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OGEMAW COUNTY
PERSONNEL MANUAL

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OGEMAW COUNTY PERSONNEL MANUAL FOR NON-UNION EMPLOYEES

SCOPE, PURPOSE AND INTENT

This personnel manual is applicable to non-union personnel employed by Ogemaw County (hereinafter sometimes referred to as "County" or "Employer"). It is not applicable to any employee or group of employees which is now or shall hereafter be included in a union bargaining unit or covered under a collective bargaining agreement. Further, this personnel manual is not applicable to any elected County positions.

It is the purpose and intent of this manual to act as an information outline of benefits that Ogemaw County intends to extend to some of its employees. This manual should not be construed as creating a contract between the Employer and any of the applicable employees. The interpretation and operation of the benefits noted herein are within the sole discretion of the Ogemaw County Board of Commissioners (hereinafter sometimes referred to as "County Board"). Benefits outlined in this document may be added to, expanded, reduced, deleted or otherwise modified by the Ogemaw County Board of Commissioners and any such modifications in the manual shall be solely within the discretion of the County Board. The Employer reserves and retains, solely and exclusively, all rights to manage and operate its affairs and neither the constitutional nor the statutory rights, duties and obligations of the Employer shall in any way whatsoever be abridged by the terms of this manual.

No person or representative of the Employer, other than the County Board of Commissioners, has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the provisions contained herein. The employees covered under this manual are employees at will. Their employment and compensation can be terminated with or without cause and with or without notice. An employee cannot rely upon custom or prior practice. The fact that these policies may have been applied differently in the past does not affect their current or future enforcement.

The policies included in this Personnel Manual supersede, replace and control any prior personnel manuals, policies, representations, contracts, or practices with the exception of insurance related benefits. With regard to insurance related benefits, the actual plan documents and/or policies control, rather than the summary descriptions contained here. Further, the County reserves and retains, solely and exclusively, all rights to manage and operate its affairs and such rights of the County shall not in any way be abridged by the terms of this manual.

Questions regarding policy interpretation should be directed to the Ogemaw County Board of Commissioners.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

Our employment practices are based on job qualifications without regard to race, color, national origin, religion, age, sex, marital status, height, weight, handicap, or any other protected status.

Handicapped employees who feel accommodation is needed to perform their job must notify the County Clerk in writing of the need for reasonable accommodation within 182 days after the date the employee knew or reasonably should have known that an accommodation was needed. Failure to properly notify Ogemaw County will preclude any claim that Ogemaw County failed to accommodate the handicapped employee. Ogemaw County will make accommodations that do not pose an undue hardship to the County.

A. Sexual Harassment

Ogemaw County's equal employment opportunity policy against discrimination and harassment prohibited by law includes a prohibition against sexual harassment.

The law defines sexual harassment as unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when either:

1. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting the individual, for example the individual obtaining employment; OR
2. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or create an intimidating, hostile or offensive employment environment. This includes, but is not limited to:
 - a. Sexually-oriented jokes, gestures, noises, remarks or comments about a person's sexuality or sexual experience directed at or made in the presence of an employee;
 - b. Sexual or discriminatory displays or publications; and
 - c. Retaliation for sexual harassment complaints.

The foregoing policies require that each individual exhibit, in his or her conduct and communications, sound judgment and respect for the feelings and sensibilities of each employee.

B. Reporting Illegal Discrimination Or Harassment

It is the policy of Ogemaw County that any employee who in good faith believes he or she has been subjected to illegal discrimination or harassment prohibited by law, or who believes in good faith he or she has observed discrimination or harassment prohibited by law, must report that fact immediately in writing to :

1. His/her immediate supervisor; or
2. If the individual does not feel comfortable with their supervisor, the individual should feel free to bypass his/her supervisor and file a written complaint with the Department Head; or

3. If the individual does not feel comfortable with the Department Head, the individual should feel free to bypass the Department Head and file a written complaint with the Chairperson of the Board of Commissioners.

A report or complaint will be promptly investigated and remedial action, up to and including immediate discharge, will be undertaken as appropriate. To the extent possible, the investigation will be conducted in a manner calculated to protect the privacy of the individuals involved, and the confidentiality of the complainant. If a report of discrimination or harassment prohibited by law is made in good faith, Ogemaw County will protect the reporting individual from retaliation or any other detrimental impact on his or her employment.

