

# **Charter Township of Meridian**

## **Personnel Policy Manual**



**January 29, 2021**

# THE CHARTER TOWNSHIP OF MERIDIAN PERSONNEL POLICY MANUAL

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# **THE CHARTER TOWNSHIP OF MERIDIAN PERSONNEL POLICY MANUAL**

## **I. WELCOME AND INTRODUCTION**

Welcome to the Charter Township of Meridian (also referred to as “Meridian Township” and the “Township”). As an employee of the Township, your mission is to serve the people of the community in a friendly, respectful, dedicated, and effective manner so they may fully enjoy an attractive, clean, safe, secure, and enriching environment. All employees contribute to making Meridian Township a community of choice.

The primary purpose of this manual is to introduce new employees to the work rules, policies, procedures, and benefit plans that cover all Township employees, as well as to serve as a reference for current employees. It is also intended to serve as a communication tool for promoting positive employee relations by providing comprehensive information to employees regarding their employment. This manual does not and cannot provide a policy for every situation that may arise; rather, it is designed to give an overall understanding of Township policies.

This Policy Manual supersedes any and all prior practices and policies of the Township, oral or written. Any and all statements and policies herein are subject to unilateral change in whole or in part by the Township at any time. The Township retains the right to change, modify, suspend, interpret, or cancel in whole or in part any of the published or unpublished Personnel Policies or Procedures of the Township without advance notice, in its sole discretion as approved by the Township Board. Recognition of these rights of the Township is a term and condition of employment and of continued employment.

This manual, or any other written or verbal communication by the Township, is not intended as and does not create a contract of employment, either expressed or implied, and does not constitute contracted obligations between the Township and employees unless specifically addressed in a formal employment contract or collective bargaining agreement (CBA). Where such documents specifically differ from these policies, then the applicable provision(s) of the subject agreement shall govern.

No person, other than the Township Manager as authorized by the Township Board, has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the provisions of this manual.

**A. Severability**

If one or more provisions of this manual are superseded by or become in conflict with a formal employment contract, collective bargaining agreement, insurance plan document, federal, state, or local law, or if a provision is determined by a court of competent jurisdiction to be unenforceable or void, then the balance of the manual shall remain in effect.

**B. Distribution and Revisions**

A copy of this manual will be provided to each employee, who will be required to sign a standard form certifying his/her receipt and review of the manual.

Revisions or updates to the manual will be provided to all employees in either paper form, by email, or by other electronic communication such as posting on the Township website. Employees are expected to review all changes and updates and remain knowledgeable of all current personnel policies. Periodically, employees may be required to sign an update form that they have received and reviewed the manual and changes in policy.

## **II. EQUAL EMPLOYMENT OPPORTUNITY (EEO) STATEMENT AND NON-DISCRIMINATION POLICY**

Meridian Township is firmly committed to non-discriminatory employment practices, including with respect to disabilities, for all employees and applicants for employment. The Township will comply with all federal, state, and local laws with respect to the employment relationship. The goal of the Township is to provide a positive work environment that demonstrates respect for human differences and guarantees that all employees are treated with dignity, respect, and professionalism.

Every employee has an obligation to promote an inclusive workplace free from discrimination in all employment activities. Management is responsible and accountable to identify and correct any discriminatory actions and to ensure that non-discrimination policies are followed. The Township is responsible to take prompt and immediate remedial action to maintain a work environment that is free of unlawful discrimination, harassment, intimidation, or retaliation.

Employees are expected to immediately bring forth any concerns about discrimination, retaliation, or harassment in any form, to the attention of management and the Human Resources (HR) Director. All allegations are taken seriously and management is responsible to immediately report concerns to the Human Resources Director for a prompt response and investigation. Please refer to specific employment policies contained in this manual that address compliance.

The Township has an Open Door Policy in effect and employees are encouraged to bring concerns and issues forward for discussion with any member of management, including the Human Resources Director and the Township Manager. The Township encourages employees to make suggestions and provide feedback for mutual understanding and quick resolution.

### **A. Meridian Township Human Relations Ordinance Article I. In General, Section 30-1 Intent**

It is the intent of the Township that no person be denied equal protection of the laws; nor shall any person be denied the enjoyment of his or her civil or political rights or be discriminated against or harassed because of actual or perceived race, color, religion, national origin, sex, age, height, weight, condition of pregnancy, marital status, physical or mental limitation, disability, source of income, familial status, education association, sexual orientation, gender identity or expression, or HIV status.

