim being denied by both the workers' compensation and our medical insurance companies.

7.13 FRAUDULENT CLAIMS

While it is our intent that employees who have legitimate claims will receive benefits due under workers' compensation, we also strongly support all laws designed to protect us against fraudulent claims or fraudulent extension of claims. Workers compensation is a valuable, but expensive benefit and we ask your help in protecting it by promptly reporting any evidence of fraudulent activity related to workers' compensation.

7.14 SOLICITATION

Solicitation and/or distribution of non-work related materials on City of Allen Park property by employees and/or persons not employed by the city are prohibited at all times. Solicitation by non-profit and/or charitable organizations must be approved by the City Administrator. Solicitation by an employee of another employee is prohibited during the working time of either person. Working time is defined as time when an employee's duties require that he/she be engaged in work tasks. Distribution of approved printed materials or literature of any nature shall be limited to non-work areas at non-work times. No literature shall be posted anywhere on the premises without the authorization of City Administrator. If approved by the City Administrator solicitation can only be done on their break time.

7.15 RECORDING CONVERSATIONS

Employees are prohibited from secretly recording conversations. Before any non-public conversation can be recorded all parties to the conversation must first consent to the recording of the conversation. Any person who has consented to the recording of the conversation is entitled to an exact duplication of the recording made and delivered to the person who consented within three business (3) days by the person who was the 'recorder'. The recorder may not change in any way whatsoever the recording made. Any person who is present or who is not present during a conversation and who uses any device to eavesdrop, including recording of the conversation without the consent of all parties or who knowingly aids, employs or procures another person to do the same may be guilty of a felony. Where such conduct is reported to the City Administrator, after an investigation if the City Administrator believes that a person has violated this policy, the City Administrator can take all such action deemed advisable including reporting the conduct to the Wayne County Prosecutor for possible criminal prosecution.

8. LEAVES OF ABSENCE

8.01 FAMILY AND MEDICAL LEAVE ACT

The City of Allen Park will follow the Family Medical Leave Act ("FMLA") as required by law. This policy is based on the U.S. Department of Labor's ("DOL") "Fact Sheet No. 28," and fulfills the City's statutory FMLA notification requirements.

1. EMPLOYEE ELIGIBILITY

To be eligible for FMLA benefits, an employee **must**:

- a. have worked for the City for a total of 12 months;
 - (i) While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more will not be counted unless the break is due to the employee's fulfillment of his/her

National Guard or Reserve military obligation or the City agreed in writing that it intended to rehire the employee after a break in service.

- b. have worked at least 1250 hours over the 12 months preceding the leave's commencement; **and**
- c. work at a location where at least 50 employees are employed by the City within a 75 mile radius.

If you do not meet the eligibility requirements you may be able to take time off under another City non-FMLA leave policy.

2. LEAVE ENTITLEMENT

a. General:

If you are an eligible employee, the City will grant you up to a total of 12 workweeks of unpaid leave (subject to the requirement that you use accrued paid leave simultaneously with FMLA leave, as set forth herein) during a rolling 12 month period for one or more of the following reasons:

- (i) birth and care of your newborn child;
- (ii) placement with you of a son or daughter for adoption or foster care;
- (iii) to care for an immediate family member (spouse, son, daughter or parent) with a "serious health condition";

- A. Son/daughter must be under age 18 unless incapable of self-care due to a

physical or mental disability.

- (iv) when you are unable to work (unable to perform one or more essential job function) because of your own "serious health condition," or
- (v) for qualifying exigencies (e.g. short notice deployment, military events, childcare, financial/legal arrangements, rest and recuperation, post- deployment activities, etc.), arising out of the fact that your spouse, son, daughter, or parent is on active duty or is called to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

b. Military Caregiver Leave:

If you are an eligible employee and are the spouse, son, daughter, parent or "next of kin" of a "covered service member," the City will grant you up to a total of 26 workweeks of unpaid leave (subject to the requirement that you use accrued paid leave simultaneously with FMLA leave, as set forth herein) during a "single 12-month period" to care for the "covered service member" if the "covered service member" suffers from a "serious injury or illness." A "covered service member" is: (1) a member of the Armed Forces (including National Guard or Reserves) who is undergoing medical treatment, recuperation, therapy, etc., due to a "serious injury or illness;" or (2) a veteran who is undergoing medical treatment, recuperation, or therapy for a "serious injury or illness" and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the 5 year period preceding the date on which the veteran undergoes the treatment, recuperation or therapy.

A "serious injury or illness" is defined as: (1) in the case of a current member of the Armed Forces, an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; or (2) in the case of a veteran who was a member of the Armed Forces at any time any time during the 5 year period preceding the date on which the veteran undergoes the treatment, recuperation or therapy, a qualifying injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

c. Special Circumstances Unique to Birth or Placement of a Child:

Spouses, both of whom are employed by the City, are jointly entitled to a combined total of 12 workweeks of FMLA leave for the birth and care of their newborn child, for placement of a child for adoption or foster care, and to care for a parent who has a serious health condition (up to 26 weeks if leave to care for a covered service member with a serious injury or illness is involved).

Leave for birth and care, or placement for adoption or foster care must conclude within 12 months after the birth or placement.

d. **Intermittent FMLA Leave:**

Under some circumstances, you may take FMLA leave intermittently – which means taking leave in separate blocks of time, or by reducing your normal weekly or daily work schedule. When intermittent leave is needed for planned medical treatment, you must make a reasonable effort to schedule treatment so as not to unduly disrupt the City's or Client's operations.

(i) Employees will not be approved to use intermittent FMLA leave after the birth or placement of a child for adoption or foster care.

e. FMLA leave may be taken intermittently whenever medically necessary to care for a seriously injured or ill family member, or because you are seriously ill and unable to work.

f. **How the Workweeks are Computed:**

The City will measure the twelve month period as a rolling 12month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the City will compute the amount of leave the employee has taken under this policy and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

g. **Employees are Required to Use Accrued Paid Leave Simultaneously with FMLA Leave:**

As part of the FMLA leave, the employee must first utilize any accrued paid leave (sick leave, vacation leave, and/or personal leave). When paid leave is exhausted, any remaining portion of your FMLA entitlement will be unpaid.

An employee may upon request be allowed to save a maximum of ten (10) days accumulated leave (sick, vacation, personal business, other days) in his/her bank. If an employee accumulates additional time over his/her ten (10) days while on approved FMLA leave, the employee will be required to begin utilizing those days.

The City is responsible for designating if your use of paid leave counts as FMLA leave based on information the City receives from you.

3. DEFINITIONS

Serious Health Condition: Means an illness, injury, impairment, or physical or mental condition that involves either:

- a. Inpatient Care: Any period of incapacity or treatment connected with inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or
- b. Continuing Treatment: Continuing treatment by a "health care provider" which includes any period of incapacity (i.e. inability to work, attend school or perform other regular daily activities) due to:
 - (i) Absence + Treatment: A health condition (including treatment and recovery) lasting more than 3 consecutive full calendar days, and any subsequent treatment or period of incapacity relating to the same condition PLUS:
 - (1) treatment two or more times by or under the supervision of a "health care provider" (i.e. in-person visits, the first within 7 days and both within 30 days of the first day of incapacity [absent extenuating circumstances]); or
 - (2) one treatment by a "health care provider" (i.e. an in-person visit within 7 days of the first day of incapacity) with a regimen of continuing treatment (e.g. prescription medication, physical therapy, etc.);
- c. Pregnancy: Any period of incapacity related to pregnancy or for prenatal care. A visit to the "health care provider" is not necessary for each absence; or
- d. Chronic Conditions: Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a "health care provider," and may involve occasional episodes of incapacity (e.g. asthma, diabetes). A visit to a "health care provider" is not necessary for each absence; or
- e. Permanent/Long-Term Conditions: A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g. Alzheimer's, a severe stroke, terminal cancer). Only supervision by a "health care provider" is required, rather than active treatment; or
- f. Multiple Treatments (Non-Chronic Conditions): Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than 3 consecutive days if not treated (e.g. chemotherapy or radiation treatments for cancer).

