

# Village of Lawrence

## Personnel Policies & Procedures

To: All Affected Village Employees.

This document is effective 6/13/17 and replaces all previous documents containing the same title or subject area. This document applies to all employees of the Village, unless specifically exempted in writing.

The Lawrence Village Council approved this document on 6/13/17.



Lucinda R. Nower  
Village Clerk



David Quick  
Village President

The Village is an at-will employer, as such, the Village reserves the right to reduce staff or workforce levels as may be needed (i. e., for fiscal reasons, etc.)

### **I. Discrimination Policy.**

It is the policy of the Village that no applicant for employment, nor any actual employee, nor any other Village official, shall be discriminated against because of race, color, religious creed, national or ethnic origin, gender, gender identity, marital status, political beliefs, organizational affiliation, age, physical characteristic, or disability, as defined by the US Secretary of Labor in the Age Discrimination and Employment Act of 1967 (as amended), the Americans with Disabilities Act of 1990, and the Michigan Handicapped Civil Rights Act of 1976.

### **II. New Employees/Probationary Period.**

New employees shall be required to pass a physical examination prior to the date of hire. The employee shall use a Village appointment provider and the examination shall include a drug screen.

New employees, prior to or immediately after beginning work, shall provide the following documents:

- A. A fully completed employment application, as part of the recruitment and hiring process (available from the Village Office).
- B. Proof of date-of-birth.
- C. Valid drivers' license, especially for those employees who will be required to drive Village vehicles/equipment. A State of Michigan issued ID is adequate for those employees who will not drive village vehicles.
- D. A completed I-9 form (available from the Village Office).

Also, all Village employees may be required complete a probationary period. The probationary period shall be 90 days from effective date of employment and may be extended at the discretion of the supervisor with approval by the Village Manager. A written performance appraisal shall be completed prior to the end of the 90 day probation period and placed in the employee's personnel file. The Village reserves the right to terminate the employment of any employee who is in their probation period. If the employee successfully completes the probationary period, the employee will then be eligible for all fringe benefits and privileges available to full-time regular employees. The Village reserves the right to waive the 90 probationary period and performance appraisal for any employee seeking employment with the Village.

### **III. Work Assignments.**

Supervisors may take employees' knowledge, experience, education, preference, and mastered skills into account when determining the employees' assignments. However, it is the supervisors' responsibility to assign work tasks to employees, and employees shall perform work tasks assigned to them.

### **IV. Work Hours.**

The Village Manager, with approval of the Village Council, will set working hours for all departments. The Village Manager may adjust working hours and schedules as events may require. In any event, the regular Village workweek shall consist of 40 hours, and the regular Village workday shall consist of 8 hours. The Village workweek extends from Sunday through Saturday. Employees shall take an unpaid one hour lunch each day. Employees may take 2 15-minute paid breaks per day; they may not be combined with the lunch period.

All Village employees, except the Village Manager, Village Clerk, Village Treasurer and Council members are hourly employees. As hourly employees, all hours worked over 40 hours in a week, shall be paid at the overtime rate (1.5 times employee's hourly wage). Holidays shall not count toward the "hours worked" nor shall other time off (vacation or personal and sick time) count as "hours worked". Overtime will be paid in the paycheck for the pay period in which the overtime was worked. The Village Manager shall approve overtime, in advance, if possible.

include first aid and CPR (all employees); confined space safety, excavation safety, safe equipment operation, chemical exposure, bucket truck operations, lockout/tagout, and others (non-police/admin employees); and firearms and deadly force training, law enforcement, investigations, legal updates, vehicle operation, and others (police employees).

Unsafe work practices or behavior shall lead to disciplinary action. In addition, safe operation of Village vehicles is required. Unsafe operation of Village vehicles or damage to Village vehicles shall lead to disciplinary action as well.

Any accident during normal working hours will be reported to the Department Supervisor immediately. The Department Supervisor will notify the Village Manager. Upon notification, the Department Supervisor shall complete an accident form. Accident reporting shall at all times comply with any requirements and procedures dictated by the Village's Worker's Compensation insurer.

### **VIII. Employee Responsibilities.**

In addition to the performance of job duties, Village employees have other responsibilities. These responsibilities are a result of the public service nature of Village employment, and include refraining from employee misconduct and gender/gender identity/ethnic/racial harassment or discrimination, care of Village property, some limitations on outside employment, and the following of the chain of command/communication and grievance procedures.