### **B. Non-Discrimination and Fair Employment Practices Policy**

The purpose of this policy is to ensure the hiring practices of the Township do not unfairly deny people with arrest and conviction records employment with the Township and further encouraging rehabilitation of people with records to strengthen communities.

The ability of people with records to successfully reintegrate into their communities contributes to reduced recidivism, strengthens families, and leads to safer communities.

People with records suffer from pervasive discrimination in many areas of life, including employment, housing, education, and eligibility for many forms of social service benefits.

People of color are arrested, convicted, and incarcerated in numbers disproportionate to their representation in the population as a whole.

Many people with records in the Township are likely to be unemployed or underemployed.

People with records represent a workforce that have skills to contribute and a desire to add value to their community.

The Township seeks to assist the rehabilitation of people with records and ensure healthier, safer communities.

Studies indicate that stable employment is one of the best predictors of post-conviction success.

The U.S. Equal Employment Opportunity Commission, to maximize compliance with federal anti-discrimination law, recommends delaying inquiry of a job applicant's conviction history and considering the job-relatedness of the conviction taking into account length of time since conviction, and providing an individualized assessment affording the opportunity to correct any inaccuracies and to submit evidence of mitigation or rehabilitation.

The Township Human Resources Department shall adhere to this fair chance policy, which prohibits inquiry into conviction history information on all Township employment applications unless required by state or federal law.

The Township shall make a good faith determination as to which specific positions of employment are of such sensitivity that a background check is warranted or are required by law and shall conduct background checks for these positions only.

If it has been established that a position requires a background check, the Township shall not conduct the check until after the applicant has been provided a conditional offer of employment.

Unless required by state or federal law, the Township shall not use or access the following criminal records in relation to a background check: records of arrest not followed by a valid conviction, sealed, dismissed, or expunged convictions, misdemeanor convictions where no jail sentence can be imposed, and civil infractions.

The Township shall consider job-related convictions taking into account the length of time since the offense occurred, such that no person shall be disqualified from employment, solely or in part because of a prior conviction, unless it is a job-related conviction.

If an applicant has been convicted of an offense that is directly related to the position sought, the Township Human Resources Department shall notify the applicant and conduct an individualized assessment that permits the applicant to submit information regarding inaccuracy of the record and evidence of mitigation or rehabilitation, as appropriate.

The Township also urges private employers and government contractors to adopt fair hiring practices that encourage the rehabilitation and employment of people with records.



### **C. Open Door Policy**

It is the Township's desire to provide good working conditions and maintain harmonious working relationships among employees, as well as between employees and management, because doing so helps to ensure the orderly and efficient operation of Township business. In order to correct any work-related problems, the Township must be fully informed about them. Therefore, the Township has an "open door" policy. You are encouraged to discuss concerns or suggestions with your Department Head. If you believe that your Department Head has not, or cannot, adequately address the situation, you are encouraged to discuss it with the Human Resources Director and/or the Township Manager. This procedure should in no way foreclose the direct discussions Department Heads have always had on an informal basis with employees.

### **III. EMPLOYMENT**

#### **A. At-Will Employment**

All employees (with the exception of previously approved employment agreements) are considered at-will, unless a different status is conferred by a collective bargaining agreement or a specific employment agreement. This means that the employment relationship is for an indefinite period of time and can be terminated at any time, with or without cause and with or without notice by you or the Township. The provisions in this policy manual supersede any and all contrary representations that have been made by either the Township or you. No employee, supervisor, member of management, or other person except the Township Manager, in writing, and approved by the Township Board, has the authority to enter into any employment agreement on behalf of the Township for any specified period of time, pursuant to any particular conditions or to make any agreement contrary to the terms expressed here and in this manual.

#### **B. Training Period**

Up to the first six (6) months of employment (please see specific training period designations in individual collective bargaining agreements (CBA's) for clarification) is considered to be a period of training. This training period provides intensive training efforts and frequent feedback and written evaluations at 30-60-90 day and six (6) month intervals. You are encouraged to ask questions and seek additional help during this period to better understand your job expectations, policies, procedures, and goals of the department and Township.

#### **C. 182-Day Limitations Period for Employment-Related Claims**

As a condition of employment, you agree not to commence any action, claim, or suit relating to your employment or termination of employment against the Township more than 182 days after the date you knew or should have known that a claim existed or later than the applicable limitations period established by law, whichever is less. Your written acknowledgement of these policies is also your written agreement to this limitation.