Health Care Provider: Means:

- a. doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctors practice; or

- b. podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice, and performing within the scope of their practice, under state law; or
- c. nurse practitioners, nurse-midwives and clinical social workers and physician assistants who are authorized to practice, and performing within the scope of their practice, as defined under state law; or
- d. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Mass.; or
- e. any health care provider recognized by the employer or the employer's group health plan benefits manager.

4. MAINTENANCE OF BENEFITS

The City is required to maintain group health insurance coverage for you while you are on FMLA leave if you were receiving such insurance coverage before FMLA leave was taken. Coverage will be on the same terms as if you had continued to work. When applicable, arrangements will be made for you to pay your share of health insurance premiums while on FMLA leave.

If you fail to return to work from an FMLA leave, unless for one of the limited reasons set forth in the FMLA's accompanying regulations, the City may be entitled to recover premiums it paid on your behalf during any period you were on unpaid FMLA leave.

Your use of FMLA cannot result in the loss of any employment benefit that you earned or were entitled to before using FMLA leave, nor can it be counted against you under a "no fault" attendance policy. However, if a bonus or other payment is based on the achievement of a specified goal such as hours worked, products sold, or perfect attendance, and you have not met the goal due to FMLA leave, you may be denied payment, unless such payments are paid to employees on equivalent leave status for reasons that don't qualify as FMLA leave.

If an employee cannot return to work after the exhaustion of FMLA leave, the City and the employee shall engage in the interactive process to determine whether or not continued employment is warranted, and to evaluate the medical information provided by the employee to the City concerning possible dates for return to work with or without restrictions.

5. JOB RESTORATION

Upon timely return from FMLA leave you will be restored to your original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. If FMLA was taken because of your own serious health condition, you must timely submit a

“fitness for duty” certificate before you will be reinstated. If you fail to timely return-to-work and/or fail to present a “fitness for duty” certificate when your FMLA leave entitlement is exhausted, and absent an appropriate request and approval for continuation of non-FMLA leave, you may be subject to discharge, subject to the employer and employee engaging in the interactive process required under the ADA.

You have no greater right to job restoration or to other benefits and conditions of employment than if you had been continuously employed.

Under specified and limited circumstances where restoration to employment will cause substantial and grievous economic injury to City operations, the City may refuse to reinstate certain highly-paid “key” employees (a salaried “eligible” employee who is among the highest paid 10% of the employees within 75 miles of the work site). If applicable, you will be notified of your status and rights as a “key” employee.

6. NOTICE AND CERTIFICATION REQUIREMENTS

a. Employee Notice Requirements:

Employees seeking to use FMLA leave must provide 30-days advance notice of the need to take the leave when the need is foreseeable and such notice is practicable (e.g. birth of child, planned surgery, etc.).

When the need for leave is foreseeable less than 30 days in advance, or is not foreseeable, you must provide notice as soon as practicable under the circumstances – generally, either the same or next business day.

Though you need not mention the FMLA, you must provide at least verbal notice/information sufficient to make us aware that you need FMLA-qualifying leave (e.g. incapacitated due to pregnancy, hospitalized overnight, etc.), and the anticipated timing and duration of the leave. Calling in “sick” is insufficient. If you have been previously certified/approved for FMLA leave, you must when contacting us specifically reference the qualifying reason for leave or the need for FMLA leave.

You are obligated to respond to our reasonable inquiries aimed at determining if your absence is potentially FMLA-qualifying.

In order to meet your notice obligations absent extenuating circumstances, you or your spokesperson (if you are unable) must contact your Supervisor or the Human Resources Department. During non-working/non-operating hours you must leave a voice-mail message or e-mail with your Supervisor or you may contact Human Resources at (313) 928-2472 (voice mail), send a fax to 313-386-2125 or send an e-mail to hrl@cityofallenpark.com. The message, fax, or e-mail must provide information sufficient to make us aware that you need FMLA-qualifying leave, the anticipated timing and duration of the leave, and a means for us to contact you or the person leaving the message, fax, e-mail.

When appropriate, and when we wish your qualifying time off from work to be counted toward your annual FMLA allotment, we will designate the time off as FMLA. Conversely,

when you wish to use FMLA to protect your employment status (e.g. avoid being AWOL, avoid an unexcused absence, etc.), it is **your** responsibility to clearly, unequivocally and timely request use of FMLA.

a. **Employer Notice Requirements and Corresponding Employee Obligations:**

We will notify you within 5 business days (absent extenuating circumstances) of your eligibility to take FMLA leave and inform you of your rights and responsibilities (and consequences if you fail to meet those obligations) under the FMLA. If appropriate, we will provide you at least one reason why you are not eligible to take FMLA leave.

If you meet your notice obligations, we will require that you provide medical certification within 15 days supporting the need for leave due to a serious health condition affecting you or a qualifying immediate family member. If provided to you, you must share your job's "essential functions" with your health care provider who, when filling out the certification form, must specify which functions you cannot perform. If you fail to provide the medical certification form to the City within 15 days, your request for FMLA leave may be denied. We will notify you if your certification is deficient, explain why it is deficient, and require you to cure the deficiency.

We may require second or third health care provider opinions (at the City's expense).

We may use a health care provider, a human resource professional, a leave administrator, or a management official – but not your immediate supervisor – to authenticate or clarify your medical certification.

When we have sufficient information, we will notify you that your leave will or will not be designated and counted as FMLA leave.

When appropriate, we will require periodic recertification at your expense (we may present your health care provider with your absence record and ask if your need for leave is consistent with this pattern).

When appropriate, we will require that you provide us with periodic reports during your FMLA leave regarding your status and intent to return to work.

If you are returning from leave for your own serious health condition, we will require that you submit a certification that you are able to resume work (you will also be notified of this requirement). If we have reasonable safety concerns, we may require this certification if you are returning from intermittent leave.

When intermittent leave is needed to care for a qualifying immediate family member or your own serious health condition, *or* is for planned medical treatment, you must consult with us and make a reasonable effort to schedule the leave (and treatments) so as not to disrupt unduly the City's or Client's operations.

7. OTHER PROVISIONS

When FMLA leave is to be taken intermittently or on a reduced schedule, the City may require that you transfer temporarily (for the period of your FMLA leave usage) to an available alternate position (with equivalent pay and benefits) for which you are qualified and which better accommodates recurring periods of leave than does your regular position.

If you return from an absence which, though qualifying, was never designated as FMLA because we were unaware of the true reason for your absence (e.g. you provided insufficient notice when first calling in, you took vacation time without explanation, etc.), you must notify us within two business days of returning to work of the true reason for your leave and must request the time be retroactively designated as FMLA. An employee who fails to timely do so may be unable to subsequently assert FMLA protection for the absence.

An employee absent from work on FMLA leave must not (absent written authorization) engage in "outside" or "supplemental" employment (including self-employment).

An employee who fraudulently obtains or utilizes FMLA leave is not protected by FMLA's job restoration or maintenance of health benefits provisions, and is subject to discharge.

The City and the employee will engage in the interactive process pursuant to the ADA, if an employee's medical leave under the FMLA is exhausted.

It is unlawful for any employer to interfere with, restrain or deny the exercise of any right provided by FMLA.

Please contact Human Resources if you have any questions or concerns about the FMLA or the City's application of the FMLA. Or, visit the Wage and Hour Division website: <http://www.wagehour.dol.gov> and/or call 1-866-487-9243.

To the extent anything contained in this Policy conflicts with the Family and Medical Leave Act, the Act will prevail.

8.02 MILITARY/RESERVE LEAVE

The City of Allen Park is subject to the provisions of the Uniformed Services Employment and Re-Employment Act (USERRA) and will grant military leave to all eligible full-time and part-time employees. Military leave may be granted to full-time and part-time employees for a period of four (4) years plus a one-year voluntary extension of active duty (5 years total), if this is at the request and for the convenience of the United States Government.