OPEN DOOR POLICY

Complaint Procedure

1. This complaint procedure shall be applicable to regular County employees covered under this Manual. Excluding, however, employees employed by elected County officials (sheriff, treasurer, clerk, register of deeds, drain commissioner, prosecutor) for disciplinary or discharge matters. Complaints of employees working for elected officials for disciplinary or discharge matters who are not covered by a collective bargaining contract may be considered under this procedure if such elected official, at their option, permit the same, and requests processing of the grievance in writing to the Board. This complaint procedure also is not applicable to any County elected officials or County employees who receive direct appointment by the County Board of Commissioners such as appointed department heads.
2. Should any regular employee of the County to which this procedure is applicable, have a complaint about the interpretation or application of personnel policies, the following steps will be taken:

STEP 1.

All complaints shall be submitted within five (5) working days of its occurrence or when the employee should reasonably have obtained knowledge of its occurrence. If not so submitted, the complaint shall be considered automatically closed.

The employee shall reduce the complaint to writing and present it to his/her department head as outlined above. The complaint shall be signed by the employee. The department head shall, within ten (10) working days after receipt of the written complaint, give his/her decision in writing.

Unresolved complaints shall proceed to STEP 2, provided they have been appealed within five (5) working days from the date the department head's answer was received or due.

STEP 2.

In the event the complaint is not settled at STEP 1, the complaining party may appeal within five (5) days of the department head's answer to the County Board of

Commissioners.

The Board of Commissioners will hear the controversy at one of their normally scheduled meetings as determined by the chair. The chair may, at his/her discretion, set up a special meeting to hear the controversy. In addition, the chair may require transcripts of the hearing be taken by a certified court stenographer and placed on file with the clerk's office. The employee may appear before the Board to present his/her complaint. The employee may present witnesses and evidence and be represented by an attorney or other person of his/her choosing. The decision of the Board of Commissioners shall be binding and final on all parties.

For employees who have been discharged and who have been employed for one (1) year or more, the Board of Commissioners, within its sole discretion, may provide up to four (4) weeks severance pay and continue health insurance premium payments for that time, provided the employee is not receiving unemployment benefits during that period.

The decision of the Board of Commissioners shall be binding and final on all parties.

3. Any complaint not appealed from Step 1 to Step 2 within the prescribed time limit shall be considered dropped and not subject to further appeal.

GENERAL INFORMATION

A. Work Schedules

Work schedules for employees vary throughout our organization. Department Heads will advise employees of their individual work schedules. Staffing and operational needs may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

B. Meal Breaks

Each full time non exempt FLSA employee will normally be allowed a one (1) hour unpaid break for lunch. The specific lunch break will be scheduled by your department head. Employees will be relieved of active responsibilities during meal periods. Employees are required to punch out on their time cards.

C. Rest Breaks

Full-time, non exempt FLSA employees are Rest breaks are generally allowed rest breaks twice a day. To the extent possible, rest periods will be scheduled with one in the first four (4) hours of the work day and one in the last four (4) hours of the work day. Each rest break period is not to exceed fifteen (15) minutes and will be scheduled by your department head. Rest breaks do not accumulate if not taken. Employees are required to punch out on their time cards.

D. Overtime

It is our intent to keep overtime at a minimum. Those full-time employees who are considered elected, executive, administrative and professional, and are in classifications exempt from the overtime provisions of the Federal Fair Labor Standards Act, shall not be entitled to overtime compensation. Other employees who work in excess of forty (40) hours in a given week shall be paid at the rate of one and one-half (1 1/2) times their normal hourly rate of pay for the overtime worked.

"Overtime" is defined as authorized work performed by full-time employees in excess of 40 hours in a regular work week. Part-time employees are only eligible for overtime if they work in excess of forty (40) hours per week and, like eligible full-time employees, do not hold positions which are exempt from overtime under the Fair Labor Standards Act. From time to time, you may be requested to work longer than your scheduled shift. Overtime pay is based on actual hours worked. Time off on any leave, vacation or absense is not considered hours worked for purposes of performing overtime calculations. Your supervisor will give you as much advance notice as possible when extra work is required. You should not begin working before your normal starting time, work through your lunch period or other unpaid breaks, or continue working after your normal quitting time without first getting your supervisor's approval. Overtime shall not be worked without prior approval of the Department Head. Unauthorized overtime may result in discipline.

E. Employment Status

1. Regular, Full Time Employees

Regular, Full Time status employees are hired to fill job positions that are classified in accordance with assigned job duties and authorized by the Board of Commissioners. Funds for regular status positions are budgeted specifically to support the positions. Regular full time staff are regularly scheduled to work a thirty five (35) hour work week with exceptions authorized by the Board of Commissioners. Regular Full Time employees are, subject to the terms and conditions of the position and the benefit plan documents, generally eligible for certain fringe benefits.