#### **D. Hours of Work**

Township Administrative offices (Municipal Building and Public Safety Building) operate on a regular eight (8) hour day, forty (40) hour work week, Monday through Friday, from 8:00 a.m. to 5:00 p.m. The Service Center operates on a regular eight hour day, forty (40) hour work week, Monday through Friday, from 7:30 a.m. to 4:30 p.m. In the interest of efficiency or special situation, a Director may deviate from the above prescribed hours, with the approval of the Township Manager.

It is the responsibility of the Director to assure that employees work the required hours and that any absences are properly accounted for on absence forms, which are forwarded to the Human Resources Department/Payroll.

## **E. Time Reporting**

The workweek covers seven consecutive days beginning on Saturday at 12:01 a.m. and ending on Friday at 12:00 midnight. The usual workweek period is 40 hours.

Overtime is defined as hours worked by an hourly or non-exempt employee in excess of 40 hours in a workweek and should be recorded to the nearest quarter of an hour. Overtime must be approved in advance by the Director to whom the employee reports.

Employees will submit their bi-weekly timesheets as required by their Director. Each employee is to maintain an accurate daily record of his or her hours worked. All absences from work schedules should be appropriately recorded.

## **F. Flexible Work Schedule and Temporary Flexible Work Hours**

Flexible work schedules are those that vary from the regular work schedule of the Township. Prior approval from the department Director must be obtained before use of a flexible work arrangement. Adjustments to an employee's regular work schedule may be altered on a permanent basis or for an extended period of time, however, the revised schedule must continue to support the operational needs of the department and the Township. In the event of work schedule changes, a plan for continued fulfillment of work expectations, including how communications with co-workers, customers, and the Director will occur and how to handle departmental needs that arise during the employee's absence, must be addressed. Due to the nature of the work being performed, some options may not be available to all employees.

A permanent or long term work schedule adjustment must be approved, in writing, by the Director and Human Resources Director. All permanent work schedule alterations will be documented in the personnel file and the information provided to payroll for accurate record keeping. Flexible work schedule adjustments may be revised or revoked by the Director, Human Resources Director, or Township Manager as needed.

Flexible work hours are temporary changes in an employee's regular work schedule in order to adjust for an unplanned, short-notice, or special circumstance. When an unforeseen event or special circumstance occurs, the Director may approve an adjustment to the employee's schedule that may include altering the start and/or end time, or reducing an unpaid lunch period to allow for work hours to total no more than 8 hours in a workday. For unanticipated use of leave time, the Director may approve leave time to be used during flexible work hours. Although a late arrival or leave early may still be considered tardiness, the employee can, with the Director's approval, work additional time on that day or sometime that week to make up the missed time.

## **G. Lunch, Rest Periods and Breaks**

The schedule of lunch periods and breaks at Meridian Township is set by the employee's supervisor or Director with the goal of providing the least possible disruption to Township operations.

Employee lunch periods are important to employee productivity and employee health. Full-time employees will be provided an unpaid one (1) hour lunch break. The lunch period will not be included in the total time of work per day. Part-time employees working a minimum of six (6) hours

per day will be provided an unpaid one-half (1/2) hour lunch break. Non-exempt employees are to be completely relieved of all job duties while on lunch breaks.

Non-exempt employees are permitted a 15-minute rest break for each four hours of work as scheduled or permitted by their supervisor or Director. Non-exempt employees on rest breaks are not required to clock in and clock out because this time is considered “time worked” and is compensable.

#### **H. Impermissible Use of Meal Period and/or Rest Breaks**

Neither the lunch period nor rest break(s) may be used to account for an employee’s late arrival or early departure or to cover time off for other purposes. For example, rest breaks may not be accumulated to extend a meal period and rest breaks may not be combined to allow a one half hour break.

#### **I. Emergency Closings**

In cases where a Township office is ordered to be closed because of inclement weather, a state of emergency, natural disaster, or other order by the Township Manager, all regularly scheduled employees will receive their regular pay based upon hours scheduled to be worked that day. If an employee has a pre-approved scheduled day off, he or she shall not receive an additional day off or additional pay for the day of the emergency closing.

Declared closures may not apply to “essential employees” such as Police, Fire, Public Works, and others as designated by the Township Manager.

