

COUNTY OF MONTCALM POLICY & PROCEDURE MANUAL



**EFFECTIVE DATE JULY 25, 1994
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Dear Employee:

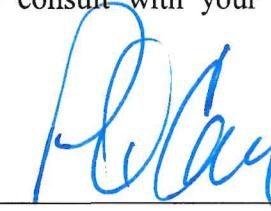
The Montcalm County Board of Commissioners wishes to take this opportunity to extend you a warm and cordial welcome. You have become part of an efficient organization known for the quality service it offers to the citizens of Montcalm County.

It is our sincere belief that it is important for you to be informed of benefits, policies, regulations, activities, and information about your employment with the County. Therefore, we have developed this Policy and Procedure Manual, and we encourage you to read and study it carefully and refer to it whenever necessary.

Our goal is to maintain an organization that is a source of pride to its employees and the citizens of Montcalm County.

The philosophy of our organization is that the extent to which we offer quality services to our community depends on you--people who cooperate and work together as a team. With this attitude, loyal support, and interest in your work, we can go a long way to realizing our goals. Together we will strive to make your employment with the County pleasant and satisfactory.

If you have any questions on any subject not discussed in this Manual or if you desire more information on a subject that is included, please consult with your supervisor or the County Controller's Office.



Patrick Q. Carr, Chairman
Montcalm County Board of Commissioners

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DEFINITIONS

Anniversary Year – The period between one anniversary date of employment and the next anniversary date of beginning employment by classification.

Authorized Deputy – One person in each department with an elected department head who is authorized to act in the absence of the department head as specified by state statute.

Bargaining Unit Employee – Any employee covered by a Labor Contract.

Classification Plan – A system of assigning employees to positions based on type of work.

Classified Employees – An employee who is hired under the Montcalm County Classification Plan.

Continuous Service – Uninterrupted service from date of employment or adjusted forward in accordance with the policies covering continuous service.

Demotion – A change in employment status from a position in one class to a position in a lower class involving a decrease in responsibility and lower salary rate range.

Department Head – A supervisor responsible for the administration of a department.

Evaluation – An assessment of an employee's performance to be completed prior to the employee being considered for a merit step increase.

Human Resource Specialist – A person designated by the Board of Commissioners to keep personnel policies up to date, recommend changes, and ensure compliance with personnel policies, rules and regulations and procedures adopted by the Board of Commissioners. Also responsible for processing payroll.

Labor Contract – A collective bargaining agreement entered into by the County.

Layoff – Permanent or temporary discontinuation of work due to lack of work or insufficient funds.

Leaves of Absence – Authorized time away from the job.

Personnel Transactions – Recruitment, hiring, layoff, promotion, demotion, or transfer of an employee; any change in an employee's status.

Retires – Termination of employment in accordance with the Montcalm County retirement plan.

Supervisor – A person charged with the responsibility of directing others in their work and enforcing the policies of the County. For purposes of grievance administration under Labor Agreements shall include those elected or appointed department heads.

Suspension – Temporary removal of an employee from employment with the County, with or without pay, pending further review by the County and/or the final resolution of the grievance process under Appendix B.

Termination – Separation of employment with the County, either voluntary or involuntary.

Transfer – The assignment of an employee from one position in a class to another position in the same class, either interdepartmental or intradepartmental.

INTRODUCTION

Section 1.1 Application of Manual

This manual applies to all County personnel unless otherwise specifically excluded. Excluded from coverage under this Manual are all elected and appointed officials and all chief deputies of such officials. Additionally to the extent that the policies contained in this Manual are covered by or conflict with a labor contract or a written employment contract with the Board of Commissioners, the labor contract or written employment agreement will control.

Section 1.2 Amendment of Employment Policies

The employment policies contained in this Manual may be amended, deleted, modified or added to from time to time by the Board of Commissioners in its sole discretion as it deems necessary or desirable.

Section 1.3 Intent of Policies

Neither the statements contained in this Manual nor the Manual itself are intended to create a contract between the County and any employee. The purpose of this Manual is for information to advise you about the philosophy of the County and its policies regarding employment and various benefits available to County employees.

Section 1.4 Equal Employment Opportunity Employer

Montcalm County is an equal employment opportunity employer and is pledged to nondiscrimination in employment as required by law. Consistent with this philosophy, the County is committed to actively seeking for employment the best qualified individuals.

Section 1.5 Employment at Will With The County

Michigan is an “at-will” employment state. This means absent an employment contract, both the employer and employee are free to terminate the employment at any given time, and for any legitimate purpose. No one other than the Board of Commissioners has any authority to enter into an agreement of employment for a specified period of time or to make any agreement that is contrary to the understanding that employment is for no definite time period. Any such agreement with the Board of Commissioners must be in writing and appropriately signed, or it shall not be binding.

EMPLOYEE STATUS AND SENIORITY

Section 2.1 Employee Status

1. Salaried Employees: Elected officials, appointed department directors, and authorized or chief deputy of each elected official. These individuals are excluded from coverage under this Manual.
2. Hourly Employees: All hourly employees will be given an employee “status” in accordance with the definitions set forth below:

Full-Time. An employee who normally is scheduled to work on a regular schedule consisting of forty (40) hours per week.

Regular Part-Time. An employee who normally is scheduled to work on a regular schedule consisting of less than twenty-nine (29) hours per week.

Temporary, Seasonal or Irregular Part-Time. Any employee who occasionally relieves or substitutes for regular full-time and part-time employees or one who normally works less than twenty-nine (29) hours per week. These employees are not eligible for County-provided benefits and do not accumulate seniority.

Section 2.2 Introductory Period

All new employees are subject to an “introductory period” for six (6) months of continuous employment with the County, beginning with their last date of hire. The introductory period is designed to give newly-hired employees the opportunity to familiarize themselves with their job and to give the County an opportunity to evaluate the performance of its newly-hired employees. Upon completion of the six (6) month introductory period, employees become eligible for vacation benefits, , and elected office leave without pay. Completion of the introductory period does not change one’s status as an at will employee.

Section 2.3 Seniority

Seniority is defined as the length of an employee’s continuous service in the employ of the County commencing with the last date of hire. Upon completion of the introductory period, an employee’s seniority will be retroactive to the employee’s last date of hire. Under circumstances recited in this policy, an employee’s seniority date must be adjusted. The application of seniority is limited to the preferences specifically recited in this Manual. Employees hired on the same date will be placed on the seniority list in alphabetical order in accordance with their last names.

Section 2.4 Loss of Seniority

In order to protect everyone's seniority rights, it is necessary to have the following rules with respect to seniority. Seniority will be lost and the employment relationship shall end if the employee:

1. Resigns or quits.
2. Is discharged or terminated.
3. Retires.
4. Has been on layoff or a non-paid leave of absence for a period of time equal to the employee's seniority at the time of layoff or leave of absence or two (2) years, whichever is less.
5. Fails to report for work, including the failure to return to work at the expiration of a leave of absence, vacation, layoff, or disciplinary layoff for three (3) consecutive working days without notifying the County, unless otherwise excused.
6. Is declared mentally incompetent by a probate court of competent jurisdiction.
7. Is convicted of a felony.

Section 2.5 Layoff

1. In the event a reduction in the work force of a department is necessary, layoff will be carried out in the following order, providing the remaining or more senior employee possesses the necessary skills and experience to presently perform the required work, as determined by the County.
 - First: temporaries, seasonal and irregular part-time employees.
 - Second: introductory employees.
 - Next: all other employees by classification in accordance with seniority.
2. The County has the right to transfer affected employees to positions in other departments for which they are qualified, as determined by the County.
3. Employees with recall rights who are laid off from work will be recalled to their classification and department in order of their seniority when the work force is to be increased, provided that the employee has the experience, necessary training, and present ability to perform the required work, as determined by the County.

4. Employees will not accrue seniority during a lay-off exceeding 30 days, but a lay-off shall not be considered a break in service.
5. Recall rights shall be limited to length of seniority or two (2) years, whichever is less.

Section 2.6 Notice of Layoff and Recall

Notice of layoff and recall in the work force will be accomplished in the following manner:

1. **Layoff Notice.** The County will attempt to notify in writing an employee who is to be laid off at least fourteen (14) calendar days in advance of such layoff unless circumstances are such that notice under this provision is not possible.
2. **Recall Notice.** Employees who are to be recalled from layoff will be given advance notice of fourteen (14) calendar days. Such notice may be given verbally, if possible, but in any event written notice shall be sent to the employee at the address on file with the County. It is the sole responsibility of the employee to keep on file with the County the employee's current address and telephone number.