For the first six (6) months of a regular employee's employment they shall not receive, accumulate or be entitled to use sick or vacation days. If regular employees are still employed after six (6) months they shall receive these benefits back to their date of hire.

2. Part Time Employees

Part Time employees are not assigned to a temporary status and are regularly scheduled to work less than thirty five (35) hours per week. Part Time employees are not eligible for fringe benefits.

3. Temporary Employees

Temporary employees may be full time or part time, and are employed in a position for a specific limited duration. These employees are generally hired for the purpose of relieving regular staff members who are absent due to illness, vacation or leave of absence, or for augmenting the

regular staff to meet requirements that may be occasioned by periodic work loads. Temporary employees will generally be paid at an hourly rate based on the starting salary for the position they hold and any exceptions must be authorized in writing by the County Board of Commissioners. Temporary employees shall not receive fringe benefits such as but not limited to, health insurance, vacation, sick leave and holiday pay. Employment beyond any initially stated period does not, in any way, imply a change in employment status.

F. Timekeeping

Accurately recording time worked is the responsibility of every non-exempt employee. In addition, exempt employees are expected to keep a log of all hours worked. It is the employees responsibility to sign their time cards and certify their accuracy.

G. Pay Periods

County employees are normally paid every other Thursday. Each pay period covers the two (2) weeks ending on the Friday before you are paid. In the unlikely event that there is an error in the amount of pay, the employee must promptly bring the discrepancy to the attention of the Payroll Department so that corrections can be made as quickly as possible.

H. Mileage Reimbursement and Travel Expenses

Employees who are required by the County to use their personal vehicles during the course of employment for carrying out their job responsibilities for the County, shall be reimbursed at a mileage rate determined by the County each year. All business travel must be approved in advance by the Department head.

Employees whose travel plans have been approved may be required to make all travel arrangements through the County's designated travel Agency.

When approved, the County will reimburse the reasonable costs of travel, meals, lodging and other reasonable expenses in amounts determined by the Board of Commissioners directly related to the accomplishment of County objectives. Employees must submit completed travel expense reports and all receipts monthly.

BENEFITS

A. Medical, Dental Insurance

Ogemaw County presently offers medical and dental insurance for eligible regular full-time employees. You should contact the the County Clerk's Office regarding coverage, eligibility requirements and required employee contributions. The terms of the benefit will be controlled by the insurance carrier's plan description.

Ogemaw County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer contribution or benefit plan. This summary is intended solely as a quick reference. An employee's benefits are governed by the plan description and plan documents. In the event any conflict between this summary and the plan documents, the plan documents control.

B. Life Insurance

Ogemaw County presently offers life insurance for eligible regular full-time employees. You should contact the County Clerk's Office regarding coverage, eligibility requirements and required employee contributions. The terms of the benefit will be controlled by the insurance carrier's plan description.

Ogemaw County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer contribution or benefit plan. This summary is intended solely as a quick reference. An employee's benefits are governed by the plan description and plan documents. In the event any conflict between this summary and the plan documents, the plan documents control.

C. Workers' Disability Compensation

Ogemaw County currently provides workers' disability compensation insurance at no cost to you. In the event of a work-related injury or condition, workers' disability compensation insurance may provide wage loss benefits.

Following an accident at work or upon learning of a medical condition arising out of your employment with Ogemaw County, you must notify your supervisor immediately so that a report may be filed with Ogemaw County's insurance provider. Ogemaw County may require a medical release prior to allowing an employee to return to work. Ogemaw County may require that the employee submit to necessary medical evaluation by a doctor selected by Ogemaw County or Ogemaw County's insurance carrier.

D. Pension Plan

Ogemaw County also currently provides a pension and profit sharing plan for eligible regular full time employees covered by this Personnel Manual. The plans are described in detail in the plan statement which is available from the County Clerk. The terms of the plan statement control the benefits provided thereunder and the employee's eligibility for benefits.

Ogemaw County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer contribution or benefit plan. This summary is intended solely as a quick reference. An employee's benefits are governed by the plan description and plan documents. In the event any conflict between this summary and the plan documents, the plan documents control.

ALLOWABLE PAID DAYS

Holidays

Ogemaw County observes the following holidays:

January 1, New Year's Day
Martin Luther King Day
Good Friday
Memorial Day
4th of July
Labor Day

Veterans' Day
Thanksgiving Day
Day after Thanksgiving Day
Scheduled workday before Christmas Day
Christmas Day
Scheduled workday before New Years' Day

All offices will close except those required by law to remain open. Regular Full Time employees who have completed thirty one (31) days of service in an eligible employment classification shall only receive holiday pay if they work the day before and the day after a holiday, unless excused by their department head.