#### **J. Anniversary Date**

For all purposes regarding the Township, including but not limited to, pay and longevity benefits, an employee’s anniversary date is defined as the day (day/month/year) work began as a regular full-time or regular part-time employee for the Township.

#### **K. Performance Evaluations**

The Human Resources Director shall prepare a system for evaluating the work performance of all employees. The primary purpose of the employee performance evaluation is to inform employees on how well they are doing their work and how they can improve their work performance. Employees will sign the evaluation form as an indication that the evaluation was made, but not to necessarily indicate agreement with the rating.

Employees will typically be evaluated annually by their immediate supervisors, however, the Human Resources Director and management may participate in employee evaluations. The Township endeavors to provide all employees with an evaluation at least once per calendar year and the Township retains the right to evaluate employees more than once per calendar year. Copies of all performance evaluations will be given to evaluated employees, as well as the Human Resources Department to retain in employee personnel files. Employees wishing to appeal their performance evaluations must contact the Human Resources Director within five (5) days after

receiving their performance evaluation. The Human Resources Director will handle appeals on a case-by-case basis and will retain any additional documentation regarding the performance evaluation appeal.

#### **L. Promotions**

Township management may choose to promote Township employees on the basis of factors such as, but not limited to, positive performance evaluations, merit, and terms in individual collective bargaining agreements. A promotion is defined as a change to a position in a class having a higher salary range than the class from which the employee left. When employees are promoted to a position in a higher class, their annual salary shall be increased by an amount as determined in the salary range. The new rate of pay becomes effective upon the date of promotion; the next step increase (if applicable) will occur one year from the promotion date. All provisions contrary to this policy in any employee's collective bargaining agreement shall prevail and be applied to covered collective bargaining agreement employees.

#### **M. Personnel Files/ Data Changes**

The Township keeps personnel files on all employees. Personnel files may include job applications and related hiring documents, training records, performance documentation, salary history, and other employment records. Personnel files are the property of the Township. Because personnel files contain confidential information, the only people who can see them are people with a legitimate business reason. If employees wish to review their own file, employees will need to contact the Human Resources Director. Once a request is received by the Human Resources Department, it will be documented in writing and an appointment will be set up within five (5) working days for the employee to review their file. Employees may review their file only when a representative of the Human Resources Department is also present. Copies of the file may be requested, and the Township may charge a reasonable copying fee to the employee. Documents will be copied and issued to the employee within five (5) working days.

It is important for the Township to have certain personal information about employees in personnel records. Employees must notify the Township Human Resources Department as soon as there is a change to their mailing address, telephone number, marital status, dependents' information, educational accomplishments, emergency contacts, and other possibly related information. Personal data will be stored by the Human Resources Department in a confidential manner.

#### **N. Social Security Number Privacy and Protection**

Meridian Township values privacy and will take all necessary steps to ensure compliance with the provisions of the Michigan Social Security Number Privacy Act. To protect employee personal information, the Township will not use Social Security numbers to identify employees. However, Social Security numbers may be included in job applications and forms sent by mail.

The Township will not:

- Publicly post or publicly display employee Social Security numbers.

- Require employees to send their Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted.
- Require employees to use their Social Security number to access an Internet Website, unless a password or unique personal identification number or other authentication device is also required to access the Internet Website.
- Print employee Social Security numbers on any mailed materials, unless state or federal law requires the Social Security number to be on the document that is mailed.

The Township will continue to collect, use, or release Social Security numbers as required by state or federal law, and may use Social Security numbers for Township identification or authorization purposes.

If you have questions about this policy, please contact the Human Resources Director.

#### **O. Layoffs and Recalls**

This policy shall govern all recalls and layoffs of Township employees who are not covered by a recall or layoff procedure in a collective bargaining agreement. Language in any of the collective bargaining agreements regarding layoff and recall procedures of covered Township employees shall prevail and be applied over any conflicting language in this policy. In the event of a reduction in force, consideration will be given to the quality of each employee's past performance, the need for the service, and the employee's seniority in that classification, in determining which employees will be retained. Employees to be laid off will be notified at the earliest date possible of that decision, but not less than 14 calendar days' notice will be given.

All layoffs and recalls of positions will be based upon the Township's operational needs and financial position. Employee employment history, performance and job related qualifications, abilities as determined by the Township, and seniority may also be considered in making layoff and recall determinations.