As with any leave of absence, employees must provide advance notice to their supervisor of their intent to take military leave and must provide appropriate documentation.

An employee's salary will not continue during military leave unless required by law. However, employees may request to use any vacation accrued during military leave. Benefit coverage will continue for 31 days as long as employees will be eligible to continue health benefits under COBRA and will be required to pay 102% of the total cost of their health benefits if they wish to continue benefits.

Upon return from military leave, employees will be reinstated with the same seniority, pay, status, and benefit rights that they would have had if they had worked continuously. Employees must apply for employment within ninety (90) days of discharge from the military. Employees who fail to report for work within the prescribed time after completion of military service will be considered to have voluntarily terminated their employment.

If employees are reservists in any branch of the Armed Forces or members of the National Guard, they will be granted time off for military training. Such time off will not be considered vacation time. However, employees may elect to have their reserve duty period be considered as vacation time to the extent they have such time available.

9. EMPLOYEE CONDUCT

9.01 ALCOHOL AND ILLEGAL DRUGS AT WORK

The City of Allen Park recognizes that drug and alcohol abuse are serious problems present in today's society. The City also recognizes the importance of maintaining a safe, efficient, and healthy work environment. Being under the influence of any alcoholic beverage and/or illegal drug on the job poses serious risks to employee health and safety. To protect the safety and health of all employees, we have established the following policy regarding alcohol and illegal drugs at work: ("illegal drug" is defined as any substance deemed illegal under Michigan Controlled Substance Act.)

The City of Allen Park absolutely prohibits the sale, purchase, transfer, or possession of any illegal or non-prescribed drug during work hours or on City Property at any time

For the purpose of this policy, "City property" also applies to property of vendors/contractors, recipients of City services, or any locations where you may be performing work for the City. In addition, we strictly prohibit any employee from being under the influence of alcohol and/or any illegal drug while on duty or performing work activities. Taking legally prescribed medications or over-the-counter medications are permitted to the extent that use of such medications does not adversely affect your job performance or safety, or the safety of others.

9.02 USE OF PRESCRIPTION MEDICATION WHILE WORKING

If you are using prescription or over-the-counter medications that may impair your ability to perform your job safely, you must report such use to your supervisor or your Human Resources office before starting or resuming work. If you discover that such medication impairs or adversely impacts your ability to work, immediately stop working and report your condition to

your supervisor. Working while affected by prescription or over-the-counter medications is dangerous! Consult with your physician if you are impaired or affected by prescription or over-the-counter medications.

9.03 ALCOHOL CONSUMPTION AT WORK

The consumption of alcohol on City property is strictly prohibited.

9.04 CONTROLLED SUBSTANCE POLICY

A. Non-Union Employees

All new hires will be tested for illegal substances at a City approved laboratory. New hires will not be approved to begin work until the results of the tests are received in Human Resources.

The City may require alcohol or drug testing when:

A reasonable suspicion exists that you are under the influence of any controlled substance, drug, or alcohol while on the job, in the workplace, or at an off-site assignment; or,

- When an accident, near-miss, or incident occurs in which safety precautions are violated or careless acts are performed, and a reasonable suspicion exists that you are "under the influence."

An employee who is exhibiting behavior that leads to suspicion of alcohol or drug influence will be *brought to the attention of Department Head/or Human Resources office to take appropriate action*. Alcohol or drug testing will be offered at the City's expense at a clinic selected by the City. Transportation will be provided to that employee to ensure safe arrival at the clinic. Testing will be conducted using appropriate scientific methods and in a manner designed to protect the employee's dignity and privacy. The employee will be required to sign the appropriate consent form to allow the test and to release the results. A positive test is grounds for corrective action up to and including termination of employment. Employees who test negative will avoid discipline.

If an employee refuses to sign a consent form or take a test, the decision regarding discipline will be based upon the information available to management. Under no circumstances will the City be required to consider subsequent evidence submitted by the employee to exonerate him/herself (e.g., drug tests taken by the employee at his/her own expense.)

B. Unionized Employees

Refer to your respective collective bargaining agreement and Appendix A "Controlled Substance Policy" in this Handbook.

All new hires will be tested for illegal substances at a City approved laboratory. New hires will not be approved to begin work until the results of the tests are received in Human Resources.

Employees whose position require a Commercial Driver's License (CDL) are subject to pre-employment, reasonable suspicion, random and post-accident alcohol and controlled substances testing.

9.05 INSPECTION OF CITY OWNED PROPERTY

The City reserves the right to conduct workplace searches *of city owned property* including City vehicles, desks, file cabinets, lockers and other storage areas where the search is either for non-investigatory work-related purposes or investigations of work-related misconduct. The "workplace" has been defined by the United States Supreme Court as those areas that are related to work and are generally within the Employer's control. Employees should not have any expectation of privacy with regard to City premises or property. Searches may be required to comply with federal, state and safety regulations. Any employee who improperly interferes with a workplace search or does not fully cooperate with a workplace search is subject to corrective action.

9.06 CONFIDENTIAL INFORMATION

Employees of City of Allen Park will receive and have access to information that is confidential in nature to the organization, its customers (clients) and vendors. Employees are not to disclose any such confidential information to (a) any other person in the organization unless there is a legitimate business reason for doing so; or (b) any person outside the organization unless management has expressly stated that the information can be disclosed to that person. If you are unsure whether certain information is confidential, you must ask your supervisor.

9.07 COMPUTER, EMAIL, INTERNET, AND SOCIAL MEDIA POLICY

The City of Allen Park has adopted this policy to ensure proper use of its computer, e-mail and internet resources as well as govern employees' use of social media networking as it relates to the City. The policy describes the City's guidelines with regard to Internet access and disclosure of mail messages sent or received by City employees with the use of the City's e-mail system.

1. STANDARDS - E-mail and Internet connection(s) are provided as additional tools to enhance job performance. They allow communication with customers, suppliers, and colleagues; to research relevant topics and to obtain useful business information. The Internet may be used after hours or during lunch for personal use, with authorization from the department head.

2. All existing laws and City policies apply to the employee's conduct when utilizing these resources. Specifically, those policies in the Handbook that deal with employee code of conduct, harassment, personal conduct and political activity would also apply when using Internet/e-mail. The best way to determine if a specific use of the Internet/e-mail is appropriate is to ask "If I were doing this same activity in some other way (i.e. telephone, library, in person, by hand) would this activity be considered appropriate?"
3. The City respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or the use of City-provided equipment or supplies. The following guidelines may affect employee privacy in the workplace.
 - a. **SECURITY & LEGAL PRECAUTIONS** - The electronic mail system has been installed by the City to facilitate business communications. Although each employee may have an individual password to access this system, it belongs to the City and the contents of the e-mail communications are accessible at all times by City administration for any business purpose. These systems may be subject to periodic unannounced inspection, and should be treated like any other shared filing system. All system password or encryption keys must be available to the Director of the employee's department.
 - b. All messages created, sent, or retrieved over the City's e-mail/Internet are the property of the City and should be considered public information. The City reserves the right to access and monitor all messages and files on the City's e-mail/Internet system. Employees should not assume electronic communications are totally private and should transmit highly confidential data in other ways.
 - c. E-mail may be subpoenaed for use in court. In addition, e-mail messages may be subject to the Freedom of Information Act (FOIA). When writing something using e-mail, assume the message may be read by third parties. Therefore, carefully edit messages and use good judgement in message content. A message with statements that can be interpreted as harassing, biased or discriminatory may subject the City of Allen Park to civil penalties or damages.
 - d. The City reserves the right to block any and all Internet sites as necessary or appropriate. Some sites may be blocked due to objectionable content, other sites may be blocked due to network concerns (some sites cause the use of huge blocks of network resources).
 - e. Employees are prohibited from the unauthorized use of the passwords and encryption keys of other employees to gain access to

other employee's e-mail messages.