When one of the holidays specified above falls within an eligible employee's approved vacation period and the employee is absent from work during the regular scheduled work week because of such vacation, the employee can take an additional day off.

Holiday pay will be calculated based on the employee's straight time pay rate (as of the date of the holiday) multiplied by the number of hours the employee would have been scheduled to work on that day. If eligible, non-exempt employees work on a designated holiday, they will receive holiday pay in addition to their straight time rate for the hours worked on the holiday. Holiday time will not be counted as hours worked for purposes of determining overtime.

B. Vacations

Eligible full time regular employees shall earn paid vacation days at the beginning of each date of hire year in accordance with the following schedule:

Full-time employees hired prior to 1-1-95:
6 months to 1 year employment
1 year through 4 years employment
5 years or more employment

3 working days
10 working days
15 working days plus 1 day for
each year in excess of 5 years
seniority up to a maximum of 23
days

Full-time employees hired on 1-1-95 and thereafter:

After 1 year employment
After 3 years employment
After 5 years employment

5 working days
10 working days
15 working days

Eligible Full Time employees who have not completed six (6) months of qualified service are not eligible for vacation days. However, employees will be credited with vacation time once the period has been completed.

Employees may not accumulate more than two-times the annual vacation days permitted the employee on the above-stated schedule. Any vacation days accumulated in excess of this maximum shall be lost unless approved by the employee's Department Head.

Vacation days must be scheduled in advance with the department head. Department heads retain the right to approve and disapprove, in whole or in part, vacation requests, and may reschedule vacations dependent upon the department's operational needs.

Vacation time can be used in minimum increments of one-half day. Vacation pay is paid at the employee's base rate at the time of vacation, and does not include overtime or any other forms of compensation.

C. Sick/Personal Leave

1. Paid Sick Leave.

Each full-time employee will earn one (1) workday of paid sick leave for each calendar month of employment. Paid sick leave payments will be calculated at the rate of the job the employee last held prior to receiving such payment. During any full month in which an employee is in a non-pay status, no sick leave shall be accumulated for that month.

Unused paid sick leave shall be accumulative to a maximum of ninety six (96) working days.

It is understood by the parties that the County may request, at their option, a doctor's report from any employee who is on sick leave.

If the use of sick leave is excessive or the Employer has reason to believe it is abusive, medical verification will be required. If this entails a cost not otherwise required, it shall be borne by the Employer only if it is determined that the use of sick leave was proper. Payment by the Employer will be made only if the examination is directed by the Employer.

Any abuse of this Section shall be cause of disciplinary action.

An employee returning to work from paid sick leave will assume the classification he previously held.

Sick leave may be used for doctor's appointments, physical checkups and dental work. A minimum of one-half (½) hour may be scheduled and all time off will be charged in one-half (½) hour increments even though the employee may use less time.

Employees must notify their Department Head or his/her designee at the earliest opportunity when they will be off work because of illness.

The Employer reserves the right to require an employee, at the Employer's expense, if not covered by the employee's insurance, to take a physical or mental examination (1) if it should appear that said employee is having difficulty in performing his/her duties, or (2) on return from any kind of medical leave of absence. The physical or mental examination shall be given by a doctor selected by the Employer. If the employee is not satisfied with the determination of the designated physician of the Employer, he/she may submit a report from a doctor of his/her own choosing. If the dispute still exists, at the request of the Employer or employee, the designated physician of the Employer and the employee's doctor shall agree upon a third doctor to submit a report to the Employer and the employee, and the decision of such third party shall be binding on all the parties. The expense of the third party shall be shared equally by the Employer and the employee if not covered by the employee's insurance. On the basis of said examination, the Employer shall take appropriate action.

An employee who finds it necessary to use sick time for an accident or illness must notify his/her supervisor no later than two (2) hours after the start of the work day, if possible. The supervisor must be contacted on each additional day of absence.

Sick days will not be granted for absences due to weather conditions, transportation problems or other reasons except those specified herein.

Employees returning to work from an illness or leave of absence may be required by his/her department head to submit a statement from his/her physician qualifying his/her ability to work or to verify the illness.

Personnel taking sick leave on their last scheduled day of work before a holiday or vacation, and/or their first scheduled day after a holiday or vacation may be required to submit a statement from their physician verifying the illness. It shall be the employee's responsibility to check with his/her department head when calling in to determine if the statement is necessary.

After an exempt Fair Labor Standards Act (FLSA) employee has exhausted their accumulated sick time, absences due to illness of less than one (1) day shall be deducted from any exempt employee's pay as a full day.