#### **P. Internal Vacancies**

When there is an internal vacancy, the Township will post the position both internally and externally through the "all employees" e-mail notification system and listings on the Township website. External advertisements will be posted on the iApplicant system and all other sources as necessary. Postings will be maintained for seven (7) workdays or as defined in collective bargaining agreements. Internal and external requests to interview are received simultaneously. The Township will attempt to schedule interviews with internal candidates first, however, internal and external candidates may be interviewed during the same time period. Internal candidates will be required to submit a resume and cover letter to the Human Resources Director for consideration. Such materials must be submitted by the interview deadline or the employee will not be considered an applicant.

The interview process may include Supervisors, Managers, Directors, and Human Resources. If necessary, candidates will be called back for a second interview. The overall most qualified candidate, as determined by the Township, will be selected.

When hiring or undergoing a promotional procedure specified in a collective bargaining agreement, all provisions of the CBA shall prevail and be applied first should they conflict with the hiring procedures stated above.

Prior to a conditional job offer, the Township will conduct a criminal background check, driving record check, and reference checks. In addition, a post-offer physical examination including a drug screen will be conducted by Township selected medical professionals. Where appropriate, certain positions require a more complete background and credit history check. In addition, employees who possess certain licenses will be subject to on-going tests for drugs and alcohol use. Certain jobs require different essential functions, therefore, physical examinations are customized to evaluate abilities to perform the essential functions of a particular job. A successful candidate will be notified by the Human Resources Department and an official start date will be determined at that time.

#### **Q. Orientation for New Employees**

An orientation with Human Resources will be scheduled the first day of employment. New employees will be required to submit documentation necessary for the I-9 process (Immigration and Naturalization through Homeland Security) to verify legal status to work in the Township. Paperwork including W-4s for federal withholdings, state and local withholdings, internet policy guidelines, insurance documents, authorization for direct deposit of paychecks, and other necessary documents will be completed at orientation with Human Resources.

#### **R. Hiring of Family/Relatives**

The Township permits the employment of qualified individuals who are related to a current employee provided that a supervisory/subordinate relationship does not exist as a result of that employment.

Family/relatives includes spouse, child, father, mother, sister, brother, step-parents, step-siblings, half-siblings, mother or father in-law, son or daughter in-law, grandparents, grandchildren, and brother or sister in-law.

If an employee is involved in a dating relationship and works in the same area/department, it may cause difficulties at work. A dating relationship is a relationship that may casually lead to a consensual romantic or sexual relationship. If two employees become relatives, or start a dating relationship and one of them supervises the other, the one who is the supervisor is required to tell Human Resources about the relationship. The Township will then ask the two employees to decide which one of them is to be transferred to another available position. If they do not make that decision within 30 calendar days or there is no other available position, the Township will decide which one will be transferred or, if necessary, terminated from employment.

There may also be situations when there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct reporting relationship or authority involved. In that case, the Township may separate the employees by reassignment or termination of employment.

## **S. Employment Classification Categories**

Meridian Township has established the following classifications for employees:

- **Regular, full time:** Employees who are not in a temporary status and who are regularly scheduled to work a full-time schedule of 40 hours per week. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefits program.
- **Regular, part time:** Employees who are not in a temporary status and who are regularly scheduled to work less than the full-time schedule. These employees are eligible for pro-rated leave time and holiday pay. Depending on the number of hours worked over the course of a year, these employees may also be eligible for health insurance coverage.
- **Temporary, full time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work a schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.
- **Temporary, part time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than a full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.
- **Seasonal Workers/Interns:** Employees who are hired as interim workers during the summer months, or on a limited work schedule throughout the year, for a limited duration. Temporary and/or seasonal workers are not eligible for Township benefits.

All employees are also designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand their employment classification.

**Nonexempt employees** are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime.

**Exempt employees** are generally managers or professional, administrative, or technical staff who ARE exempt from the overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

## **T. Background and Reference Checks**

To ensure that individuals who join Meridian Township are well qualified and to ensure that we maintain a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants who are considered for employment. Background checks may include verification of any information on the applicant's resume or application form, a driving record check, a criminal background check, and in certain positions, a credit report.



All offers of employment are conditional based on a successful background check. All background checks are conducted in compliance with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and anti-discrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

The Township also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment in the same manner as described above.

#### **U. Progressive Discipline**

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established.