WAGES

Section 3.1 Wages

The wages/salaries of all non-bargaining unit employees of the County who are covered by this Manual are provided in accordance with the County's comprehensive wage program. The primary objective of our employee compensation program is to ensure that the County is able to compensate employees commensurate with the County's financial ability, and the employee's performance.

Section 3.2 Merit System

Step increases within a salary grade in the County's comprehensive wage program or labor agreement are based upon merit and length of service and are not automatic. The County, in its sole discretion, determines if and when an employee deserves a step increase. Employees selected to receive a step increase will receive it the first pay period following the date on which they became eligible upon approval of the department head. Employees who reach the top step of their salary grade are no longer eligible for step increases. However, these employees are eligible for "across-the-board" salary schedule improvements when granted by the Board of Commissioners or such increase as provided in the labor contract.

Section 3.3 Overtime

All employees covered by this manual must work reasonable amounts of overtime upon request. **No overtime may be worked without direct approval from the employee's department head.**
from the employee's department head.

1. **Compensation.** All work performed in excess of forty (40) hours within the workweek will be compensated at time and one-half (1-1/2x) the employee's regular rate of pay. Overtime shall not be paid for less than fifteen (15) minutes in any one day. For purposes of overtime premium, recognized paid holidays, paid vacations, paid funeral leave, and paid jury duty leave shall be considered as hours worked. **Paid sick leave shall not be counted as hours worked.**
2. **Compensatory Time.** Upon prior approval of the department head, and the employee before the overtime work is performed, compensatory time equal to one and one-half times (1-1/2x) the amount of overtime worked may be taken in lieu of the overtime pay as described in the preceding paragraph. In no case shall compensatory time accumulate beyond the amount of (40) hours. Compensatory time off shall be scheduled in advance by mutual agreement between the department head and the employee.
3. **Pyramiding.** There will be no pyramiding of overtime premium pay.

Section 3.4 Direct Deposit

All employees are required to have their paychecks electronically deposited into either a checking and/or savings account(s).

GENERAL EMPLOYMENT POLICIES

Section 4.1 Hours of Work

1. Workday/Workweek. The normal workday for full-time employees will consist of eight (8) hours, lunch periods will be determined by the Elected Official/Department Head. The normal workweek will generally be Monday through Friday and usually amount to forty (40) hours; however, other hours may be established. Schedules may be adjusted as necessary to meet the needs of the public or the department. It is the responsibility of the Department Head/Elected Official to notify the Controller's Office of such changes.
2. Rest Periods. Employees will generally be entitled to one (1), fifteen (15) minute rest period for each four (4) hours of work. Rest periods will be scheduled and approved by the employee's immediate supervisor. Circumstances may occasionally require that employees go without a break period, although these situations should occur infrequently.

Section 4.2 Employment Review

Employees employment reviews will be performed at the discretion of the Department Head.

Section 4.3 Employment Opportunities

Vacancies. All newly-created positions and permanent vacancies will be posted for a period of three (3) working days. Employees wishing to be considered for the job must obtain an application from the County Controller's Office. Upon completion of the application, employees must submit it to the County Controller's Office.

1. Qualifications. In considering the employee's qualifications to perform the job in question, the County will consider the employee's work record, knowledge, training, experience, demonstrated ability, skill, length of service, and any other relevant consideration.
2. Outside Applicants. Although the County will consider all existing employees, the County intends to advertise all permanent vacancies to the general public and thoroughly consider all outside applicants. The County will select the best applicant for the job, in the County's sole discretion.
3. Rate of Pay. Unless otherwise specified by the Board of Commissioners, the rate of pay of a promoted employee will be the minimum of the rate

range of the employee's new classification or to that next step above the employee's present rate, whichever is higher. A promoted employee's merit increase eligibility date will become the employee's promotion date

Section 4.4 Transfers

1. **Permanent Transfers.** Will be the discretion of the Board of Commissioners. The rate of pay for the effected employee will also be decided by the Board.
 - a. **Demotions.** The rate of pay of employees demoted as a result of their own actions will be the minimum of the rate range of the classification in which they are placed.
2. **Temporary Transfers.** The County may, as it deems necessary, temporarily transfer employees to another classification or work assignment. Employees will generally not suffer a reduction in hours or pay as a result of such transfers.

Section 4.5 Attendance

It is important to the County that each employee report to work regularly and on time. Consideration is given to your attendance record in such matters as promotions, salary increases, and transfers. If you are unable to come to work for any reason, you are required to notify your department head, or the department head's designated representative at least **one (1) hour** prior to the start of your scheduled shift. Failure to report an absence will result in the absence being considered unauthorized, and appropriate action will be taken.

When reporting an absence, the employee must state the reason for the absence and indicate the expected duration of the absence. Unless otherwise excused, an employee is required to call in each day the employee is absent.

Section 4.6 Safety

Employees are expected to comply with County-wide and departmental safety rules and promptly notify their department head upon discovering any potential or existing safety hazard. **All** accidents or injuries, no matter how minor, occurring at work must immediately be reported to the employee's department head or the Human Resource Specialist.

Employees will not be required or assigned to engage in any activity involving dangerous conditions of work or danger to person or property in violation of any applicable statute, court order, or government regulation relating to safety of persons or equipment.

Employees are to inquire with their supervisors about the procedure(s) for their specific office in the event of an emergency.

Section 4.7 Closure Days

The Montcalm County Controller's Office may order the closure of certain County buildings or operations due to inclement weather, power outages, and other threatening circumstances.

Closures will be communicated by an electronic notification system to county employees through text message and/or email.

When a building or operation is closed by the County Controller's Office, employees shall be paid for lost time.

Section 4.8 Use of County Vehicles

Montcalm County places the highest value on the safety and health of its employees and the well-being of its citizenry. Montcalm County acknowledges that the safe operation of motor vehicles by County employees is essential to ensuring the safety and well-being of all, and has established as its goal to ensure that all individuals who are granted the privilege of driving a County vehicle are safe and properly licensed operators.

Montcalm County has full authority to determine who shall drive a County vehicle, to establish vehicle operator standards, and to revoke the right to drive for failure to meet the standards. This policy defines the minimum standards for all County employees.

1. Employees operating county-owned vehicles must possess a valid Michigan driver's license and a satisfactory driving record, unless otherwise specified by departmental policies.
2. Montcalm County requires that employees driving County vehicles promptly notify their supervisor any time they receive a traffic citation so that the County can more accurately monitor employee driving records. Failure to promptly notify the supervisor will result in discipline, up to and including discharge. The County will also check employee driving records on a periodic basis.

The following policies also apply to the use of County vehicles.

- It is forbidden to transport non-employees in County owned vehicles unless they are engaged in County business.
- There will be no personal use of the vehicle.
- Employees must log all mileage (i.e., site to site), purpose and time.
- Employees must obey all traffic laws and are personally responsible for any traffic tickets.

- Vehicles shall be kept clean at all times.
- No firearm(s) is to be left unattended in a county vehicle.

3. The County recognizes that individuals who are on-call need a vehicle at home to save time and inconvenience. Employees that take the vehicle home for the purpose of facilitating an after hours response should utilize the vehicle for that purpose alone. A natural outgrowth of this privilege is having the vehicles available to drive to and from work, which is not an insignificant benefit.
4. When an employee is off duty, but subject to being called back, they should drive their personally owned vehicle on personal business. If called, they should go get their work vehicle before responding. If they need to remain in radio contact, and must therefore drive the County vehicle on personal business, they should not have others in the vehicle with them.

An employee who (1) improperly uses a County vehicle, (2) fails to satisfy the minimum standards identified above, or (3) loses his or her driving privileges under this policy may be disciplined, up to and including discharge.

Section 4.9 Parking

1. Adequate employee parking is provided by the employer. Employees are not authorized to park in “Visitor Parking” areas or other specially designated areas.