2. Family Illness Leave

A maximum of ten (10) days of paid sick leave per calendar year shall be granted for illness of immediate family members (parents, spouse, children). Such leave shall be chargeable against accumulated sick leave. It shall count toward FMLA if otherwise applicable under the FMLA.

D. Funeral Leave

When a death occurs in the employee's immediate family, the employee shall be entitled to three (3) working days off with pay, starting with the date of the death and/or ending no later than two (2) days after the funeral. Additional time may be authorized by the Department Head. Immediate family is parent, wife or husband and children. three (3) days off with pay shall be allowed for family members as follows: Sister, brother, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandparents and grandchildren. An employee will be allowed one (1) working day to attend the funeral of a close relative provided such funeral day is a normal day of work.

E. Jury Duty

The Employer will pay to an employee performing jury or witness duty which is not of a personal nature, the employee's regular earnings and the amount received by the employee from such jury or witness duty will be signed over to the County, provided that such duty causes the employee to be absent from work. The employee shall return to work once excused from duty.

LEAVES OF ABSENCE

A. Personal Leaves

A regular employee that has completed six (6) months of employment may request an unpaid personal leave of absence for a period not to exceed five (5) working days in any one calendar year. If this initial leave period is insufficient, consideration will be given to a written request for a single extension on no more than thirty (30) calendar days. All requests must be in writing, must give the reason for the request, must give the expected duration of the leave and must be approved by your department head. A personal leave of absence may be granted to attend an educational institute, or for other reasons deemed appropriate by your department head other than for FMLA purposes. All personal leaves of absence shall be without pay and benefits. Employees may continue insurance coverage's at their own expense during a personal leave of absence. An employee will not accumulate sick leave or vacation time, nor will be paid for holidays which may fall during the leave period.

When a leave of absence is granted for more than five (5) calendar days for any reason, the County does not guarantee that the employee will be reinstated in their former position or to the same grade and step level when he/she is ready to return to work. That decision will be at the discretion of the department head.

If the employee fails to report to work at the expiration of the approved leave period, they will be deemed to have voluntarily quit their position.

B. Military Leave

The County abides by the mandatory provisions of Federal and State laws regarding re-employment rights of veterans and in granting leaves of absence.

C. Family and Medical Leaves

1. An eligible employee who has completed twelve (12) months of employment and worked at least 1250 hours in the past twelve (12) months may request an unpaid leave of absence for a period not to exceed twelve (12) weeks in any twelve (12) month period measured forward from the date the employee's first FMLA leave begins. The request should be in writing, must give the reason for the request and must give the expected duration of the leave. The leave may be taken for the following reasons:

- a. A serious health condition that makes the employee unable to perform the functions of his/her position;
- b. In order to care for the employee's spouse, child or parent if the person being cared for has a serious health condition;
- c. Because of the birth of a child of the employee, and in order to care for the child within twelve (12) months of the child's birth;
- d. Because of the placement of a child with the employee for adoption or foster care, and in order to care for the child within twelve (12) months of the child's placement;

Unless leave is taken for the employee's own serious health condition or that of his or her child or spouse, the total leave taken by spouses when both are employed by the Employer is limited to twelve (12) weeks.

2. Intermittent Leave. Unless the Employer agrees, leave for the birth or placement of the employee's child, or to care for the child within twelve (12) months of the child's birth or placement, may not be taken intermittently or on a reduced leave schedule. If medically necessary, leave for the employee's serious health condition or to care for a seriously-ill spouse, child or parent, may be taken intermittently or on a reduced leave schedule.

3. Substitution of Paid Leave. An employee is required to use all accrued paid sick leave, personal leave days and annual leave for leave taken for the employee's serious health condition or to care for a seriously-ill spouse, child or parent. An employee is required to use all accrued paid annual leave and personal leave days for leave taken for the birth or placement of the employee's child, or to care for the child within twelve (12) months of the child's birth or placement. An employee may not use accrued paid sick leave for leave taken for the birth or placement of a child or to care for the child unless the employee or the child has a serious health condition.

When leave is taken for the birth of a child or to care for the child within twelve (12) months, and the leave is foreseeable based on the event, the employee must provide not less than thirty (30) days notice before the leave is to begin. If the date of the birth or leave to begin is not foreseeable, such notice must be as soon as is practicable.

When leave is taken for the employee's serious health condition, or to care for a seriously-ill spouse, child or parent, and the leave is foreseeable based on planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the Employer's operations, and must provide not less than thirty (30) days notice before the date the leave is to begin. If the date of treatment requires leave to begin in less than thirty (30) days, however, the employee must provide such notice as is practicable.