Meridian Township supports the use of progressive discipline to address issues such as poor work performance or misconduct. The Township's progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. The Township's progressive discipline policy has been designed consistent with Township values, Human Resources best practices, and employment laws.

The Township believes it is important to make sure that all employees are treated fairly and that disciplinary actions are prompt, consistent, and impartial. The major purpose of a disciplinary action is to correct the problem, prevent it from happening again, and prepare the employee for satisfactory performance in the future. This policy describes the procedure for administering fair and consistent discipline for unsatisfactory conduct or performance at the Township. Any language regarding disciplinary procedures governing covered employees in collective bargaining agreements contrary to this policy shall prevail over the language of this policy.

Disciplinary action may be any of the following four types:

- 1) Verbal warning
- 2) Written warning
- 3) Suspension with or without pay
- 4) Termination of employment

When deciding which discipline to impose, the Township will administer disciplinary actions on a case-by-case basis depending on how severe the problem is and how often it has happened. There may be circumstances when one or more levels of discipline are bypassed. In many cases, progressive discipline means that the Township will normally take action through a warning for a first offense, with more significant discipline for later offenses, up to and including termination.

In very serious situations, some types of employee problems may justify either a suspension, or, in extreme situations, termination of employment without going through the progressive discipline. Employees should consult this Personnel Policy Manual and the Township's and their department's work rules and expectations to understand the impact of these guidelines. Meridian Township reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including verbal and written warnings, suspension with or without pay, demotion and termination.

By using progressive discipline, however, the goal is that most employee problems can be corrected at an early stage, benefiting both the employee and the Township.

The Township retains the right to retain any documents related to employee disciplinary actions in employee personnel files in accordance with all applicable federal, state, and local laws.

## **V. Separation of Employment**

Separation of employment can occur for several different reasons.

- **Voluntary Resignation:** Although the Township hopes employment will be a mutually rewarding experience, varying circumstances cause employees to voluntarily resign. Resigning employees must provide two weeks' notice, in writing, to facilitate a smooth transition. Management reserves the right to provide an employee with two weeks' pay in lieu of notice in situations where job or business needs warrant such action. If an employee provides less than two weeks' notice, the employee is disqualified from any payout for accrued vacation or other leave payments and the Township may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
- **Retirement:** Employees who wish to retire are required to notify their Director and the Human Resources Department in writing at least one (1) month before the planned retirement date.
- **Job Abandonment:** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays will be considered to have abandoned their job and voluntarily quit without notice, effective at the end of their normal shift on the third day. The Supervisor will notify the Human Resources Department at the expiration of the third workday and initiate the paperwork to document the employee's termination. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.
- **Termination:** Except as may be provided in a collective bargaining agreement or by contract, employees are employed on an at-will basis and the Township retains the right to terminate an employee at any time.

Employees covered by a collective bargaining agreement may be subject to different separation of employment procedures than stated in this policy and are advised to refer to individual collective bargaining agreements for separation of employment procedures.

Health insurance terminates the last day of the month of employment, unless an employee requests immediate termination of benefits. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage will be provided.

## **W. Exit Interview**

All Township employees who terminate employment with the Township are encouraged to take part in an exit interview. Exit interviews will take place with the Human Resources Director. The Human Resources Director will coordinate the time and dates of all exit interviews.

The Township utilizes exit interviews to assess outgoing employee experiences while working for the Township. The Township may utilize some information discovered during exit interviews to improve employment practices at the Township.

The separating employee must return all Township property at the time of separation, including credit cards, uniforms, Township cell phones, keys, computers, identification cards, etc.

## **X. Rehire**

Employees who leave the Township in good standing may be considered for reemployment. An application must be submitted to the Human Resources Department, and the applicant must meet all minimum qualifications and requirements of the position.

Supervisors must obtain approval from the Human Resources Director or designee prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals, or any benefits unless approved in advance by the Township Manager.

An applicant or employee who was terminated for violating policy or who resigned in lieu of termination from employment is not eligible for rehire.

## **IV. WORKPLACE SAFETY**

### **A. Drug-Free Workplace**

Meridian Township has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, Meridian Township is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

Meridian Township prohibits all employees from manufacturing, distributing, dispensing, possessing, or using an illegal drug in or on Township premises or while conducting Township business. This prohibition applies to medical marihuana. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs.

The policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of the Township. The Human Resources Department is responsible for administration of the drug and alcohol policy.