#### **A. Employee Misconduct.**

The Village will not tolerate employee misconduct, which falls into two categories: Minor and major misconduct. While retaining its status as an at-will employer, the Village may use these disciplinary procedures as an alternative to immediate termination, depending on the nature of the offense. An employee may appeal any disciplinary action using the grievance procedures outlined on page 7.

**Minor misconduct** includes, but is not limited to, such behaviors as loitering, loafing, or otherwise wasting time during work hours, violation of established rules and regulations, unsatisfactory job performance, and other similar infractions.

The first violation of a minor misconduct shall result in an immediate written Letter of Reprimand to the employee by the Supervisor (or Village Manager), to be filed in the employee's official personnel file (with the Village Office).

The second violation of a minor misconduct shall result in, at the Supervisor's discretion, a three (3) day suspension, without pay, effective the day following the violation. The suspension shall be accompanied by written documentation to be placed in the employee's official personnel file.

The third violation of a minor misconduct shall result in termination. Termination shall be accompanied by written documentation to be placed in the employee's official personnel file.

All disciplinary action will be reviewed and approved by the Village Manager and termination shall be approved by the Village Council.

**Major misconduct** includes, but is not limited to, such behaviors as insubordination, gender/racial harassment, gender identity harassment, theft or destruction of Village property, etc.

Any violation of a major misconduct shall result in, at the Supervisor's discretion, either a five (5) day suspension, without pay, effective the day following the violation, or termination. Either shall be accompanied by written documentation to be placed in the employee's official personnel file.

they would do elsewhere. The Village reserves the right to inspect at any time all Village property, including desks, lockers, vehicles, etc.

**D. Outside Employment.**

All employees are permitted to engage in any legal outside employment, provided that employment:

- Does not interfere with the employee's ability to give adequate attention to his/her Village work.
- Does not involve the use of confidential Village information in the outside employment.
- Does not involve a real or apparent conflict of interest with the employee's Village employment.
- Is not with a company that contracts with the Village.
- Does not involve the use of Village property.

**E. Grievance Procedures.**

While retaining its status as an at-will employer, the Village shall use the following procedures as a means for employees to submit grievances, to appeal disciplinary actions, or to appeal other employment decisions:

- All grievances shall be submitted to the Supervisor, in writing, within five (5) working days of the incident/action that resulted in the grievance. It is the employee's responsibility to convey the nature and seriousness of the problem. It is then the Supervisor's responsibility to attempt to solve the problem. The Supervisor shall respond to the grievance, in writing, within five (5) working days of the filing of the grievance/appeal.
- If the Supervisor does not resolve the grievance to the employee's satisfaction, the employee shall then submit it, in writing to the Village Manager within five (5) working days of the Supervisor's written response. If the grievance cannot be resolved by the Village Manager, it will be reviewed by the Personnel Committee and presented to the Village Council.
- The Village Council will then schedule a hearing with the employee in accordance with the Michigan open Meetings Act. The Village Manager shall inform the employee of his/her rights under that act. The Village Council shall act on the grievance at the next regular Council meeting after the hearing, and shall respond to the grievance, in writing, within ten (10) working days of the Village Council's action. The decision of the Village Council shall constitute the final and official ruling of the Village of Lawrence on the matter.
- If two or more employees have a common grievance, they may use this process collectively.
- Employees shall be free to use this process without restraint, interference, coercion, discrimination, or reprisal. An employee, whether acting in an official capacity for the Village or in any other basis, shall not attempt to interfere with another employee's rights under this process.

**F. Acceptable Use Policy.**

All Village employees shall be provided with a copy of the Village's Acceptable Use Policy. Each employee shall sign the Acceptable Use Policy and a signed copy of the same shall be provided to the employee and a copy to employee's personnel file. The Acceptable Use Policy shall be combined and integrated into the Village Personnel Policies & Procedures to form one complete document.

If any part of the Acceptable Use Policy is for any reason held to be excessively broad as to time, duration, geographical scope, activity or subject, it will be construed, by limiting or reducing it, so as to be enforceable to the extent reasonably necessary for the protection of the Village.

**9. Safety Shoes:** The Village shall pay for one (1) pair of safety shoes/boots up to a maximum amount of \$150.00 for the benefit of the employee per calendar year. Employee shall purchase said safety shoes/boots and submit receipt of same to the Village Office for reimbursement. Employee shall purchase safety shoes/boots that are specific to their job duties and responsibilities. Employee may purchase additional safety shoes/boots at the sole cost and expense of employee.

**10. Disability Insurance:** The Village provides both short-term and long-term insurance for regular, full-time employees and offers a program for their dependents. The Village Office has further details and information about the plan, which will be provided to all new employees. Additionally, the Village will pay health insurance premiums for employees who are on disability; however, these employees will not accrue further vacation time, personal and sick time, or holidays.