Section 4.10 Reimbursable Expenses

1. **Mileage.** Employees who use their personal vehicle in the performance of authorized County business will be reimbursed for their mileage by an amount determined by the Board of Commissioners. Travel costs of going to and from work for normally scheduled work shall not be reimbursed. Reimbursement shall be requested on a County expense voucher within ten (10) days of the performance of the authorized County business giving rise to the right of reimbursement.
2. **Meals/Lodging.** While on County business outside of Montcalm County, an employee will be reimbursed for reasonable expenses for meals, transportation, and lodging. **Receipts must be attached to a County Travel Expense Voucher when submitted for audit and reimbursement.**

When possible, it is preferable for the County to prepay air fare, motel and hotel bills, and registration fees. Charges for personal goods and services, entertainment, and travel not related to County business are considered unacceptable and will not be reimbursed to the employee.

Section 4.11 County-Sponsored Education

1. Expenses. Conference, seminar, and workshop expenses will be reimbursed by the County, provided funds have been budgeted for this purpose and the employee has received prior approval.

Section 4.12 Employee Assistance Program

Montcalm County contracts with Community Hope Christian Counseling to render an Employee Assistance Program (EAP). Employees who feel they need to seek counseling must first receive the approval of their Department Head or the County Controller, prior to making an appointment. Employees will be allowed five (5) visits per incident. Should additional visits be required, employees must seek approval by the Department Head and the County Controller.

Community Hope may exchange information about the EAP services provided to the employee to Montcalm County without signed consent forms from the employee. The EAP will not discriminate on the basis of age, sex, race, color, national origin, religion, sexual orientation, or health status. EAP services will be in accordance with Federal and State laws and regulations, including HIPPA and Confidentiality of Alcohol and Drug Abuse Patient Records 42 C.F.R. Part 2.

Community Hope Christian Counseling
6728 Vining Road, Greenville, MI 48838
Phone: 616-225-8220

Section 4.13 Political Activities

Any employee of the County found to be engaging in any of the following activities shall be subject to suspension or dismissal from County service.

1. Political activity or campaigning for a public elective office during scheduled working hours. This includes the circulating of nominating petitions for political office during working hours.
2. Using office, public position, public property or supplies to secure political contributions or to influence a partisan or nonpartisan election to fill an office at any level of government.
3. Promising, or using influence, to secure public employment or other benefit financed by public funds as a reward for political activity.
4. Discriminating in favor of, or against, an officer, employee, or applicant on account of his/her political contribution or permitted political activity at any level of government.

5. Performing permitted political activity directed at other public employees while the latter are on duty.

Section 4.14 Smoking

Smoking and vaping are strictly prohibited in all County buildings and vehicles.

Section 4.15 Drug/Alcohol Policy

Montcalm County prohibits the use, possession, distribution, or sale of drug/alcohol by its employees on County premises or during work time. The following circumstances are included under this policy.

1. The unauthorized use, possession, or sale of prescription and/or illegal drugs or alcoholic beverages.
2. The unauthorized use, possession, or sale of a controlled substance.
3. Having recordable amounts of drugs, alcoholic beverages, or non-prescribed controlled substances in your body while on duty.

Employees specifically hired pursuant to funds provided by a state or federal grant will be required to, as a condition of employment, do the following:

1. Abide by the terms of the Drug/Alcohol Policy.
2. Notify the County in writing of the employee's conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
3. The County will notify the granting agency within 10 days of being notified of a conviction.
4. The County will take appropriate action against the employee within 30 days of the violation or conviction.

Violation of the Drug/Alcohol policy will result in the employee's immediate discharge.

Section 4.16 Firearms

The possession of concealed firearms by employees of the County during working hours in accordance with applicable State of Michigan statutes, governing possession and carrying of concealed firearms, is not prohibited. Open carry of firearms is not permitted.

1. Employees choosing to possess and carry a concealed firearm during work do so as a private citizen under authority of, and in accordance with, the statutes of the State of Michigan.
2. Employees choosing to possess and carry a concealed firearm in the workplace shall keep their weapon concealed from view at all times. They shall do so by including safe custody and control of their weapon(s) in a secure manner.
3. Employees shall not use or display a firearm unless specifically authorized by law.
4. A concealed firearm shall not be brought to a disciplinary hearing.
5. No firearm(s) is to be left unattended in a county vehicle.

Section 4.17 Personnel Records

Employees are responsible for notifying both their department head and the County Controller's Office of any changes in personal status (i.e., name, telephone number, address, marital status, births, deaths, licensure, registration, etc.). Employees are also responsible for confirming employee status changes with the County Controller's Office (i.e., full-time, part-time, temporary, etc.).

Section 4.18 Social Security Number Privacy Policy

It may be necessary for Montcalm County to use your social security number for business purposes. The County respects its employees' privacy and will keep all social security numbers confidential to the extent practicable. The only employees who have access to your social security number are employees whose job duties require exposure to social security numbers. Should any document containing a social security number need to be disposed of, such document shall be shredded prior to disposal.

The County prohibits the unlawful disclosure of social security numbers and any employee found to have unlawfully disclosed another person's social security number or to have violated this policy will be subject to discipline up to and including discharge.

Section 4.19 Legal Matters

Employees are to consult with the County Controller's Office if questioned about being a witness in a legal proceeding involving the County.

Section 4.20 Employment of Relatives

Selection of employees is solely on the basis of qualifications for the position. Relatives of employees may be considered for and selected to fill vacancies; provided, however, that all County requirements with regard to recruitment and selection procedures have been strictly observed. In addition, should a department head be considering the filling of a vacancy with a member of the department head's immediate family or an immediate relative of person employed in the department, the department head shall receive approval from the Board of Commissioners prior to making any commitment.

Section 4.21 Exit Interview

Any employee leaving the employment of Montcalm County is required to contact the County Controller's Office prior to the last day worked to complete an "Exit Interview" form.

Section 4.22 Returning Employees

Employees who resign and decide to return to work within 30 days of resignation will have the following benefits restored.

1. Insurance benefits will begin the first of the following month from date of rehire.
2. Employee's vacation date will continue to be acknowledged as the original date of hire, not their return date.
3. Seniority will be calculated as the employee's return date of hire.

HARRASSMENT POLICY

The County of Montcalm is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, we will not tolerate harassment of County of Montcalm employees by anyone, including any supervisor, co-worker, vendor, client, or customer of County of Montcalm

Harassment consists of unwelcome conduct whether verbal, physical, or visual that is based upon a person's protected status, such as sex, color, race, ancestry, religion, national origin, age, physical handicap, medical condition, disability, marital status, veteran status, citizenship status, or other protected group status. The County of Montcalm will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.

Sexual harassment deserves special mention. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body.

All County of Montcalm employees are responsible for helping to assure that we avoid harassment. If you feel that you have experienced or witnessed harassment, you are to notify immediately your Department Head or the County Controller's Office. The County forbids retaliation against anyone who has reported harassment.

The County of Montcalm's policy is to investigate all such complaints thoroughly and promptly. To the fullest extent practicable, the County will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, the County will take corrective action, discipline up to and including immediate termination of employment, as is appropriate.

WORKER'S COMPENSATION POLICY

1. All workplace accidents or injuries that result in the potential need for employee medical care are required to be documented with an "Employees Basic Report of Injury" form.
2. All medical treatment for the first twenty-eight (28) calendar days following an injury/illness must be rendered at Spectrum Health Medical Group Occupational Health in Greenville, or Spectrum Health United Memorial Hospital's ER or Urgent Care department. In the event of a TRUE EMERGENCY discretion may be used in seeking the initial medical treatment at a local hospital's emergency room.
3. Prior to seeking treatment at the above facilities you must:
 - a. Fill out an "Employees Basic Report of Injury"
 - b. Inform your immediate supervisor or the Human Resource Specialist of the injury/illness. They will make the decision on which facility you should seek treatment, ie. Occupational Health Office, Urgent Care or an Emergency Room.
4. You must bring the "Employees Basic Report of Injury" report with you to the initial appointment. Do not leave the form with the treating facility.
5. If you are unable to complete the "Employees Basic Report of Injury" your immediate supervisor or the Human Resource Specialist will fill out the form for you, however, you must sign the original showing you agree with all statements made on the report.
6. **All injury/illness reports must be filed with the Human Resource Specialist within 48 hours of the incident. Failure to report an incident, IN WRITING, can cause a delay in payment for services rendered, AND/OR cause the insurance company to dispute the claim.**
7. In the event an employee chooses to seek medical attention within the first twenty-eight (28) days at a physician/facility of their choice, in other then TRUE EMERGENCIES, they or their private health insurance company may be responsible for ALL COSTS.
8. After twenty-eight (28) days has passed following the injury/illness and your initial treatment at the approved facilities, you may treat with a physician/facility of your choice. However, prior to your initial treatment date, you must provide the name and address of your physician to the Montcalm County Human Resource Specialist.
9. Please ask that all medical care providers rendering treatment for your work-related injury/illness forward all billings and reports to the County Controller's Office, Attention: Human Resource Specialist, P.O. Box 368, Stanton, MI 48888. Do not process any billings through your group health insurance as this could cause a delay in payment of your claim.