4. Request for Internet access shall be made through the department director who will submit the request for to the Finance Department.
5. As a condition of providing Internet access to its employees, the City places certain restrictions on workplace use of the Internet. The City encourages the use of the Internet:
 - a. to communicate with fellow employees and clients regarding matters within an employees' assigned duties;
 - b. to acquire information related to, or designed to facilitate the performance of regularly assigned duties; and
 - c. to facilitate performance of any task or project in a manner approved by an employee's supervisor.
6. The City prohibits using Internet access for the following:
 - a. game playing during regular work hours
 - b. distribution of destructive programs (i.e. viruses and/or self-replicating codes)
 - c. hateful, harassing or other anti-social behavior
 - d. intentional damage or interference with others (i.e. hacking or distributing viruses)
 - e. making publicly accessible obscene files
 - f. solicitation
 - g. commercial usage of non-company business
 - h. dissemination or printing of copyrighted materials (including articles and software) in violation of copyright laws
 - i. sending, receiving, printing or otherwise disseminating proprietary data, trade secrets, or other confidential information of the City
 - j. offensive or harassing statements or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs
 - k. sending or soliciting sexually oriented messages or images
 - l. operating a business or soliciting money for personal gain
 - m. sending chain letters, gambling or engaging in any other activity in violation of the law.
7. To prevent computer viruses from being transmitted through the City's computer system, there will be no unauthorized loading or downloading of any licensed software. All software must be registered to the City. Memory sticks or CD's containing files, data or other materials brought in from outside cannot be opened, accessed, loaded or downloaded onto the City's computer system without authorization.
8. Employees must comply with all software licenses, copyrights and all other laws governing intellectual property and on-line activity. Employees on the

City's E-mail/Internet system may not transmit copyrighted materials belonging to entities other than the City. All employees obtaining access to other companies' or individuals' materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission, or as a single copy to reference only. Failure to observe copyright or license agreements may result in disciplinary action up to and including termination.

9. Internet and e-mail access is granted on a "per person" basis and may be removed for just cause. Employees who violate any part of this policy will be subject to disciplinary action, up to and including termination.

10. **SOCIAL MEDIA NETWORKING** - This policy covers employee activity on all social networking sites including, but not limited to, LinkedIn, Facebook, Twitter, YouTube, blogs, and any other online social networking or any other form of online publishing or discussion.

Social-networking activities by City employees are subject to all existing policies that govern the use of the City's rules of conduct, communication, and computer systems, as well as those policies that protect the confidentiality of City information, and those which prohibit unlawful discrimination or harassment.

If a City employee participates in social networking online, he/she must make it clear in his/her on-line activity that the views and opinions expressed are his/her own, have not been reviewed by the City, and do not represent the views and opinions of the City. Consequently, those covered by this policy should not use the name, logos, or copyright protected material of the City.

The following additional prohibitions apply:

- Employees are prohibited from listing the City email address unless the social networking site is used purely for City business or professional purposes.
- Employees are prohibited from disclosing information about City business or details of particular projects.
- Employees are prohibited from posting anything obscene, vulgar, defamatory, threatening, discriminatory, harassing, abusive, hateful or embarrassing about a fellow employee. Employees must remain respectful of the City and its services.

Failure to obey this policy may lead to discipline.

Any information an employee, elected official or commission appointee creates, transmits, downloads, exchanges, or discusses on any social media site is subject to compliance

monitoring and may be accessed by the City at any time without prior notice.

9.08 EMPLOYEE CODE OF CONDUCT

A. Acceptable Behavior

It is the policy of the City of Allen Park that certain rules and regulations regarding employee behavior are necessary for the efficient operation of the City and for the benefit and safety of all. Conduct that interferes with operations or is offensive to fellow employees will not be tolerated.

All employees are expected to conduct themselves in a manner that is conducive to the efficient operation of the City. Such conduct includes but is not limited to:

1. reporting to work punctually as scheduled and being at the work station, ready for work at the assigned starting time
2. notifying the supervisor when you will be absent from work or are unable to report to work on time
3. complying with all city regulations
4. wearing clothing appropriate for the work being performed
5. maintaining the work area in a clean, orderly and safe condition
6. refraining from behavior that is offensive, inappropriate or undesirable
7. not using any tobacco product in any city building or vehicle as all are designated tobacco free
8. treating fellow employees as you would like to be treated
9. rendering friendly, courteous and honest service to all.

B. Unacceptable Behavior

The following is a list of unacceptable conduct for employees. The list is not all inclusive in that they are to be interpreted and applied with existing Civil Service rules and the those departments that may have additional work rules which are specific to those department's needs and which have been verified as consistent with these guidelines and approved by the City Administrator. It should be understood that the following are guidelines only. The City may discipline and/or terminate an employee at its discretion due to single or multiple conduct violations.

10. failure to adhere to appropriate leave time provisions when taking time off

11. arriving for work after the designated starting time
12. leaving work prior to the designated ending time for the work day without authorization
13. taking more break periods than are permitted or extending the break period beyond 15 minutes
14. conducting personal business on the job
15. sleeping, loafing or loitering on the job
16. disturbing co-workers during work hours
17. not adhering to prescribed safety procedures
18. not using, when necessary, prescribed safety devices and clothing
19. not complying with or falsifying accident and injury reporting procedures
20. endangering the safety of yourself or others through horseplay or carelessness
21. refusal or failure to follow the direction of management or failure to comply with an established procedure.
22. discourtesy or abusive behavior toward citizens or co-workers
23. dishonesty, including falsifying employment applications, work records, time sheets and payroll records.
24. theft
25. misuse, abuse or damage resulting from the misuse of City property
26. unauthorized use of City property
27. use or possession of alcohol or controlled substance without a valid prescription while on City time
28. refusing to take, or failing a drug/alcohol test requested pursuant to Appendix B
29. not adhering to the City's tobacco policy
30. harassment as outlined in the City's policy statement prohibiting harassment in Section 4 of this manual
31. off duty misconduct including conviction of a crime, which prevents an employee from performing the job

32. misusing City identification
33. accessing and/or disclosing confidential information
34. accepting or offering bribes or favors.

9.09 ANTI-BULLYING POLICY

The City of Allen Park is committed to providing all employees a healthy and safe work environment. The City will ensure that procedures exist to allow complaints of bullying to be dealt with and resolved within the City without limiting any person's entitlement to pursue resolution of their complaint with the relevant statutory authority. The City of Allen Park is committed to the elimination of all forms of bullying.

This policy applies to all part time, full time, elected, appointed employees and members of the City of Allen Park's various Boards and Commissions, whether compensated or not. It applies during normal working hours, at work related or sponsored functions, while traveling on work related business, and on Social Media. There will be no recriminations for anyone who in good faith alleges bullying.

DEFINITIONS

Bullying is unwelcome or unreasonable behavior that demeans, intimidates or humiliates people either as individuals or as a group. Bullying behavior is often persistent and part of a pattern, but it can also occur as a single incident. It is usually carried out by an individual but can also be an aspect of group behavior (see "mobbing" below). Some examples of bullying behavior are:

Verbal communication

- Abusive and offensive language
- Insults
- Teasing
- Spreading rumor and innuendo
- Unreasonable criticism
- Trivializing of work and achievements

Manipulating the work environment

- Isolating people from normal work interaction
- Excessive demands
- Setting impossible deadlines

Psychological manipulation

- Unfairly blaming for mistakes
- Setting people up for failure
- Deliberate exclusion
- Excessive supervision
- Practical jokes
- Belittling or disregarding opinions or suggestions
- Criticizing in public

Context is important in understanding bullying, particularly verbal communication. There is a difference between friendly insults exchanged by long-time work colleagues and comments that are meant to be, or are taken as, demeaning. While care should be exercised, particularly if a person is reporting alleged bullying as a witness, it is better to be genuinely mistaken than to let actual bullying go unreported.