If any employee is permanently disabled or is otherwise unable to perform their duties as required under this personnel policy and current job description due to personal sickness, accident, injury, mental incapacity, or health status for a period of six (6) successive weeks over a six (6) month period beyond any accrued sick leave or vacation time, the Village shall have the right to immediately terminate the employee's employment under this personnel policy, subject to the severance payment obligations, if applicable.

**11. Holidays:** The Village recognizes the following holidays for its full-time, regular non-police employees:

- The employee's birthday (may be taken another day that pay week, if necessary or if it falls on another holiday, with the Supervisor's permission).
- New Year's Day. If it falls on a Saturday or Sunday, then it will be observed on the following Monday.
- Memorial Day.
- Independence Day. If it falls on a Saturday or Sunday, then it shall be observed on the following Monday.
- Labor Day.
- Thanksgiving Day.
- The Friday following Thanksgiving Day.
- Christmas Eve. If it falls on a Saturday or Sunday, then it will be observed on the preceding Friday.
- Christmas Day. If it falls on a Saturday or Sunday, then it will be observed on the following Monday.

**12. Vacation/Personal and Sick Time.** Full-time regular employees shall be entitled to paid vacation based upon their continuous years of full time service as follows:

Vacation Time.

- 0 – 4 years of service: 2 weeks (80 hours)
- 5 – 9 years of service: 3 weeks (120 hours)
- 10 – 14 years of service: 4 weeks (160 hours)
- 15+ years of service: 5 weeks (200 hours)

Every full time employee is encouraged to, and should take a vacation each work year. Any unused vacation time may be accumulated up to one-half (1/2) of Employee's allotted unused vacation time for that year and carried over to the following year.

Any allotted unused vacation time of employee for that year of more than one and one-half (1<sup>1</sup>/<sub>2</sub>) times the hours of accumulated vacation time shall be forfeited and employee shall not be paid for any forfeited vacation time. Upon termination of employment, any unused vacation time is paid unless employment is terminated for reasons other than lack of work or staff reduction.

**15. Military Leave:** The Village will follow the provisions of the Selective Service Act and its judicial interpretations with respect to leaves of absence due to military service.

**16. Jury Duty:** An employee serving on jury duty will be excused and the Village shall pay the difference between the employee's regular pay and pay received for jury duty, providing the jury duty requires him/her to be absent during his/her duty period. In the event that an employee is excused from jury service on any day either before or at the noon recess, he/she must return to work for the balance of that day.

**17. Mileage:** The Village reimburses employees for mileage for the use of employee-owned vehicles for Village business, outside the village limits. The mileage is reimbursed at the then-current IRS mileage rate.

**X. Other**

**A. Dress Code.**

All Village employees shall wear appropriate attire and/or uniforms specific to their job duties during regular Village Office business hours (no athletic clothes, swimwear, or revealing attire, such as tank tops, shorts, t-shirts, miniskirts, etc.). The Village Manager shall decide what constitutes "appropriate" attire. The Village shall provide all uniforms required to be worn by the Village employee pursuant to their specific job duties and, as such, the Village shall pay all costs associated for said uniforms accordingly.

## **Acceptable Use Policy**

Organizations of all sizes rely on their employees to be good stewards of time, information and resources. The internet has not only become an essential tool to conduct business and communicate with clients, employees, and partners; it has also become one the biggest sources of lost productivity, data loss, compliance issues and data theft.

Network-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts, email, web browsing, phone systems and data sharing, are the property of THE VILLAGE. These systems are to be used for business purposes in serving the interests of the firm, our clients and customers in the course of normal operations.

Effective security requires the participation and support of every VILLAGE employee who deals with information and related systems. It is the responsibility of all computer users to know these guidelines, and to conduct their activities accordingly.

### **Policies**

THE VILLAGE provides all employees with electronic access, consisting of an email system, a network connection, and Internet/Intranet access. This policy governs all use of the VILLAGE's network, Internet access, and emails systems at all VILLAGE locations and offices. This policy includes, but is not limited to, electronic mail, chat rooms, the Internet, news groups, electronic bulletin boards, phone systems, the VILLAGE's network and all other VILLAGE electronic messaging systems.

This policy applies to attorneys, employees, contractors, consultants, and temporary employees or associates working at the VILLAGE. This policy applies to all equipment that is owned or leased by the VILLAGE; as well as personal devices that are on the VILLAGE's network. The VILLAGE reserves the right to change this policy at any time as the VILLAGE deems necessary or appropriate.