FAMILY & MEDICAL LEAVE ACT POLICY

PURPOSE:

To establish policy and procedures for the use of family or medical leave for Montcalm County employees.

STATEMENTS OF POLICY:

General:

As provided by the 1993 Family and Medical Leave Act (FMLA), all eligible employees shall be entitled to take up to 12 weeks of unpaid, employment-protected leave during a 12 month period for specified family and medical reasons.

Covered Family and Medical Reasons:

An eligible employee shall be entitled to 12 weeks of unpaid leave during a 12-month period for one or more of the following reasons:

1. The birth or placement of a child for adoption or foster care;
2. To care for an immediate family member (spouse, child, or parent) with a serious health condition; or,
3. To take medical leave when the employee is unable to work because of a serious health condition.
4. A serious health condition, which shall be defined as an illness of serious and long-term nature resulting in recurring or lengthy absences. Treatment of such an illness would occur in an inpatient situation at a hospital, hospice, or residential medical care facility, or would consist of continuing care provided by a licensed health care provider.

An employee may take leave if a serious health condition makes the employee unable to perform the functions of his/her position. Employees with questions about whether specific illnesses are covered under this policy or under the County's sick leave policy are encouraged to meet with the Human Resource Specialist.

Employee eligibility:

An employee shall be entitled to family leave when he/she meets the following criteria:

1. The employee has worked for at least 12 months for the County.
2. The employee has to have worked for the employer for at least 1,250 hours over the 12 months before the leave would begin.
3. The employee must work in an office or worksite which employs 50 or more employees, or there must be 50 employees within 75 miles of the office or worksite.

4. When both spouses are employed by the County, they are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent who has a serious health condition.

Calculation of Leave:

Eligible employees can use up to 12 weeks of leave during any 12 month period. The County will use a rolling 12 month period measured backward from the date an employee uses any FMLA leave. Each time an employee uses leave, the County computes the amount of leave the employee has taken under this policy, subtracts it from the 12 weeks, and the balance remaining is the amount the employee is entitled to take at that time. For example, if an employee has taken 5 weeks of leave in the past 12 months, he or she could take an additional 7 weeks under this policy.

Maintenance of Benefits:

An employee shall be entitled to maintain group health insurance coverage on the same basis as if he/she had continued to work at the County. To maintain uninterrupted coverage, the employee will have to continue to pay their share of insurance premium payments. This payment shall be made either in person or by mail to the County Controller's Office by the first day of each month. If the employee's payment is more than 30 days overdue, the coverage will be dropped by the County.

If the employee informs the County that he/she does not intend to return to work at the end of the leave period the County's obligation to provide health benefits cease. If the employee chooses not to return to work for reasons other than continued serious health condition, the County will require the employee to reimburse the County the amount the County contributed towards the employee's health insurance during the leave period.

Other benefits such as the accrual of seniority, short term disability, and life insurance will not continue during leave. However, the use of family or medical leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.

Job Restoration:

An employee who utilizes family or medical leave under this policy will be restored to the same job or a job with equivalent status, pay, benefits, and other employment terms.

The FMLA exempts certain highly compensated, "key" employees from this job restoration requirement and does not require the County to return them to the same or similar position at the completion of FMLA leave. Employees who may be exempted will be informed of this status when they request leave. If the County deems it necessary to deny job restoration for a key employee on FMLA leave, the County will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

Use of Paid and Unpaid Leave:

If an employee has accrued paid leave of less than 12 weeks, the employee will use paid leave first and take the remainder of the twelve weeks as unpaid leave.

If an employee uses leave because of his/her own serious medical condition or the serious health condition of an immediate family member, the employee will first use all paid vacation, personal or sick leave, and then will be eligible for unpaid leave.

An employee using leave for the birth, adoption or foster care of a child will use all paid vacation, personal or family leave first, and then will be eligible for unpaid leave for the remainder of the 12 weeks.

Intermittent Leave and Reduced Work Schedules:

In certain cases, intermittent use of the twelve weeks of family or medical leave or a part of a reduced work week may be allowed by the County. Employees wishing to use leave intermittently or to utilize a reduced work week for birth or adoption purposes will need to request and gain approval for such use from the employee's department head and the Human Resource Specialist.

Employees may also use family or medical leave intermittently or as part of a reduced work week whenever it is medically necessary. If the need to use leave is foreseeable and based on preplanned and prescheduled medical treatment, then the employee is responsible to schedule the treatment in a manner that does not unduly disrupt the County's operations. This provision is subject to the approval of the health care provider.

In some cases, the County may temporarily transfer an employee using intermittent or a reduced work week to a different job with equivalent pay and benefits if another position would better accommodate the intermittent or reduced schedule.

PROCEDURES:

Procedure for requesting leave:

All employees requesting leave under this policy must complete the Family/Medical leave form available from the County Controller's Office. All use of FMLA leave must be requested by the employee. The employer will not charge an employee's FMLA leave bank or consider a leave a FMLA leave without a request from the employee to use such leave.

When an employee plans to take leave under this policy, the employee must give the County 30 days notice. If it is not possible to give 30 days notice, the employee must give as much notice as is possible.

If an employee fails to give the County 30 days notice for feasible leave with no reasonable excuse for the delay, the County may deny the taking of FMLA leave until at least 30 days after the date the employee provides notice to the County of the need for FMLA leave.

An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to the County's operations.

While on leave, employees are requested to report every thirty days to the County regarding the status of the medical condition; providing medical certification, and their intent to return to employment.

If FMLA leave was occasioned by the employee's own serious health condition; the County requires the employee to obtain and present a fitness-for-duty certification from the health care provider prior to being restored to employment.

Procedure for Notice and Certification of Serious Health Condition:

On occasion, the County may require the employee to provide notice of the need to utilize leave (where it is possible to know beforehand) and/or may require the employee to provide certification of an employee's or immediate family member's serious health condition by a qualified health care provider. The employee should try to respond to such a request within fourteen days of the request, or provide a reasonable explanation for the delay.

Qualified health care providers:

Qualified providers include doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, and chiropractors, nurse practitioners and nurse-midwives authorized to practice under State law and performing within the scope of their practice under state law; and Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts.

When seeking certification of a serious medical condition, an employee should ensure that the certification contains the following:

1. Date when the condition began; expected duration; diagnosis; and a brief statement of treatment.
2. If an employee is seeking medical leave for his/her own medical condition, certification should also include a statement that the employee is unable to perform the essential functions of the employee's position.
3. For a seriously ill family member, the certification should include a statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.
4. If taking intermittent leave or working a reduced schedule, certification should include dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

If deemed necessary, the County may ask for a second opinion. The County will pay for the employee to get a certification from a second doctor, which the County will select. If there is a conflict between the original certification and the second opinion, the County may require the opinion of a third doctor. The County will pay for the opinion. The third opinion will be considered final.

ADA POLICY

This policy is designed to provide general information to promote voluntary compliance with the Americans with Disabilities Act (ADA).

INTRODUCTION:

For many years, public agencies have expressed a commitment to providing quality response and service to all people in a fair, impartial manner. Traditionally, agencies have addressed fairness and impartiality on the basis of race, color, sex, sexual preference, national origin, religion, and, more recently, age.

People with disabilities represent the largest minority group in the nation. With the passage of the Americans with Disabilities Act in 1990, it is imperative that agencies restate their commitment, ensuring the inclusion of people with disabilities who may need reasonable accommodation in order to benefit from both services provided by the agency and employment opportunities.

Every public agency should recognize the need of people with disabilities in their mission statement and agency values. Departments must develop policies and procedures that address specific accommodations to be afforded to people with disabilities. Through enforcement of these policies, agencies must ensure equal provision of services.

Beyond adapting policies and procedures, it will be necessary for agencies to train public employees and physically modify facilities to make them accessible to and usable by people with disabilities. Agencies must eliminate physical and communication barriers that interfere with equality of employment. Agencies must ensure that workers with a disability are provided with the same benefits and privileges of employment as those enjoyed by employment as those enjoyed by employees without disabilities.