Mobbing

Mobbing is a particular type of bullying behavior carried out by a group rather than by an individual. Mobbing is the bullying or social isolation of a person through collective unjustified accusations, humiliation, general harassment or emotional abuse. Although it is group behavior, specific incidents such as an insult or a practical joke may be carried out by an individual as part of mobbing behavior.

CONSEQUENCES OF BULLYING

Bullying is unacceptable behavior because it breaches principles of equality and fairness, and it frequently represents an abuse of power and authority. It also has potential consequences for everyone involved.

For those being bullied:

People who have been bullied often suffer from a range of stress-related illness. They can lose confidence and withdraw from contact with people outside the workplace as well as at work. Their work performance can suffer, and they are at increased risk of workplace injury.

For the employer:

Besides potential legal liabilities, the employer can also suffer because bullying can lead to:

- Deterioration in the quality of work
- Increased absenteeism
- Lack of communication and teamwork
- Lack of confidence in the employer leading to lack of commitment to the job

For others at the workplace:

People who witness bullying behaviors can also have their attitudes and work performance affected. They can suffer from feelings of guilt that they did nothing to stop the bullying, and they can become intimidated and perform less efficiently fearing that they may be the next to be bullied.

RESPONSIBILITIES

Managers and supervisors

- Ensure that all employees are aware of the anti-bullying policy and procedures
- Ensure that any incident of bullying is dealt with regardless of whether a complaint of bullying has been received
- Provide leadership and role-modeling in appropriate professional behavior
- Respond promptly, sensitively and confidentially to all situations where bullying behavior is observed or alleged to have occurred

Employees

- Be familiar with and behave according to this policy
- If you are a witness to bullying, report incidents to your supervisor or Human Resources Director as appropriate
- Where appropriate, speak to the alleged bully(ies) to object to the behavior

IF YOU THINK YOU HAVE BEEN BULLIED

- Any employee who feels he or she has been victimized by bullying is encouraged to report the matter to his or her supervisor, or with Human Resources.
- Where appropriate, an investigation will be undertaken and disciplinary measures will be taken as necessary.

9.10 ETHICS AND CONFLICTS OF INTEREST

Employees are expected to adhere to the highest standards of personal, professional, and business ethics, and to always use common sense, good judgment and conduct when on duty or representing the City. Honesty, respect and care in dealings with others on the job, in performing your duties, and in dealings with the public, vendors, and visitors should be standard benchmarks of your behavior. It is important to avoid even the appearance of unethical behavior in all business relationships. Please contact your supervisor or the Director of Human Resources with any questions or concerns you have regarding business ethics at the City of Allen Park.

Employees are expected to use good judgment, adhere to high ethical standards and avoid situations that create an actual or perceived conflict between their personal interests and those of the organization. The City of Allen Park requires that the transactions employees participate in are ethical and within the law, both in letter and in spirit.

The City of Allen Park recognizes that different organizations have different codes of ethics. However, just because a certain action may be acceptable by others outside of the City of Allen Park as "standard practice," that is by no means sufficient reason to assume that such practice is acceptable at our organization. There is no way to develop a comprehensive, detailed set of rules to cover every business situation. The tenets in this policy outline some basic guidelines for ethical behavior at the City of Allen Park. Whenever employees are in doubt, they should consult with their supervisor.

Conflict of interests or unethical behavior may take many forms including, but not limited to, the acceptance of gifts, including from competitors, vendors, potential vendors, or customers of the organization. Gifts may only be accepted if they have a nominal retail value. Employees are cautioned not to accept any form of **remuneration** or non-business related entertainment, nor may employees sell to third parties any information, products, or materials acquired from the organization. Employees may engage in outside business activities, (see requirement on Other Employment) provided such activities do not adversely affect the organization or the employee's job performance and the employee does not work for a competitor, vendor, or customer. Employees are prohibited from engaging in financial participation, outside employment or any other business undertaking that is competitive with, or prejudicial to, the best interests of the City of Allen Park. Employees may not use proprietary and/or confidential information for personal gain or to the organization's detriment, nor may they use assets or labor for personal use.

If an employee or someone with whom the employee has a close personal relationship has a financial or employment relationship with a competitor, vendor, potential vendor, or customer (client) of the organization, the employee must disclose this fact in writing to Human Resources. The organization will determine what course of action must be taken to resolve any conflict it believes may exist. If the conflict is severe enough, the City of Allen Park may be forced to ask the employee to tender his/her resignation. The City of Allen Park has sole discretion to determine whether such a conflict of interest exists.

Employees are encouraged to seek assistance from their supervisors with any legal or ethical concerns. However, the City of Allen Park realizes this may not always be possible. As a result, employees may contact the Human Resources Director to report anything that they cannot discuss with their supervisor.

Engaging in unethical conduct may result in corrective action up to and including termination of employment. "Unethical conduct" includes but is not limited to:

- Engaging in business conduct which is damaging to our reputation;
- Disclosing or misusing confidential or proprietary information belonging to the City or any recipients of City services;
- Promising or giving something of value to anyone doing or seeking to do business with us in order to influence them in matters relating to us;
- Accepting gifts, entertainment, services, or other benefits where the purpose is to unduly influence our business decisions. Gifts or benefits valued at over \$50.00 or \$25.00 lasting for more than one day may not be accepted;

- Selecting vendors based on non-business reasons, such as personal or non-city business relationships;
- Directing business to a relative, friend, or City in which you or one of your family members has a direct or indirect financial or personal interest;
- Representing or discussing City affairs with the media without proper authorization;
- Undermining business decisions;
- Engaging in any illegal activity on City property or on behalf of the City,
- Using City confidential information, facilities, supplies, and/or merchandise for personal gain.

9.11 REPORTING WRONGDOING

Wrongdoing can come in many shapes and forms. Whatever form wrongdoing takes, it should not be part of the City of Allen Park.

To prevent wrongdoing, the City of Allen Park must know about wrongdoing. Therefore, if you witness, hear of, or suspect wrongdoing has occurred in the workplace or at a workplace event, it is important that you report what you know immediately to the City Administrator, or Human Resources Director or City Attorney.

Please note that you are not required to confront the person or persons that have given you reason to report. However, if you experience wrongdoing, you must make a reasonable effort to make the wrongdoing known as soon as you experience or discover it, or soon after. Discussing or reporting acts of discrimination to any person not listed above does not constitute a report.

Retaliation Prohibited

If you believe you are being subjected to retaliation for reporting a violation of this policy, or participating in an investigation of this policy, you should report the retaliation immediately in the manner provided above. Please note that you do not have to confront the person that is the source of the retaliation before reporting it, but to help prevent retaliation from continuing, you must report it.

Any employee or workplace participant that retaliates against another employee or workplace participant for making a good faith complaint of a violation of this policy, or for assisting in an investigation of a complaint of a violation of this policy, is subject to discipline or termination. Retaliation can include, but is not limited to harassment, discrimination, bullying or any other unfair treatment or abuse of power.

Workplace Investigations

If warranted, the City will investigate credible allegations of wrongdoing. The City may use third parties to assist in such investigations. All employees have a responsibility to cooperate fully in any such investigation. Unreasonable refusal to participate in an investigation of a complaint of wrongdoing may lead to discipline.

False Claims Prohibited

Any employee or workplace participant that makes a knowingly false claim of workplace wrongdoing will be subject to discipline or termination.

9.12 CUSTOMER SERVICE

Since incorporation in 1957, the City of Allen Park has always prided itself on providing quality services and programs to its residents. This focus on quality requires an unwavering commitment at all levels of the municipal organization to provide the highest quality services and programs to the residents and businesses it serves. One of the key components in ensuring the continued effectiveness of the City is a staff team which is committed to the highest standards of "Customer" service. It has always been, and will continue to be, important that every employee in the City service display behavior and a work ethic that is consistent with this organization's standard of excellence. With that in mind, the following listing of "staff etiquette and behavior standards" has been developed as a guide to address aspects of behavior in the workplace from interaction with officials to phone etiquette to positive attitude markers. It is expected that all employees will follow and adhere to these standards on a daily basis, and it is further expected that staff will refer back to these standards from time to time as a reminder that quality services do not happen by accident—rather it requires the hard work, cooperation and commitment of each and every employee in the City service.