4. Medical Certification. When leave is taken for the employee's serious health condition, or to care for a seriously-ill spouse, child or parent, the Employer may require certification issued by the health care provider of the employee or of the spouse, child or parent of the employee, as appropriate. This certification must include the date the condition began, its probable duration, appropriate medical facts within the knowledge of the health care provider regarding the condition, and a statement that the employee is unable to perform his/her job function or is needed to care for a sick family member for a specified time.

5. For leave taken intermittently or on a reduced leave schedule, further certification requirements are as follows:

- a. When there is planned medical treatment, the certification must include the dates on which treatment is expected and its duration.
- b. When leave is taken for the employee's serious health condition, the certification must include a statement of the medical treatment necessary for such leave and its expected duration.
- c. When leave is taken to care for a seriously-ill family member, the certification must include a statement that such leave is necessary for the care of the family member who has a serious health condition or will assist in his/her recovery, and the expected duration and schedule of the leave.

6. Second and Third Opinions: Re-certification. The Employer may require, at its own expense if not covered by insurance, a second medical opinion from a health care provider designated by the Employer, but not employed on a regular basis by the Employer. In the event of a dispute concerning the second certification, the Employer may require, at its own expense if not covered by insurance, a third opinion from a health care provider. The employee and Employer must agree on the selection of the third health care provider whose opinion is binding on both parties. The Employer may require that the employee obtain subsequent re-certification on a reasonable basis.

7. Benefits During Leave. The Employer will continue to pay the Employee's portion of an employee's health insurance premiums for an eligible employee during the period the employee is on leave for any of the reasons under Subsections 1 (a)-(d) above. The employee shall be responsible to pay his/her portion, if applicable, of health insurance premiums during the period the employee is on leave for any of the reasons under Subsection 1 (a)-(d) above. If an employee's health insurance premium payment is more than 30 days late, the Employer upon 15 days notice to the employee may cease to continue the employee's health insurance coverage if the employee does not pay his/her portion of health insurance premium prior to the specified time. The Employer may recover the employee's share of any premium payments missed by the employee for any FMLA leave period during which the Employer maintains health coverage by paying the employee's share after the premium payment is missed. In all other circumstances, the Employer will not continue to pay health insurance premiums for an employee on an unpaid leave of absence. The employee may continue insurance coverage at his/her own expense during any unpaid leave of absence. The employee will not accumulate paid sick or annual leave nor be paid for holidays which may fall during the period of unpaid leave. If the employee fails to return after the leave has expired due to circumstances within the employee's control, the Employer may recover from the employee any premiums which the Employer paid to maintain medical coverage during the leave.

8. Return Rights. Upon return from a leave taken for a reason listed under Subsection 1 (a)-(d) above, the employee will be returned to his/her former position or to a position equivalent in pay, benefits, and other terms and conditions of employment. In all other circumstances, the employee is not guaranteed that he/she will be restored to his/her former position or to an equivalent position. The decision will be at the discretion of the Employer.

COUNTY POLICIES

A. General Work Rules

All employees are expected to adhere to the following rules of conduct, as well as the policies previously set forth above. **The list of work rules is for illustration purposes only and is not intended to be all inclusive, and employees may be disciplined for matters not listed below and employees are employees at-will.**

1. Unexcused absence from work.
2. Tardiness, not at work station and ready to work promptly at starting time.
3. Possession of or consuming any alcoholic beverage on County property at any time.
4. Reporting to work under the influence of alcohol, or in an unsafe condition.

5. Possession or use of drugs, other than as prescribed by a doctor, on County property, reporting to work under the influence of drugs, or failing to consent to or failing a drug test.
6. Theft or misappropriation of property or funds.
7. Insubordination, including abusive language to a co-employee or supervisor.
8. Refusal or failure to do a job assignment, or refusal to obey orders of your supervisor.
9. Abuse, misuse, or deliberate destruction of County property, equipment, or the property of others on County premises.
10. Falsifying records, including personnel records, time cards, or other records.
11. Unlawful Harassment.
12. Personal use of telephones for toll calls or charge calls. Public pay phones are available for personal outgoing calls during breaks, meal periods or such other time as permitted by the individual supervisor.
13. Use of Ogemaw County paid postage for personal correspondence.
14. Smoking prohibited in the workplace.

As stated above, these rules are not all inclusive. The County reserves the right to change, modify, add to, or delete from such rules; to apply other standards of conduct; or to impose disciplinary action for other matters not specifically listed above. The inclusion of these rules, and the disciplinary procedures set forth above, is not meant to either create an employment contract or alter the employees' status. Employees are at will employees and may be terminated at any time, with or without cause.