PURPOSE:

The purpose of the following policy is to provide guidance to the agency in committing itself and its employees to providing quality services to people with disabilities and complying with provisions of the Americans with Disabilities Act.

POLICY:

A. Introduction

It has been estimated that there are approximately 43 million people with disabilities in the United States. The Americans with Disabilities Act of 1990 (Title II) provides that departments of any state or local government may not exclude qualified individuals with disabilities from participation in any program, service, or activity or deny qualified individuals with disabilities the benefits of programs, services, or activities, or otherwise subject them to discrimination on the basis of disability.

B. Policy Statement

It shall be the policy of Montcalm County to ensure that a consistently high level of service is provided to all members of the community including people who may require special consideration in order to access these services.

It is the policy of this County to afford people with disabilities the same access to programs, services, and employment provided to all citizens.

C. Definitions

1. The term “qualified individual with a disability” means an individual who, (with or without reasonable modifications to rules, policies or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services) meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by public entity.
2. The term “disability” means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual, a record of such impairment, or being regarded as having such an impairment.
3. The term “reasonable accommodation” includes making existing facilities used by employees readily accessible to and usable by individuals with disabilities, job restructuring to part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment, appropriate modification of examinations, training materials or policies, and other similar accommodations for individuals with disabilities.

PROCEDURAL OVERVIEW:

No single policy or procedure can address the needs of or the nature of employee response to all people with disabilities.

It is the intent of this policy to guide employees in responding to and assisting those people with disabilities with whom they will have the most encounters in the performance of their duties and responsibilities.

In all cases, employees must take all steps necessary to assist people with disabilities in accessing the full range of immediate and follow-up services provided by the County.

OVERVIEW OF SPECIFIC DISABILITIES:

A. Introduction

It is not the intent of this policy to provide detailed information on all disabilities.

It is incumbent on the County to make information available to employees, through training and other sources, on various disabilities.

It is incumbent on all employees to become aware of the characteristics of various disabilities and the needs of people who have them.

Employees should be aware that many people have multiple disabilities.

The following section provides a brief overview of several disabilities and how the Department and its employees should respond to the needs of people with these disabilities.

B. Visual Disabilities

Knowing what not to do is as important as knowing what to do to assist a person who is vision impaired. Employees do not need to raise their voice when speaking. Employees should not grab the person's arm to lead him or her in a particular direction. If needed, the individual will take the employee's arm for guidance.

Signs and printed information at County facilities should be in large print in order to assist people with vision impairments whenever possible.

C. Mental, Emotional & Psychological Disabilities

The terms “mental illness,” “emotional illness,” and “psychological illness” describe varying levels of a group of disabilities causing disturbances in thinking, feeling, and relating. It has been estimated that ten percent (10%) of the population of the United States has some type of mental illness.

Providing accessibility to County services for people with mental, emotional, and psychological disabilities usually involves providing only general assistance.

Employees must ensure that people with mental, emotional, and psychological disabilities are assisted in accessing agency services, which may require time and patience beyond that usually provided. For example, time spent on a request for service may have to be extended in order to reassure the individual, sort facts, interact with family members and others, and bring the request for services to successful resolution.

D. Developmental Disabilities

Developmental disabilities encompass a broad range of disabilities from mild to profound. The largest percentage of people with developmental disabilities are in the ranges termed “mild” or “moderate”.

Employees should recognize that people who have mental retardation have varied degrees of limited intellectual functioning. In all situations, employees should ask short questions, be patient when waiting for answers, repeat questions and answer if necessary, and provide reassurance.

E. Mobility Impairments

Among the disabilities that are the most visibly identifiable are mobility impairments. People with mobility-related impairments include those who have difficulty walking, those who use a wheelchair or other mobility aid, and those who are immobile. County facilities should be accessible to people with mobility impairments. Entrances, interior routes, stairs, drinking fountains, rest rooms, and telephones should accommodate people with mobility impairments including those who use wheelchairs.

F. Invisible Disabilities

Many disabilities are difficult to notice. Generally, outward signs of disabilities such as epilepsy or diabetes do not exist unless the person with the disability experiences a seizure or lack of insulin.

County employees should realize that involuntary behavior associated with some invisible disabilities may resemble behavior characteristically exhibited by intoxicated or, less frequently, combative individuals.

G. Speech and Hearing Disabilities

Like other invisible disabilities, employees may confuse the behavior of individuals with hearing and speech disabilities with those of people who intentionally refuse to cooperate or those who abuse illegal substances.

It is essential that employees take extra measures to protect the rights of those seeking services who are deaf and hard of hearing.

All police facilities should be appropriately posted with clearly visible signs that provide essential information to people with hearing and impairments and be equipped with a variable volume public telephone and a TDD.

EMPLOYMENT ISSUES:

It is not the intent of this section of the policy to set forth all directives dealing with employment. Rather, it is designed to reinforce the Counties commitment to all components of the Americans with Disabilities Act. Recruitment, screening, hiring, and promotions are addressed in detail in collective bargaining contracts, personnel policies, and laws of the State and Federal Government.

A. Policy Statement

It is the policy of Montcalm County as required by Title I and the ADA that qualified individuals with a disability are not discriminated against because of their disability in regard to job application procedures, hiring, advancement, compensation, training and other terms of employment. To ensure fairness and that discrimination does not occur in the employment process, employees of the County are prohibited from engaging in the following practices:

1. Limiting, segregating, or classifying a job applicant in a way that adversely affects the opportunities of the applicant because of the disability;
2. Using standards, criteria, or methods of administration that discriminate, or that perpetuate the discrimination of others who are subject to common administration control;
3. Excluding or otherwise denying equal jobs or benefits to a qualified individual because of a known disability of an individual with whom the applicant is known to have relationship or association;
4. Not making reasonable accommodation to the known disability and otherwise qualified individual (applicant or employee), unless the accommodation imposes an undue hardship on the operation of the County.

5. Using qualification standards, employment tests, or other selection criteria that tend to screen out individuals with disabilities unless such test have been shown to be job-related and consistent with business necessity for the position in question; and,
6. Selecting and administering tests that measure and individuals impaired sensory, manual, or speaking skills resultant to a disability rather than knowledge, skills, and abilities required by a specific position.

B. Medical Screening

While engaged in pre-employment inquiries of any applicant, prior to an offer of employment, Montcalm County will not conduct a medical examination or make inquiries regarding any disability or disabilities that applicant may have.

After a conditional offer of employment has been made, the applicant may be required to undergo a medical examination and related inquiry, is such examination and inquiry has been shown to be job-related. This inquiry may include questions about the ability of an applicant or employee to perform job-related functions.

INFORMATION ON ADA:

Any employee having questions regarding the Americans with Disabilities Act, providing services to people with disabilities, or employment of people with disabilities should direct his or her inquiry to the County Controller's Office, 211 W. Main Street, P O Box 368, Stanton MI 48888.

ADA PROCEDURES

The County of Montcalm is committed to the provision of reasonable accommodation in the work place for qualified disabled employees and applicants. State and Federal law require reasonable accommodation for qualified individuals. Reasonable accommodation is a core part of the County's ADA policy which commits to the comprehensive address of the human and financial costs associated with disability in the County work place.

Reasonable accommodation shall be provided to all qualified disabled County employees who notify the County Controller's Office and require accommodation for such conditions in order to perform their essential job functions, unless such accommodations would cause an undue hardship. Reasonable accommodation shall also be provided to all qualified applicants seeking employment with the County of Montcalm, who notify the County Controller's Office and require accommodations.

A qualified individual may only allege an unlawful failure to accommodate under the ADA if he/she has notified the employer in writing for the need for such accommodation within 182 days after the individual becomes aware of the need, or should have reasonably known that the accommodation was needed.

These procedures shall apply to employees presently on the job having a permanent disability and employees returning from workers compensation leave. These procedures shall apply to recruitment, selection, placement, training, promotion, assignment, reassignment, and any other personnel actions affecting qualified disabled employees.

These procedures do not diminish the employer's or employee's obligations or rights as currently provided in applicable State and Federal law.

Following is an accommodation request form individuals should use to notify the County of the need for accommodation. These requests should be returned to the County Controller's Office.