As employees of the City of Allen Park, we are committed to provide high quality services and facilities in a fiscally sustainable, responsive and friendly manner to foster a safe and healthy community. We believe that this standard of service promotes all that is positive about our city. In order to best achieve our commitment to provide a wide range of quality services from diverse departments, we support the philosophy of public service that is embodied in the following statements:

- We care about our community, and its people.
- We will seek to identify creative and innovative approaches to serve our citizens.
- We believe in meeting our citizens' needs by providing friendly, courteous, and efficient service.
- We will strive to make decisions with input from those most likely to be affected.
- We believe in listening to our citizens and responding to their ideas and concerns.
- We affirm that all employees have the responsibility of meeting a high standard of excellence within the parameters of their particular job in order to ensure quality services.

Customer Service Standards

The City recognizes that successful customer service reflects a quality organization. There are many aspects of our services that must be founded on the concepts of excellent customer service.

1. Processes

There are many processes within the City of Allen Park that require formal procedures be followed. The City must strive to make these processes as consistent and simple as possible throughout all of the departments. Simplification of forms, easy to understand directions, up to date public information and downloadable forms available via the website, and short time lines are key examples of efforts that should be put forth to assure customer service orientated processes are in place.

2. Marketing and Communication

The City provides information and services to residents on an ongoing basis. Communication with the public, oral or written, must be clear, concise, consistent and easy to access. Departments should strive to utilize all communication possibilities (website, Cable TV, and other currently available sources) as efficiently as possible to assure that residents remain informed and aware on a regular basis.

3. Phone and Written Inquiries

All inquiries by either phone or writing will be responded to by the proper person in accordance with this policy. Phone calls placed to a specific person are to be answered by a live person whenever possible. Initial phone messages must be returned within one business day.

Employees at all levels must adhere to this timeline. If an employee is not available to return calls within one business day, the caller should be given that information and informed when the person will be available. Alternative help should be offered in the interim.

All written inquiries, including email, whether complaints, compliments or suggestions, should be acknowledged in an appropriate manner. The initial response should be within no more than three business days of receipt of letter or email.

The use of automated phone answering systems, including voicemail, can be an effective tool in the pursuit of excellence in customer service. Any department or employee that utilizes voicemail must assure that the information it provides is regularly updated and that it can be easily bypassed to achieve direct contact with the office.

4. Information and Referral

Many times residents will inquire at City Hall for issues that are not within our domain. Every effort should be made to refer them to the governmental agency or community service agency that is best able to handle their concern. All referrals should include a phone number or location of the suggested agency if at all possible.

Internal referrals should be handled in a similar manner. If a person on the phone or through email is being referred to a different department or employee, the caller should be given the direct dial number for future reference and then automatically transferred through the phone or email systems. Customers should not be made to call back at that time.

If a referral is made to another City department, there must be certainty that the referral is correct, and if transferring by phone, that indeed the call will be picked up. No "blind" transferring is allowed. If there is some doubt as to the proper referral, the referring department should ascertain the appropriate contact before connecting or directing the customer. If this information is not obtainable the customer should be directed to a supervisor in the initiating department.

5. Professionalism

Exceptional customer service is rooted in professionalism. All employees shall present a professional, informed and commonsense image to City customers. All employees are expected to conduct themselves in a professional manner with members of the City Council, residents, businesses and other customers, as well as other City employees.

Customers expect City employees to be knowledgeable in matters related to their work classification. Although employees cannot be expected to be all-knowing, they do have a responsibility to maintain a solid understanding of their work responsibilities and how they relate to the overall effectiveness of the City's mission. In any event, City employees should be certain of the information that they do provide to customers – even if it means saying, for example, "I am not sure. Please let me check on that."

When an employee is unable to provide an answer to a question or concern raised by a customer, the employee will provide the name, department and telephone number of the person who is most likely to be able to answer the question or provide the service. In addition, the employee will forward the customer's contact information to the appropriate City employee so that the customer may receive the requested information in a timely manner.

6. Friendly, Helpful and Courteous Service

Common courtesy and respect form the foundation of exceptional customer service. City employees will treat customers with respect, dignity and courtesy. Specifically, City employees shall:

- a. Give full attention to the customer they are dealing with. Eye contact and taking notes, if applicable, demonstrate that the employee is actively listening. When possible, employees should use the customer's name when conversing with them.
- b. Acknowledge customers arriving at public counters immediately, and welcome them with a smile. If the employee cannot help the customer right away, they should explain why and get to the customer as soon as possible.
- c. Communicate clearly and effectively. Help the customer understand the issue and the City's process. As much as possible, eliminate bureaucratic jargon.

- d. Strive to understand and empathize with the customer's point-of-view. Recognizing that compliance with the city's codes and policies is mandatory, work with the customer to identify alternatives and solutions.
- e. Utilize effective and professional telephone protocols including:
 - Answer telephone calls by the second ring, whenever possible.
 - When answering telephones, employees shall be polite and cheerful.
 - Employees shall identify their name, title and department when appropriate.
 - Customers shall not be put on hold for more than two (2) minutes at a time.
 - Return telephone calls shall be made no later than one business day.
- f. Ensure that calls for service are handled in a timely manner, based on workload and resources.
- g. Refrain from using profane or inappropriate language or body language. It is never appropriate for an employee to use foul language.
 - When dealing with irate customers, employees shall politely let the customer know that they will do their best to assist the customer in resolving the given issue. Attempt to work through the customer's concern to an appropriate resolution. If the employee does not have the staff authority to handle an issue presented, they should ask the customer to please wait and then contact a supervisor to handle the situation.
 - Although it is ultimately the City's goal to solve the customer's problem and provide them the desired service, employees may terminate a conversation with a customer who demonstrates threatening, aggressive or inappropriate behavior or language.
 - Where possible, the customer should be informed that continued inappropriate behavior will result in a termination of the contact with them.
 - On rare occasions, employees may need to contact police personnel when an admonition to the customer does not eliminate the aggressive or threatening behavior, and the employee is at risk. Employees are not expected to put themselves at risk during an interaction with a customer.
 - When a customer has repeatedly demonstrated their inability to conduct themselves in a civil manner with an employee, they cease to be a customer. When such an individual repeatedly misrepresents or lies about contacts with employees, employees may require that further business with that individual be conducted at a public counter and/or in the presence of another employee.

7. Internal Service Departments

The City's customer service standards are fully applicable to our internal service departments and all internal services occurring throughout the City or even within departments. The ability of the City to meet its own needs in a professional, efficient and customer service-orientated manner is a key component to offering such service to the public.

9.13 NON-FRATERNIZATION

While the City of Allen Park encourages friendly relationships between members of management and their subordinates, it recognizes that involvement in a romantic relationship may compromise or create a perception that compromises a member of management's ability to perform his/her job. Any involvement of a romantic nature between an elected official, a department head, supervisor or a contractor or agent of the organization and anyone he/she supervises, either directly or indirectly, is prohibited. Violation of this policy will lead to corrective action up to, and including, termination of the management individual involved in the relationship.

9.14 PHONE CALLS

Personal Phone Calls

We recognize that periodically, personal calls must be made or be received during business hours. Such calls should be held at a minimum so that they do not interfere with the workflow.

Personal Cellular Phone Calls

In order to provide an optimum work environment, employees are expected to have cell phones turned off (or on vibrate) during work hours. Ringing cell phones are a distraction to other co-workers and can interfere with productivity. Cell phones should only be used during breaks/lunches and outside of the office. Flexibility will be provided in circumstances demanding immediate/emergency attention.