B. Substance Abuse Policy

It is the intent of Ogemaw County to provide a drug-free, safe and secure work environment for our employees. To ensure a safe and efficient work place, Ogemaw County will strictly enforce the following Rules:

1. No employee shall possess, distribute, use or be impaired by alcohol or illegal prohibited drugs on Ogemaw County property, while on Ogemaw County business, or during working hours, including rest and meal periods.
2. No employee shall be impaired by legal prohibited drugs while on Ogemaw County property, on Ogemaw County business, or during working hours, including rest

and meal periods.

"Illegal prohibited drugs" are those substances that are illegal to sell or possess; "legal prohibited drugs" are any prescription or non-prescription drugs that may impair working ability. An employee who is taking a legal prohibited drug must notify his or her supervisor of its use and expected effect. Employees have a duty to know if the legal prescription or non-prescription drugs they are taking may impair working ability.

Where management has reason to believe that an employee may be under the influence of drugs or alcohol, Ogemaw County, at its discretion, may require the employee to submit to breath, urine or blood testing, at Ogemaw County's expense, to determine the presence of drugs or alcohol. Refusal to submit to such testing may result in immediate dismissal.

Where management has reason to believe that an employee may be in possession of drugs or alcohol while on Ogemaw County's premises, the employee may be required to produce the suspected items or submit to a reasonable inspection for verification. Such inspection may include possessions, clothing, lockers and vehicles, if parked on Ogemaw County's property, if there is reason to believe that the prohibited substance may be present there. Refusal to comply with an inspection request may result in immediate dismissal.

Ogemaw County sincerely desires to help employees who have alcohol or drug-related problems. It is the employee's responsibility to seek assistance. Requests for such a leave of assistance will be considered confidential. However, seeking assistance after disciplinary action has begun or is imminent will not preclude disciplinary action.

Employees with drug or alcohol problems which have not resulted in, or are not the immediate subject of, disciplinary action may request approval to take unpaid leave to participate in an approved rehabilitation or treatment program. Requests for such a leave of absence will be considered confidential. The cost of participating in the program may be covered by the health insurance provided by the County, as outlined in your summary plan description (SPD). The County will require the employee to demonstrate satisfactory completion of the program before he or she returns to work.

C. Dress and Hygiene

Because Ogemaw County is in the constituent service business, all employees are expected to look neat and professional while at their work area during normal work periods. Your supervisor will inform you of what attire is appropriate. Some jobs may have additional restrictions for safety reasons. Exceptions will not be granted without written permission from your supervisor. For a first transgression, employees who appear for work inappropriately attired or without proper hygiene will be sent home and directed as to the appropriate hygiene or attire. Under such circumstances, employees will not be compensated for time away from work. For subsequent transgressions, disciplinary action may result.

If you believe a certain manner of dress, personal appearance or hygiene is necessary because of religious beliefs, medical condition or an otherwise legally protected reason, you must notify your Department Head of this reason, in writing, before you report to work. Ogemaw County may require you to provide appropriate proof of this belief, condition or otherwise protected reason.

D. Outside Activities and Employment

Employees may engage in outside activities unrelated to the performance of assigned Ogemaw County responsibilities, for compensation or otherwise, on a limited basis provided that such outside activities will not interfere with the performance of assigned duties or create a conflict, or the appearance of a conflict, with Ogemaw County as defined in this Policy Manual. Such outside activities should not exploit the employee's association with Ogemaw County for commercial or personal purposes and should not be conducted during scheduled hours of work without disclosure and prior written approval from Ogemaw County. Any approval granted under this provision shall specify the terms upon which the approval is conditioned. The County shall not be liable, either directly or indirectly, for any activities performed during outside or supplemental employment.

No facilities, equipment, supplies, secretarial or other employee services furnished by Ogemaw County may be used in pursuit of an outside activity.

E. Reporting Illegal and Unethical Activity

Any employee who, during the course of employment, believes that he or she has been requested or required to engage in an illegal or unethical act, or to engage in otherwise improper activity which would constitute a violation of this Code of Conduct, must report that fact immediately, in writing, to their Department Head who will promptly undertake to investigate the allegations and take remedial action, if necessary. If such a report is made in good faith, Ogemaw County will protect the reporting employee from any retaliation or other detrimental impact upon his or her employment.

F. Solicitation/Distribution and Bulletin Boards

In order to prevent disruption in the operation of the County, interference with work and inconvenience to other employees, solicitation for any cause, or distribution of literature of any kind, during working time, is not permitted. Neither may an employee who is not on working time, such as an employee who is on lunch or on break, solicit an employee who is on working time for any cause or distribute literature of any kind to that person. Whether on working time or not, no employee may distribute literature of any kind in any working areas of the Employer. Working time means actual working time and excludes designated breaks or meal periods. Work areas include all areas not open to the public, but excludes the employee lunch room. If employees have questions about the meaning of "working time" or "work areas," they should ask their supervisor for clarification. Non-employees are prohibited from trespassing, soliciting or distributing literature on Ogemaw County's property at all times.