ADA Accommodation Request

Information contained on this form is classified as **confidential** to the extent permitted by law. This accommodation request cannot be processed unless the requested position description and medical documentation is attached. **Return completed request to the County Controllers Office.**

Name: _____ Social Security No: _____
Complete Address: _____

Phone Number: Work: _____ Home: _____
Department: _____ Classification: _____

Describe the tasks and duties expected of you for which you are requesting accommodation:
(attach a copy of current job description) _____

My condition is a: (check appropriate box)
[] mental characteristic [] physical characteristic [] other*

This condition is the result of: (check appropriate box)
[] disease [] injury [] functional disorder [] congenital condition of birth
[] other (attach an explanation)

Describe in your own words the limitation caused by your condition for which you are requesting accommodation(s). Use additional page is necessary. (attach medical documentation of functional limitations.) _____

Describe any accommodation you believe would be beneficial in this job position, or relevant accommodations successfully utilized in the past. _____

I understand I am required under Section 210.18 of the Michigan Handicapper Civil Rights Act to notify an employer that I need an accommodation, within 182 after I knew of or should have reasonably known that the accommodation was needed.

Date Submitted: _____ Employee/Applicant Signature: _____

Date Received: _____ Signature of Recipient: _____

LOSS CONTROL POLICY

The County of Montcalm Loss Control Program is part of the Board of Commissioners responsibility. The Loss Control Program will be coordinated by the County Controller/Administrator (or a designee from the County Controller's Department).

The function of the Montcalm County Loss Control Program is to:

1. Discuss and formulate safety policies and recommend adoption by management
2. Conduct safety inspections to identify unsafe conditions and unsafe practices, and determine their remedies
3. Create and maintain interest in safety activities
4. Create and maintain open discussions of safety issues
5. Maintain a cooperative spirit between management and employees
6. Establish procedures for handling safety recommendations
7. Review accident investigations, make suggestions and recommendations

The purpose of the Montcalm County Loss Control Program is to provide a safe work place for employees and a safe environment for the public. All County Elected Officials, Department Heads, and Employees must recognize that the well-being of their coworkers, the public, and the protections of our physical resources are as important as the activity and work they perform. The County Board of Commissioners expects Elected Officials, Department Heads, and Employees to actively participate in its Loss Control Program by following all established safety guidelines and procedures and by contributing ideas for improvement in the areas of safety.

All County Elected Officials, Department Heads, and Employees can assist in making the Loss Control Program successful by following these established guidelines:

1. Employees are encouraged to make suggestions regarding unsafe conditions and practices and reporting these safety and health hazards by doing one of the following for the improvement of loss control.
 - a. Personally address the Board of Commissioners.
 - b. Reporting verbally to a Department Head, a County Commissioner, or the County Controller/Administrator.
 - c. Reporting in writing on a Safety or Health Hazard Form, or a memo to a Department Head, a County Commissioner, , or the County Controller/Administrator.
2. Upon receiving a reported or suggested Safety or Health Hazard, it will be addressed at a Montcalm County Board of Commissioners meeting. If it needs immediate attention, then it will be corrected by the appropriate Department.

3. All those in supervisory positions will receive MIOSHA revisions which are pertinent to their departments.
4. The County Controller's Office will continue the monitoring of MIOSHA standards.
5. The Controller's Office will work in cooperation with its insurance agent or company on inspections, laws and recommendations that will make this Loss Control Program a success and provide this information to the Board of Commissioners.
6. Everyone should remember and apply this golden rule, "Safety First".

CONFLICT OF INTEREST POLICY

Introduction:

It is the policy of the County of Montcalm that all officials and employees must avoid conflicts between their private interests and those of the general public whom they serve. To enhance the faith of the people and the integrity and impartiality of all officials and employees of the County, it is necessary that adequate guidelines be provided for separating their roles as private citizens from their roles as public servants. To that end, the following policies are adopted in relation to conflicts of interest.

Use of Information:

No official/employee shall divulge to any unauthorized person any confidential information acquired in the course of their employment with the County in advance of the time prescribed for its authorized release to the public.

Gratuities:

No official/employee shall solicit, accept or receive, directly or indirectly, any gift or loan of money, service, or other thing of value, under circumstances in which it can reasonably be inferred that the gift is intended to influence him or her in the performance of their official duties. Or is intended as a reward for any official action on their part.

Preferential Treatment:

No official/employee shall use, or attempt to use, their position with the County to unreasonably secure, request, or grant any privileges, exemptions, advantages, contracts or preferential treatment for themselves or others. No employee involved in administering an auction or bid process on the County's behalf, whether for the sale or purchase of goods or services, may participate in the purchase or sale of those goods or services.

Full Disclosure:

No official/employee shall participate as an agent or representative of the County in the negotiation or execution of contracts, making of loans, granting of subsides, fixing of rates, issuance of permits or certificates, or acting upon any matter in which he or she has a, direct or indirect, personal or financial interest, without disclosing the full nature and extent of their interest. Such a disclosure should be made before the duty is to be performed.

Outside Business Dealings:

- a. No official/employee shall engage in, accept employment, or render services for a private or public interest when that employment or service is in conflict with the duties of the official/employee. Or when that employment may tend to impair his or her independence of judgement or action in the performance of official duties.
- b. No official/employee shall engage in a business transaction in which the public or the official/employee may profit from his or her position or authority, or benefit financially from confidential information that the official/employee has obtained or may obtain through the course of their employment with the County.
- c. Unless expressly approved by the Board of Commissioners, no employee of the County may bid or offer a proposal for services or for an item to be purchased by the County if the bid or proposal directly impacts the department in which he or she works. However, the Board of Commissioners exempts employees of the County providing court transcripts.

Use of County Property:

No official/employee shall, directly or indirectly, use, or permit a relative or other person to use, County property of any kind for his or her private economic interest or that of a relative or other person. County officials/employees shall strive to protect and conserve all County property including equipment and supplies entrusted or issued to them.

Suppression of Public Information:

No county official/employee of the County of Montcalm shall suppress any public county report, document or other information available to the general public because it might tend to affect unfavorably their private financial or political interest.

Intent of Policy:

It is the intention of the above statements that all County officials and employees avoid any action which might result in or create the appearance of:

- a. Using public employment for his or her private gain.
- b. Giving or accepting preferential treatment to or from any organization or person.
- c. Impeding County efficiency or economy.
- d. Losing complete independence or impartiality of action.
- e. Making a County decision outside proper channels.
- f. Affecting adversely the confidence of the public or integrity of the County of Montcalm.
- g. Giving or accepting preferential treatment in the use of County property.

This Conflict of Interest Policy is intended to be preventative in nature. It should not be construed to interfere or abrogate in any way the provisions of any Michigan Statute or County ordinance. This declaration of policy is not intended to prevent any official/employee of the County of Montcalm from receiving compensation for work performed on his or her own time as a private citizen and not involving County business.

Violation of Policy:

Any incident occurring in violation of the Conflict of Interest Policy shall be reported immediately to the County Controller. If the conflict of interest should involve the County Controller, the violation should be reported immediately to the Board of Commissioners. The County Controller will take appropriate action to investigate any potential conflict of interest. A report of the investigation will be given to the Board of Commissioners. In cases where the violation involves an appointed or elected official, the Board of Commissioners will decide on appropriate action to take based on the investigation. For other employees, the County Controller in cooperation with the Department Head of the employee will take appropriate action. The appropriate action could include, but is not limited to, the following:

- a. Referral of the matter to a higher authority.
- b. Pursuing further investigation by the controlling authority.
- c. Taking appropriate disciplinary action, including termination of employment or removal from office.
- d. Deeming no action to be necessary.

E-MAIL POLICY

The County of Montcalm Electronic Mail System (e-mail) is designed to facilitate County business communication among employees and other business associates for messages or memoranda.

The e-mail system is County property and intended for County business. The system is not to be used for employee personal gain or to support or advocate for non-county related business or purposes. All data and other electronic messages within this system are the property of Montcalm County. E-mail messages will be available for County records depending on their content and therefore would need to adhere to department data retention schedules (see: Retention of E-mail, below).

In addition, the County through its managers and supervisors, reserves the right to review the contents of employee's e-mail communications when necessary for County business purposes. Employees may not intentionally intercept, eavesdrop, record, read, alter, or receive other persons' e-mail messages without proper authorization. The misuse of e-mail privileges shall be disciplined in accordance with applicable rules or laws.

The County's IT provider and Department Directors are responsible for the implementation and adherence of this policy within their departments. In the event that any department or division policy contradicts this policy, this policy shall govern. This policy may be changed only upon the written approval of the County Board of Commissioners.