9.15 POLITICAL CAMPAIGN ACTIVITIES

Involvement with political campaigning while on the job is prohibited. This includes but is not limited to wearing political buttons, distributing campaign literature, selling political fund raising tickets, etc. It is inappropriate for City employees to associate in partisan activities while on the job, not only because it takes away from your City job but also it gives the appearance that the City favors a particular candidate.

Participation of City employees in the election campaigns of incumbent officials during work hours is prohibited.

Such activities shall not be allowed on any City-owned property at any time. Further, no employee shall be coerced, either directly or indirectly, into performing any political activities. The refusal by any employee to perform any political activities shall not result in any punishment or disciplinary action being taken against said employee. Any employee found to have violated the provisions of this section may be removed from office by action of the Civil Service Commission, or in the case of non-civil service employees, by the appropriate appointing authority.

This regulation, however, does not prevent nor preclude individuals from exercising their constitutional right to support the candidate (s) of their choice during non-duty hours.

9.16 PROFESSIONAL ATTIRE

Personal Appearance

The appearance of the City of Allen Park employees is important to demonstrating the professionalism of our organization. For this reason, each employee is expected to report for work each day with appropriate hygiene, appearance and attire for his or her position.

Attire should be consistent with job responsibilities and should not jeopardize the safety of the employee or distract other. Anyone reporting to work in inappropriate clothing will be sent home to change.

It is impossible to describe or define every possible acceptable or unacceptable example of attire. Generally speaking, clothing should be in keeping with the image of a professional organization and generally does not include:

- Excessively worn, torn or dirty clothing.
- Clothing with suggestive of offensive logos, pictures, insignia, etc.
- Sexually suggestive clothing.
- Casual footwear such as flip-flops or athletic shoes.
- Exercise attire including "sweats".

If in doubt, ask prior to wearing the item. The Department Head will determine whether or not attire is acceptable for their work unit and will apply the policy and their interpretation consistently among staff with similar job duties.

Hygiene

Personal cleanliness is a must for all employees. Body odors, strong perfume or smoke may all be particularly offensive to the public or coworkers. Employees should take pride in their personal hygiene and appearance and report to work clean and groomed appropriately.

9.17 TOBACCO USE

The use of tobacco products including, but not limited to cigarettes, cigars, pipes, and smokeless tobacco, is prohibited inside any of the organization's facilities or vehicles. The use of tobacco products will be allowed in city designated areas outside any facility. Appropriate signage will be placed at entrances to all buildings advising employees and visitors that the City of Allen Park maintains a tobacco-free environment. The management of each facility will designate areas outside the building where the use of tobacco products will be allowed. This policy relates to all work areas at all times, including before and after normal working hours.

Employees are to confine the use of tobacco products including, but not limited to cigarettes, cigars, pipes, and smokeless tobacco to designated smoking areas only. Appropriate signage will be placed in designated areas advising employees and visitors that tobacco usage is permitted only in these areas. This policy relates to all work areas at all times, including before and after normal working hours.

Smoking must be confined to rest and meal breaks. **Additional breaks are not provided to smokers.** Smokers may not leave the premises to smoke during the workday, except during their lunch or break time.

10. MISCELLANEOUS

10.1 BULLETIN BOARDS

The City uses bulletin boards to communicate important business information such as safety rules, job postings, statutory and legal notices, city policies, and management memos. Each employee has the responsibility to read the information that is posted. Your manager or supervisor can give you the location of the bulletin board nearest your work area. Employees may not post material on bulletin boards without the prior written approval of Human Resources office. Unauthorized posting of items or removal of postings may subject the employee to discipline.

10.2 MEDIA RELATIONS GUIDELINES

1. The City Administrator is the spokesperson for the City of Allen Park. This applies in all cases except when it is a routine release of current or general information that is released by a Public Safety Chief. If you are contacted by the media, please direct them to speak with the City Administrator.
2. City labor union representatives cannot conduct union press conferences or discuss union issues with the news media while on duty, unless they receive permission from the City Administrator. Prior approval must be received before any on-duty discussions with the media are conducted.

10.03 PERSONAL BELONGINGS

Every employee is urged to be mindful of any personal property they bring to city facilities. Money, wallets, purses, etc., should never be left unattended or in unlocked desks. The City is not responsible for any personal items you bring in to personalize your desk, office or work area.

In a facility of this size that is open to the public, theft can occur. Each one of us needs to do whatever we can to minimize these thefts by being aware of the problem and actively working at not becoming a victim of theft. Therefore:

- Purses and wallets should not be left in areas exposed to others including the public.
- Personal items in your work area are your own responsibility.
- All missing items should be reported on an Incident Report Form and sent to the Human Resources office.

RECEIPT AND ACKNOWLEDGMENT PAGE

1. I hereby acknowledge receipt of the Allen Park's Employee Handbook.
2. I understand that it contains important information regarding my employment relationship with the City, including current policies and benefits of the City, rights and responsibilities that I have and those that my employer has, and that the policies contained in the Handbook apply to me and my employment with the City of Allen Park.
3. I certify that I have read it in its entirety and understand the policies within it, and that they apply to my employment with the City.
4. I understand that if I have questions about the Handbook or the policies within, it is my responsibility to ask Human Resources or the City Administrator about them.
5. I agree to accept the policies, agreements, and rules as stated in the Employee Handbook.
6. I understand that the management of the City reserves the right to change the policies, procedures, and benefits described in this Employee Handbook at any time with or without notification.
7. I understand that this handbook is not intended nor does it serve as an express or implied contract of employment or a contract for benefits.
8. I understand that the policies described in this Employee Handbook supersede all previous policies, practices, and oral statements of anyone associated with the City, its' predecessors, and its' authorized agents and that this Employee Handbook includes the exclusive policies of the City.
9. I understand and agree that this Employee Handbook is and remains the property of the City, and that I will return it upon termination of my employment or upon the issuance of a new Employee Handbook.
10. I understand that violation of any of the City's policies may result in discipline and/or discharge from City employment.
11. That unless otherwise stated in a collective bargaining agreement or other written agreement, City employees are considered at will and may be terminated at any time and for any reason or no reason at all.

Date: _____

Employee Signature: _____

Print Name: _____

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Appendix A

POLICY NUMBER: HR 2.1	SECTION: Human Resources
TITLE: Controlled Substance Policy	DATE: June 17, 2008
Policy for: City Employees	REVISED: Not Applicable
Authorized by: Mayor & Council	Pages: Seven (7)
Resolution #: TBD	Issued: City Administrator, Eric C Waidelich

DISCLAIMER: The language used in the Human Resources policies does not create an employment contract between the employee and the City of Allen Park. The City reserves the right to revise the content of the Human Resources policies, in whole or in part, with or without notice. In all cases, the Human Resources policies are intended to be consistent with the prevailing state and federal laws and regulations. However, in the event the language contained in the Human Resources policies conflicts with state or federal laws or regulations, the state or federal laws or regulations will control. The City of Allen Park, City Administration and Human Resources Department has the authority to interpret the City policies.

I. PURPOSE

- A. To establish the City of Allen Park policy and procedures for dealing with employees whose job performance may be impaired as a result of the use of alcohol and/or controlled substances.
- B. To identify what assistance is available to employees with problems related to the use of alcohol and/or controlled substances.
- C. To identify the employee's responsibility relative to the use of alcohol and/or controlled substances.
- D. To identify the Employer's responsibility relative to the use of alcohol and/or controlled substances by the employees.

II. POLICY

- A. To establish Employer, Employee and Union responsibilities as they relate to the handling of employees whose job performance may be impaired through the use of alcohol substances.

- B. To provide employees assistance when the use of alcohol and/or controlled substances creates problems, which interfere with the performance of his/her duties and responsibilities?
- C. Alcohol and/or controlled substance abuse is deemed to be a problem, which deserves an appropriate medical evaluation and treatment.