In addition, no posting may be placed on the bulletin board without express approval of the Clerk's Office. The Clerk will only approve postings which related directly to County business.

G. Change of Name, Address, or Telephone Number

If you change your name, marry, have children, change your phone number, or change your address, it is important that you inform your supervisor and the personnel office as soon as possible so that your records and insurances may be adjusted. It is your responsibility to keep the Personnel Office up to date regarding these matters.

H. Employment of Relatives

It is the policy of the County to permit the employment of qualified individuals who are related to an existing employee provided a supervisory-subordinate relationship would not exist as a result of that employment. Relatives are defined as spouse, brothers, sisters, parents, in-laws, and natural or adopted children.

If a supervisory-subordinate relationship occurs as a result of an election or the marriage between two employees working in the same area, then the County will request the individuals decide who to transfer, but the County is not required to do so. If a transfer does not occur, the least senior employee will be transferred if a vacant position for which he/she is qualified is available. If such a vacant position is not available, the least senior employee will be terminated.

I. County Property and Inspection

Ogemaw County prohibits the possession, use, transfer or sale of illegal drugs, alcohol, weapons, firearms, explosives, or other illegal or inappropriate materials. Lockers, desks, vehicles, and other property are the property of Ogemaw County and must be maintained according to Ogemaw County rules and policies. Ogemaw County property provided to employees must be maintained and used only for proper work-related purposes, and used in an appropriate manner. Ogemaw County reserves the right to inspect all Ogemaw County property to ensure compliance with its rules and regulations. Ogemaw County further reserves the right to inspect all property or items stored on Ogemaw County property, or vehicles parked on Ogemaw County property. While Ogemaw County will attempt to advise the employee at the time of a search or inspection, Ogemaw County reserves the right to make any investigation or search without notice to the employee, and in the employee's absence. Prior authorization must be obtained before any Ogemaw County property may be removed from Ogemaw County premises.

J. Employee Safety and Health

Ogemaw County is committed to protecting the safety and health of every employee. But, the responsibility for maintaining a safe and healthy working environment is not just that of Ogemaw County. To be totally effective, every employee also has a responsibility to

comply with all safety rules and programs established by Ogemaw County. Every employee is responsible to assist Ogemaw County in establishing and maintaining a safe working environment. Employees are also expected to report to their Department Head any condition that may be unsafe or unhealthy and/or to take appropriate action immediately.

K. County Vehicles

County vehicles are utilized by, or provided to certain employees for business purposes. Insurance coverage is provided by the County; however, as an operator of any County vehicle, you may be responsible for the deductible amount of any insurance claim should an accident occur.

If you have the responsibility for the County vehicle, you must assure that the automobile is operated, maintained and secured in a manner which protects it's value and reflects favorably on the image of the County .

Eligibility for use of a County vehicle is in the sole discretion of the County, and the County reserves the unilateral right to, at any time, revoke the privilege of utilization of a County vehicle.

L. County Property

Ogemaw County supplies identification badges which are required to be worn, documents, uniforms, keys, equipment, hardware, software and tools to employees for use on the job. "All property remain the property of Ogemaw County and is not to be used for personal projects. The employee is responsible for the loss or damage of employer-owned property due to the employee's negligence. All property provided to the employee must be returned to Ogemaw County in the same condition as when it was received. If property is worn or damaged through normal use, the employee should return it to his or her supervisor for replacement. If your employment with Ogemaw County terminates, you must return all employer-owned property at the time of termination.

M. Personal Possessions

The Employer assumes no responsibility for personal items (radios, pictures, etc.). The Employer will not reimburse an employee for a lost, missing or damaged personal item.

N. Absences

The County is entitled to expect an employee to report for work and to do so at the required time. If you will be absent from work for some part of or the whole day, you are required to report your absence as soon as possible to your immediate supervisor, at least within one hour after the start of your shift. Failure to notify the supervisor may result in discipline.

O. Voluntary Quit

An employee who is absent from work for two (2) consecutive work days without notifying the County is considered to have voluntarily quit unless notice was not possible.

P. Electronic Messaging System

The County provides various electronic tools for sending and receiving messages. These tools include, but are not limited to, electronic mail. These tools are to be used for County business only. You should be aware that, because of their electronic nature, these tools are not private. They must not be used for exchanging any confidential information.

SEE ATTACHED