General Information on Passwords:

While you have a confidential password, users should be aware that this does not suggest that the system is for personal confidential communication, nor does it suggest that e-mail is the property right of the employee. The use of the e-mail system is for County business. Passwords will be regularly changed to ensure security of the e-mail system. Users should not share their password with anyone else.

Internet:

Internet provides the County with significant access and dissemination of information to individuals outside of Montcalm County. The use of the internet is intended to serve County business. Like all e-mail messages, internet messages are capable of being forwarded without the express permission of the original author. Therefore, users must use caution in the transmission and dissemination of messages outside of the County, and must comply with all state and federal laws.

Prohibited Uses:

Solicitation of funds, political messages, harassing messages and other such messages are specifically prohibited. All e-mail messages are subject to the Rules of Conduct and all state and federal rules.

Retention of E-mail:

Generally, e-mail messages are temporary communication which are non-vital and may be discarded routinely. However, depending on the content of the e-mail message, it may be considered a more formal record and should be retained pursuant to a department's record retention schedules. Examples of messages of this nature are: policy, decision making, connected to specific case files, contract related or otherwise an essential part of a larger record, or other memorandum of significant public business. As such, these e-mail messages are similar to printed communication and should be written with the same care. Each department director is responsible for establishing and maintaining department retention schedules for the information communicated through the e-mail system.

However, employees should be aware that when they have deleted a message from their mailbox it may not have been deleted from the e-mail system. The message may be residing in the recipient's mailbox or forwarded to other recipients. Furthermore, the message may be stored on the computer's back-up system.

Bulletin Board, Conference Type Systems, and Google Drive:

Montcalm County e-mail bulletin board, conference type features (bulletin board), and Google Drive are to be used for County business purposes. Bulletin board type systems allow many users to access and exchange information with other users who are provided access to that bulletin board.

Bulletin board-type systems may be set-up to limit access to specific individuals. Most messages on a bulletin board-type system are accessible to many users or posted for public dissemination.

Department directors or their designee are responsible for the approval of establishing new bulletin boards. The procedure for opening a bulletin board or conference type system follows:

1. Department directors or their designee must authorize the establishment of the bulletin board based on the sponsor's (sponsor or requestor) stated business purpose.
2. Bulletin Board access can be restricted to a few people, or to the general e-mail population, this determination should be made by the creator/requestor. Limited access by the requestor and guidelines for each user can provide some security for a specific bulletin board.

Applicability to Employees, Part-time Employees, Contractors, and Other Users:

This e-mail policy applies to all employees, contractors, part-time employees, volunteers, and other individuals who are provided access to Montcalm County's e-mail system. Third parties should only be provided access to the Montcalm County e-mail system as necessary for their business purpose with the County, and only if they abide by all applicable rules. Contractors and third-party users who are in violation of this policy may be removed from the e-mail system and/or have their contract revoked. In addition, other legal remedies may be pursued.

Employee Termination, Leave of Absence, Vacation, and other:

Employees who are terminated or laid off have no right to the contents of their e-mail messages and are not allowed access to the e-mail system. Supervisors or management may access an employee's e-mail if employees are on leave of absence, vacation, or are transferred from one department to another department and is necessary for County business purposes.

Penalties:

The misuse of e-mail privileges shall be disciplined in accordance with the applicable county policy and procedure manuals, collective bargaining agreements, and/or other applicable rules or laws. Violation(s) of the e-mail policy may be grounds for dismissal. In addition, violations of this policy or misuse of the e-mail system may be referred for criminal prosecution.

COMPUTER NETWORK AND INTERNET ACCESS POLICY

The Montcalm County Board of Commissioners authorizes the use of county owned computers, the Internet, and online services for the support of county tasks when necessary. These technologies are available to enhance the ability of county offices to provide high quality information to Montcalm County residents, to increase the efficiency of communications within and between government offices, and to expand the county's responsiveness to the public.

Disclaimer:

The Internet is a constantly growing worldwide network of computers and servers that contain millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. Users are further cautioned that it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. Additionally, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Employees and users herein referred to as "users" or "user", accessing the Internet do so at their own risk and understand and agree that the County of Montcalm herein referred to as "County" is not responsible for material viewed or downloaded by users from the Internet. To minimize these risks, your use of the Internet at the County is governed by the following policy:

Permitted Use of Internet and County Computer Network:

The computer network is the property of the County and is to be used for legitimate business purposes. Users are provided access to the computer network to assist them in the performance of their jobs. Additionally, users will also be provided with access to the Internet through the computer network. All users have a responsibility to use The County's computer resources and the Internet in a professional, lawful and ethical manner. Abuse of the computer network or the Internet, may result in disciplinary action, including possible termination, and civil and/or criminal liability. All computers connecting to the Montcalm County computer network will be required to have system integrity software installed prior to connecting to the network or Internet. Only data files that are stored on the network server(s) will be recovered in the case of a computer failure.

General Information on Passwords:

While you have a confidential password, users should be aware that this does not suggest that the system is for personal confidential communication, nor does it suggest that e-mail or stored data is the property right of the employee. The use of the computer, e-mail system is for County business. Passwords will be regularly changed to ensure security of the e-mail system. Users should not share their password with anyone else.

Artificial Intelligence:

Some websites, applications, systems, and other technology resources utilize artificial intelligence. These artificial intelligence tools ("AI tools") can independently adapt, learn, and make decisions or predictions using machine learning, deep learning, neural networks, natural language processing, predictive analytics, or other advanced analytical methods. AI tools are not

a substitute for human intelligence and judgement and should be used to enhance and not to replace human skills. AI tools may not be used in a manner that may be unethical, illegal, harmful, or in violation of the County's policies. Employees must not use AI tools to make decisions that could impact human rights or welfare, and must not provide confidential or sensitive data to the operator of an AI tool without first receiving permission from the County and obtaining necessary consents to processing. Any employee wishing to use an AI tool must pursue training regarding responsible and fair use of the AI tool, including privacy protection, mitigating bias, and reporting issues. In the event that the County directs that employees discontinue the use of any particular AI tool, employees shall respect that directive and discontinue use of such AI tool immediately.

Computer Network Use Limitations

1. Prohibited activities:

Without prior written permission from the County, the County's computer network may not be used to disseminate, view or store commercial or personal advertisements, solicitations, promotions, destructive code (e.g., viruses, Trojan horse programs, etc.) or any other unauthorized materials. Occasional limited appropriate personal use of the computer is permitted if such use does not, a) interfere with the users or any other employee's job performance; b) have an undue effect on the computer or County network's performance; and c) or violate any other policies, provisions, guidelines or standards of this agreement or any other of the County. Further, at all times users are responsible for the professional, ethical and lawful use of the computer system. Personal use of the computer is a privilege that may be revoked at any time.

2. Illegal Copying:

Users may not illegally copy material protected under copyright law or make that material available to others for copying. You are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material you wish to download or copy. You may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of the County.

3. Communication of Trade Secrets and Confidential Information:

Unless expressly authorized to do so, users are prohibited from sending, transmitting, or otherwise distributing proprietary information, data(including personal identifying information about a specific person), trade secrets or other confidential information belonging to the County. Unauthorized dissemination of such material may result in severe disciplinary action, including termination, as well as substantial civil and criminal penalties under State and Federal Economic Espionage laws.

Employee Termination, Leave of Absence, Vacation, and Other:

Employees who are terminated or laid off have no right to the contents of their e-mail messages, stored data in any location, and are not allowed access to the e-mail system. Supervisors or management may access an employee's e-mail if employees are on leave of absence, vacation, or

are transferred from one department to another department and as necessary for County business purposes.

Applicability to Employees, Part-time Employees, Contractors, and Other Users:

This policy applies to all employees, contractors, part-time employees, volunteers, interns and other individuals who are provided access to Montcalm County's network. Third parties should only be provided access to the Montcalm County network or systems as necessary for their business purpose with the County, and only if they abide by all applicable rules. Contractors and third-party users who are in violation of this policy will have access removed from the systems and/or have their contract revoked. In addition, other legal remedies may be pursued.

Duty Not to Waste or Damage Computer Resources

1. Accessing the internet:

To ensure security, avoid the spread of viruses & malware, and to maintain the County's Internet Usage Policies or Acceptable Use Policies, employees may only access the Internet through a computer attached to The County's network and approved Internet firewall or other security device(s). Bypassing The County's computer network security by accessing the Internet directly by proxy or avoidance techniques or by any other means is strictly prohibited.