III. PROCEDURE

- A. The demand for testing of City of Allen Park employees for the use of alcohol and/or controlled substances must be based on "reasonable suspicion" and must be ordered by the Department Head or City Administrator after consultation with the Mayor and his/her designee.

- B. Standards for Determining Reasonable Suspicion:

1. "Reasonable Suspicion" will be based on "specific objective facts and reasonable inferences drawn from these facts."
2. Where the "reasonable suspicion" is based on personal observations the objective facts must be articulable and may include the employee's appearance and behavior. Such personal observation must be made by Department Head or the highest-ranking full-time department employee present at the location where the observation occurs.

Among the possible signs or symptoms of being under the influence of alcohol and/or controlled substances are any articulable factors, which objectively demonstrate that a problem may exist, including, but not limited to:

- a. Excessive absenteeism and tardiness;
- b. A pattern of impulsively taking vacation;
- c. Smell of alcohol from employee;
- d. "Glassy-eyed" appearance, "blood-shot" eyes or unusual appearance of the eyes;
- e. Unsatisfactory work performance;

- f. Avoidance of supervisors;
- g. Pattern of failure to meet established standards of personal appearance;
- h. Noticeable decrease in productivity;
- i. Lack of dexterity;
- j. Slurred or incoherent speech;
- k. Excessive perspiration or chills;
- l. Nausea or vomiting; and/or,
- m. Any other articulable factor, which relates to the employee's ability to perform his/her duties.

C. Order to Administer Test(s):

Based upon the criteria set forth above, the Department Head or City Administrator may order that a test will be given.

- D. If the Department Head or City Administrator orders such a test, he/she shall prepare a signed, dated, timed and contemporaneous report reducing the objective facts and the reasonable inferences drawn from those facts to writing and shall furnish a copy to the Employee. The Employee shall be given the opportunity to explain his/her behavior/action/appearance in 'writing'. Upon request, union represented employees shall have the right to Union representation. If such explanation is acceptable to the Department Head or City Administrator, the order for the drug test will be rescinded.

E. Review of Report

The Department Head or City Administrator will submit a copy of his/her report along with the employee's explanation, if any, to medical review officer of the Occupational Health Clinic utilized by the City of Allen Park. The physician or medical review officer shall evaluate the report and explanation as an independent unbiased party prior to submitting a final report of the findings of the test results to the City and a copy of the test results to the Employee.

F. Demand for Testing

At the time that the order is given, the employee shall be advised that refusal to submit to the test shall be cause for discipline, up to and including discharge.

If the results of the test prove negative, the employee shall be compensated for all the time occurring outside of his/her scheduled work hours that are directly attributable to the actual testing process for alcohol or controlled substances. (e.g. to/from the Clinic, waiting to be tested at the Clinic and while giving the required samples for testing). Such reimbursement shall be at the normal rate of pay unless the time spent directly in the testing process would have been on an overtime basis, which shall be paid accordingly.

G. Testing Procedure

To maintain the integrity of the collection and testing process, the following testing procedure will be observed. All testing shall be done in accordance with the appropriate U. S. Department of Transportation guidelines unless in conflict with a provision of this Agreement which shall be controlling.

1. Breath sample collection for alcohol use will be performed by a certified Breath Alcohol Technician (BAT) using Evidential Breath Devices (EBD) for both screening and confirmation tests. Likewise, urine sample collection for controlled substances will be performed in compliance with the Department of Transportation guidelines.
2. Actual testing of the urine samples will be performed by a SAMHSA approved laboratory that meets the above-referenced guidelines.
3. The employee, if he/she so wishes, may have a Union Representative present as a witness to the collection process, but the Union representative shall not interfere or in any way jeopardize the test collection process. The Union Representative will also not be paid for the time spent outside of his/her regularly scheduled work hours as a witness to the collection process.
4. Upon completion of all testing and after test results are known, the City shall within 24 hours take reasonable steps to notify the employee of the results of the testing. A signed, dated, timed and contemporaneous

written report from the laboratory must be sent to the City of Allen Park within 72 hours or as soon as practical, excluding holidays, of the test and shall be made available to the employee (and the Union if so requested by the employee in writing) immediately after its receipt by the City. If the report does not contain the following information, the City will obtain and furnish such information as soon as is practicable.

- a. Type of test(s) conducted;
 - b. Results of the tests; and
 - c. Level tested for each controlled substance and the test methodology employed; and
 - d. Any available information concerning the margin of accuracy and precision of the quantitative data reported for the tests.
5. If the results of the tests are negative any remaining samples will be opened and disposed of and container label(s), chain of custody records, and all other reports pertaining to the test(s) will be destroyed and such destruction noted, along with the date, time and signature of the designated person destroying same.
6. The specific levels of controlled substance or alcohol found in the employee's samples will be reported to the City of Allen Park only if the confirmation test is positive.

H. Laboratory Tests

1. The initial drug-screening test will be of the chromatography type and shall be conducted by a SAMHSA certified laboratory. If the initial test report is positive, the employee will be placed on suspension without pay until the confirmation test results are known to the City. If the confirmation test report is negative, the Employee will then be compensated for all time lost as if he/she had worked.
2. Confirmation of follow-up tests will be of the Mass Spectrometer type and will be conducted by the laboratory.

3. The Union shall have the right to demand inspection of the laboratory. Any laboratory selected, must be licensed by, and located in, the State of Michigan.

IV. EMPLOYEE ASSISTANCE PROGRAM

- A. If the above-referenced testing results are positive, the employee shall be given the opportunity to participate in the Employee Assistance Program (EAP) offered by the City of Allen Park.

Participation in the EAP allows employees to be directed to medical help by participating in a rehabilitation program and, at the same time be given an opportunity to possibly retain employment with the City. Employees who are required or elect to be treated on an in-patient basis must utilize annual and/or vacation time for this purpose. In the absence of such available time, the employee will be granted a leave of absence without pay and without loss of seniority for in-patient treatment.

If the employee does not participate in and successfully complete a prescribed rehabilitation program within six (6) calendar months of the positive test, he/she shall be subject to discipline, up to and including discharge. If the employee successfully completes the prescribed rehabilitation program, the employee will be returned to his/her former position with retention of all seniority rights.

- B. Any subsequent positive test within twenty-four (24) months after the conclusion of the rehabilitation program will result in immediate discharge. The Union agrees that a termination under these circumstances is not subject to the grievance procedure. Subsequent testing during this 24-month period shall be random and limited to no more than four (4) random tests during this period. Random testing will occur during the employee's regularly scheduled work time. Such random testing is in addition to other alcohol controlled substance test prescribed by this Article and shall be in accordance with the testing procedures contained in this Article.

All participants in the EAP may submit their participation costs to the parties' health insurance carrier for possible reimbursement.

V. CONFIDENTIALITY

All records pertaining to the initiation and administration of this program, including but not limited to the supervisor's report, employee's explanation, Physician's report, Departmental training record, and any Employee Assistance Program reports shall be treated as strictly confidential and shall be maintained only by the Human Resources Department as a part of the employee's regular personnel files. All such records pertaining to a positive test shall be destroyed within two (2) years of the Employee's successful completion of a prescribed rehabilitation program. Any individual in unauthorized possession of such a record is subject to discipline.

VI. RESCISSION OF PRIOR RULES

All rules inconsistent with the above are hereby rescinded. All City rules, policies, directives and procedures regarding the possession, manufacture, and/or sale of alcohol or controlled substances while on duty or on City property or in a City vehicle shall remain in full force and effect.

VII. GRIEVANCE PROCEDURE

Any disputes concerning the interpretation or application of this policy and procedure shall be subject to the grievance procedure except for the discharge of a repeat offender as described in section 4B above.

VIII. UNION HELD HARMLESS

Unions and their members shall be held harmless for the City's violation of any laws or regulations arising from the creation, implementation, or administration of this policy/procedure by the City.