### **Ownership**

All information created, sent, or received via the VILLAGE's email system, network, Internet, or Intranet, is the property of the VILLAGE. Employees should have no expectation of privacy regarding this information. The VILLAGE reserves the right to access, read, review, monitor, and copy all messages and files on its computer system at any time and without notice. When deemed necessary, the VILLAGE reserves the right to disclose text or images to law enforcement agencies or other third parties without the employee's knowledge or consent.

### **Security and Proprietary Information**

The information contained on the VILLAGE network systems relating to our clients, our business, our billing and employees is confidential. Employees must take all necessary steps to prevent unauthorized access to such information. To ensure this, users are to log on to the network only with their credentials (user ID and password).

Keep passwords secure and do not share passwords and accounts. Authorized users are responsible for the security of their passwords and accounts. Users are responsible for all activities that occur on any work station to which they are logged in.

All PCs, laptops and workstations should be secured with a password protected screen saver (set to automatically activate at 55 minutes or less) or by logging-off when the machine will be unattended to ensure client confidentiality.

Because information contained on portable computers is especially vulnerable, special care should be exercised in their daily use and transport.

Postings by employees from a VILLAGE email address to social media or newsgroups should be for business purposes only.

- VILLAGE owned technology resources may be used for personal purposes on a limited basis, providing the following requirements are met: No marginal costs to the VILLAGE
- No interference with work responsibilities
- No disruption to the workplace

## **Email**

The VILLAGE's email system is designed to improve service to our customers, residents, enhance internal communications, and reduce paperwork.

All messages composed and/or sent using the VILLAGE provided email system must comply with this policy regarding acceptable communications. The unique email address assigned to an employee is the property of the VILLAGE. Employees may use this address only while employed by the firm. The right to use the VILLAGE address terminates upon separation from the VILLAGE.

The VILLAGE prohibits discrimination based on age, race, color, veteran status, ancestry, ability, sexual orientation, gender, marital status, religion, national origin, height or weight or any other legally protected characteristic. Use of the VILLAGE email system in any manner which discriminates to, or harasses any individual or group based on his/her membership in one of those protected classes is prohibited.

Email messages must contain professional and appropriate language at all times. Employees are prohibited from sending or receiving messages or accessing websites that promote sexual content, gambling, online dating or any illegal activity.

Upon termination or separation from the firm, the VILLAGE will deny all access to the email system, including the ability to download, forward, print or retrieve any message stored in the system, regardless of sender or recipient.

Only authorized personnel are permitted to access another person's email without consent.

Use extreme caution to ensure that the correct email address is used for the intended recipient(s).

Personal email accounts are not permitted unless expressly authorized. Employees are also prohibited from using personal email accounts and Web – based email such as Yahoo Mail, Google Gmail and others, to transmit business information or documents of any kind. All business email should be sent and received via company-provided email.

The VILLAGE reserves the right to alter, modify, re-route or block the delivery of email messages as appropriate. This includes but is not limited to:

- Rejecting, quarantining or removing the file attachments and/or malicious code scripts from any email messages that may pose a threat to VILLAGE resources.
- Discarding attachments, such as music, video or software program executables considered to be of little business value and of significant resource cost.
- Rejecting or quarantining of email messages with suspicious content or attachments.



- Re-routing of email messages with suspicious content to designated VILLAGE employees for manual review.
- Rejecting or quarantining of email messages determined to be unsolicited commercial email (spam).
- Rejecting transmission of unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam), or to groups of individuals (newsgroup spam).
- Appending legal disclaimers to email messages.

### **Anti-Virus**

VILLAGE employs server & workstation based anti-virus software. Files are not to be downloaded from the Internet without prior authorization from the VILLAGE. Any files authorized for download from the Internet must be scanned with virus detection software before being opened. Employees are reminded that information obtained from the Internet is not always reliable and should be verified for accuracy before use.

### **Social Media**

Employees should exercise sound judgment when distributing messages or posting content on third party sites like LinkedIn, Twitter, Facebook, MySpace, Flickr, and more. Client-related messages should never be disclosed. Personal content that is not appropriate for colleagues, employers, customers or partners to view should not be made public to them.

The VILLAGE encourages employees to take advantage of privacy settings within Facebook and other sites to ensure that personal comments, images and information remain out of view of business-related contacts whenever appropriate to do so. Employees must also abide by copyright laws, ethics rules, and other applicable laws.