2. Frivolous use:

Computer resources are not unlimited. Network bandwidth and storage capacity have finite limits, and all users connected to the network have a responsibility to conserve these resources. As such, users must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online social media, chat groups, video streaming or other large bandwidth utilizing services, uploading or downloading large files, accessing streaming audio and/or video files, or otherwise creating unnecessary loads on network traffic associated with non-business-related uses of the Internet.

3. Virus detection:

Files obtained from sources outside the County, including disks brought from home, files downloaded from the Internet, newsgroups, bulletin boards, or other online services; files attached to e-mail, and files provided by customers or vendors, may contain dangerous computer viruses that may damage the County's computer network. Users should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-County sources, without first scanning the material with County-approved virus checking software. If you suspect that a virus has been introduced into the County's network, notify the Information Technology Department immediately.

No Expectation of Privacy:

Employees are given computers and Internet access to assist them in the performance of their jobs. Employees should have no expectation of privacy in anything they create, store, post, send or receive using the County's computer equipment. The computer network and all data is the property of the County and may be used only for County purposes.

Waiver of Privacy Rights:

User expressly waives any right of privacy in anything they create, store, post, send or receive using the County's computer equipment or Internet access. User consents to allow County personnel and any authorized third party access to and review of all materials created, stored, sent or received by User through any County network or Internet connection.

Monitoring of Computer and Internet Usage:

The County has the right to monitor, log and archive any and all aspects of its computer system including, but not limited to, monitoring Internet sites visited by users, monitoring chat and newsgroups, monitoring file downloads, and all communications sent and received by users via e-mail, online and local storage, IM, chat & social networking.

Blocking Sites with Inappropriate Content:

The County has the right to utilize hardware and software that makes it possible to identify and block access to Internet sites containing sexually explicit or other material deemed inappropriate in the workplace.

Blocking Sites with Non-productive Content:

The County has the right to utilize hardware and software that makes it possible to identify and block access to Internet sites containing non-work-related content such as, but not limited to, drug abuse; hacking; illegal or unethical; discrimination; violence; proxy avoidance; plagiarism; child abuse; alternative beliefs; adult materials; advocacy organizations; gambling; extremist groups; nudity and risqué; pornography; tasteless; weapons; sexual content; sex education; alcohol; tobacco; lingerie and swimwear; sports; hunting; online gaming; freeware and software downloads; file sharing and offsite storage; streaming media; peer-to-peer file sharing; Internet radio or TV; Internet telephony; online shopping; malicious websites; phishing; SPAM; advertising; brokerage and trading; web-based personal e-mail; entertainment; arts and culture; education; health and wellness; job search; medicine; news and media; social networking; political organizations; reference; religion; travel; personal vehicles; dynamic content; folklore; web chat; instant messaging or IM; newsgroups and message boards; digital postcards; education; real estate; restaurant or dining; personal websites or blogs; content servers; domain parking; personal privacy; finance and banking; search engines and portals; government and legal organizations; web hosting; secure sites; or web-based applications.

PROCEDURE FOR UTILIZING INMATE WORKERS FOR POSITIONS WITH INTERACTION WITH COUNTY EMPLOYEES

Occasionally the County of Montcalm will utilize inmate workers to assist with custodial and maintenance needs. We have therefore established rules to follow for county employee's to follow when interacting with these inmate workers. Please use the procedure below as a guideline.

1. Inmate workers will not be given extra food items (cookies, coffee, soft drinks etc.) without the express consent from the Sheriff, Undersheriff or Jail Administrator. The elected official or department head should be the person making any such request.
2. County employees will not make arrangements to transport inmate workers home on their release date or to any appointment etc. unless consent is received from the Sheriff, Undersheriff or Jail Administrator or unless the worker is an immediate family member of the employee.
3. No mail, packages, money, food, supplies, clothing or other unauthorized items will be accepted by any county employee from U.S. Mail, UPS, Fed Ex or directly from any of the inmate workers family either direct or indirect unless authorized by the Sheriff, Undersheriff or Jail Administrator.
4. Inmate workers will not be allowed to loiter in any employee work area. Upon completion of their work assignment they will be returned to the jail.
5. Inmate workers who use profanity, or show assaultive or abusive behavior towards other inmates, the public or employees shall be reported to the jail administration immediately.

Employees must remember that establishing over familiarity with inmate workers may allow that inmate to take advantage of that employee at a later date and time. It is recommended that inmates are addressed as either Mr. (last name) or Sir etc. and the use of their first names should be avoided. Inmates are advised to address employees as either ma'am, sir or as Mr. (last name) or Mrs./Miss (last name).

Employees should remember to refrain from talking about their personal lives etc. while inmate workers are present in the area where they work.

The inmates utilized in this program are only non-violent, minimum-security inmates; however, they are still INMATES.

RULES OF CONDUCT

What follows is a representative list of unacceptable conduct that will subject an employee to discipline, up to and including discharge.

1. Excessive absenteeism.
2. Excessive tardiness.
3. Failure to properly report absence from work in accordance with the County's attendance policy or without showing good cause for not so reporting.
4. Making false statements or submitting false documents for the purpose of explaining an employee's absence from work or failure to properly report such absence.
5. Leaving work during the employee's working hours without the department head's permission.
6. Failure to promptly report and start work after lunch break and rest period.
7. Making false statements or submitting false documents for the purpose of obtaining a leave of absence.
8. Violation of safety rules or procedures established by the County.
9. Failure to immediately report accidents or personal injuries.
10. Violation of the County's policy on drugs and alcohol.
11. Violation of the County's policy on harassment.
12. Gambling on County premises.
13. Falsification of an employment application, of time reports, production records, or any other County records or reports.
14. Unauthorized possession of County property, products, or equipment.
15. Theft or misappropriation of County property, another employee's property, or property entrusted to the County, or in the County's possession.
16. Deliberately damaging, misusing, destroying, abusing, or misplacing property belonging to the County or another employee.

17. Sabotage.
18. Misuse, removal from the premises, or disclosing without proper authorization any employee list, County record, or County confidential information of any nature.
19. Disorderly conduct, horseplay, threatening, abusing, or interfering with another employee or supervisor.
20. Fighting on County premises at any time.
21. Physical, verbal, or mental abuse of visitors, supervisors, or fellow employees.
22. Immoral or indecent conduct.
23. Sleeping during scheduled working hours.
24. Refusal to release or give information or otherwise fail to cooperate with an internal investigation.
25. Unauthorized purchases through the County.
26. Possessing explosives attempting to bring on County premises at any time, except as specifically authorized.
27. Conviction of a felony while employed by the County (whether appealed or reversed).
28. Conviction of any drug related offense (including pleas of guilty or nolo contendere [no contest]).
29. Refusal or intentional failure to perform a job assignment or follow instructions. All employees are expected to follow instructions and perform the job and duties assigned to them.

As a reminder Michigan is an “at-will” employment state. This means absent an employment contract, both the employer and employee are free to terminate the employment at any given time, and for any legitimate purpose.

CERTIFICATION AND ACKNOWLEDGMENT

I have been given a copy of the Policy and Procedure Manual of Montcalm County.

Questions related to the interpretation or application of the provision of this manual should be directed to the County Controller.

I acknowledge that I have read the manual in its entirety and have paid special attention to the following policies:

1. Harassment Policy
2. Worker's Compensation Policy
3. Family & Medical Leave Act Policy
4. ADA Policy & ADA Procedures
5. Loss Control Policy
6. Conflict of Interest Policy
7. Email Policy
8. Computer Network and Internet Access Policy
9. Procedure for Utilizing Inmate Workers

By signing this certification and acknowledgement, I understand that I will be held accountable for the violation of any policy or procedure within.

Signature of Employee

Date

INTERNET/ONLINE SERVICES USE REQUEST

I hereby request access to the Internet via a Montcalm County account. My signature below certifies that I have read the Internet and Online Services Use Policy and Procedures, and that I understand, accept and will abide by the provisions stated in them.

Signature: _____

Name: _____

Department: _____ Phone: _____

Department Head Approval: _____

Date: _____

Information Technology Registered Name(s): _____

(To be assigned by the IT Department)

**PLEASE RETURN THE COMPLETED FORM TO THE
OFFICE OF THE COUNTY CONTROLLER**