### **Permitted Use and Term**

Use of the Network and the Internet is a privilege, not a right. Use of Network and Internet access extends throughout an employee's term of employment, provided the employee does not violate the VILLAGE's policies regarding network, Internet or intranet use.

The VILLAGE provided services such as electronic storage, telephone and email systems may not be used for the promotion or the operation of a personal business or for any undertaking for personal gain.

### **Availability and Access**

The VILLAGE reserves the right to suspend access at any time, without notice, for technical reasons, possible policy violations, security or other concerns.

### **Content and Communications**

The VILLAGE, at its sole discretion, will determine what materials, files, information, software, communications, and other content and/or activity will be permitted or prohibited.

### **Privacy**

Information systems are firm property. All messages and their attachments stored in firm provided email system or composed, sent or received by any employee are the property of VILLAGE. Furthermore, all messages composed, sent or received by any person using firm provided equipment are the property of the VILLAGE. An employee should have no expectation of privacy regarding them.

## **Prohibited Activities**

Employees are prohibited from using the Company's email system, network, or Internet/Intranet access for the following activities:

- Downloading software without the prior approval from the VILLAGE.
- Printing or distributing copyrighted materials.
- Making offers of products, items, or services for sale or lease outside the scope of your work duties.
- Using software that is not licensed by the manufacturer or approved by the VILLAGE.
- Sending, printing, or otherwise disseminating the VILLAGE's proprietary data or any client or confidential information to unauthorized persons.
- Operating a business, soliciting money for personal gain or otherwise engaging in commercial activity outside the scope of employment.
- Searching for outside employment.
- Sending or forwarding messages containing defamatory, obscene, offensive, or harassing statements.
- Sending ethnic, sexual-preference or gender-related slurs and/or jokes via email. "Jokes", which often contain objectionable material, are easily misconstrued when communicated electronically.
- Sending or soliciting sexually oriented messages or images.
- Gambling or engaging in any other activity in violation of local, state, international or federal law.
- Using personal email accounts and social networking sites during company time, for non-business purposes.
- Engaging in unethical activities or content.
- Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
- Circumventing user authentication or security of any host, network or account.
- Actively engaging in procuring or transmitting material that is in violation of sexual harassment or workplace policy or laws.
- Participating in activities, including the preparation or dissemination of content, which could damage the VILLAGE's image, reputation and/or financial stability.
- Permitting or granting use of an email or system account to another employee or persons outside the VILLAGE. Permitting another person to use an account or password to access the Network or the Internet, including, but not limited to, someone whose access has been denied or terminated, is a violation of this policy.
- Using another employee's password or impersonating another person while communicating or accessing the Network or Internet. This includes family and other household members when work is being done at home on firm owned equipment or using a home computer to access the VILLAGE's network.
- Introducing a virus, harmful component, corrupted data or the malicious tampering.

## **Technology Equipment**

The following policies are designed to reduce repair costs, maintain the integrity of our system and protect the VILLAGE's assets. Employees should adhere to the following:

- Do not keep liquids or magnets on or near the computer.
- Do not remove any computer from the building without explicit permission.

Should VILLAGE-related presentations, documents and email need to be accessed on iPhones, BlackBerries, smartphones, Netbooks, tablets, and other devices, your device, regardless of ownership, will have a lock code. This will help minimize exposure to viruses and prevent data loss if such devices are lost or stolen.

### **Compliance**

Though each individual is responsible for his/her own actions, employees who violate this policy and/or use the VILLAGE's email system, network, Internet, or resources for improper purposes will be subject to disciplinary action, up to and including termination.

### **Software Usage**

Software piracy is both a crime and a violation of state or federal laws. Employees are to use software strictly in accordance with its license agreement. Unless otherwise provided in the license, the duplication of copyrighted software is a violation of copyright law. In addition to being in violation of the law, unauthorized duplication of software is contrary to the VILLAGE's standards of employee conduct.

**Acknowledgement of Receipt and Understanding**

I hereby certify that I have read and fully understand the contents of the Acceptable Use. Furthermore, I have been given the opportunity to discuss any information contained therein or any concerns that I may have. I understand that my employment and continued employment is based in part upon my willingness to abide by and follow the VILLAGE’s policies, rules, regulations and procedures. I acknowledge that the VILLAGE reserves the right to modify or amend its policies at any time, without prior notice.

These policies do not create any promises or contractual obligations between the VILLAGE and its employees. My signature below certifies my knowledge, acceptance and adherence to the policies, rules, regulations and procedures regarding Acceptable Use.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Acknowledged by: \_\_\_\_\_ Date: \_\_\_\_\_