### **B. Employee Assistance and Drug-Free Awareness**

Illegal drug use, abuse of legal medications, and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems are available from the Human Resources Department, which can make referrals and assist employees with drug/alcohol problems.

The Township will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be allowed to use accrued paid time off, be placed on leaves of absence, referred to treatment providers, and otherwise be accommodated as required by law. Such employees will be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety sensitive or that require driving or if they have violated this policy previously.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restriction to their supervisor. In some positions, employees will not be permitted to return to work if they have restrictions. The Human Resources Department will make the final determination regarding return to work restrictions. The following work rules apply to all employees:

- Whenever employees are working, are operating any Township vehicle, are present on Township premises, or are conducting related work off-site, they are prohibited from:
  - Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug (which includes possession of drug paraphernalia).
  - Being under the influence of alcohol or an illegal drug or abusing over-the-counter drugs.

- The presence of any detectable amount of any illegal drug or illegally controlled substance in an employee's body while performing Township business or while in a Township facility or vehicle is prohibited.
- Meridian Township will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform his or her job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist, or provide other proof of the prescribed medication, and be prepared to produce it if asked.
- Any illegal drugs or drug paraphernalia will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

### **C. Required Drug and Alcohol Testing**

The Township retains the right to require the following tests:

- **Pre-employment:** All applicants must pass a drug test after receiving an offer of employment. Refusal to submit to testing will result in disqualification for further employment consideration.
- **Reasonable Suspicion:** Employees are subject to testing based on observation of apparent workplace use, possession, or impairment by a supervisor. The Human Resources Department must be consulted before sending an employee for reasonable suspicion testing.
- **Random Drug and Alcohol:** Employees in safety-sensitive positions requiring a CDL are subject to random testing as required by the U.S. Department of Transportation.
- **Post-accident:** Employees may be subject to testing when they cause or contribute to accidents that damage a company vehicle, machinery or equipment, and/or result in an injury to themselves or another employee requiring off-site medical attention. In any of these instances, the investigation and subsequent testing will take place immediately or within two (2) hours at the clinic, urgent care, emergency room, or hospital.
- **Follow-up:** Depending on the circumstances and the employee's work history/record, the Township may offer an employee who violates this policy or tests positive the opportunity to return to work on terms acceptable to the Township, which could include follow-up drug testing at various times and frequencies for a minimum of one (1) year.

### **D. Consequences**

Applicants who fail to take a valid drug test or who test positive will not be hired. Employees who fail to cooperate in required tests or who use, possess, buy, sell, manufacture, or dispense an illegal drug in violation of this policy are subject to termination. If an employee tests positive for alcohol or illegal drug use in violation of this policy, the employee will be subject to discipline up to and including termination.

Employees will be paid for regularly scheduled work hours when they are sent for alcohol/drug testing and during any paid suspension pending the results of the drug/alcohol test. After the results of a test are received, a date/time will be scheduled to discuss the results of the test. This meeting will include a member of management, union (if applicable), and the Human Resources Department. Should the results prove to be negative, the employee will be informed and reinstated without loss of pay.

#### **E. Confidentiality**

Information and records relating to test results, drug and alcohol dependencies, and medical explanations provided to the Human Resources Department shall be kept confidential to the extent required by law and maintained in secure files separate from regular personnel files.

#### **F. Workplace Bullying**

Meridian Township defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.” Such behavior violates Meridian Township’s Code of Conduct, which clearly states that all employees will be treated with dignity and respect.

The purpose of addressing bullying is to communicate to all employees, including Supervisors, Managers, and Directors, that the Township will not tolerate bullying behavior. Employees found in violation will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when administering discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is more important. The following are examples of bullying behavior:

- **Verbal bullying:** Slandering, ridiculing, or maligning a person or his/her family; persistent name calling that is hurtful, insulting, or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Cyber bullying:** The same definition of verbal bullying, including cyber threats and harassment.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault, or threat of physical assault; damage to a person’s work area or property.
- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

## **G. Violence in the Workplace**

All employees, residents, and vendors must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

The Township encourages employees to bring their disputes to the attention of their supervisors and the Human Resources Department before a situation escalates.

Conduct that threatens, intimidates, or coerces another employee, resident, or a vendor will not be tolerated. Township resources may not be used to threaten, stalk, or harass anyone at the workplace or outside the workplace. The Township handles threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence, and suspicious individuals or activities should be reported as soon as possible to supervisory personnel, Human Resources, or the Police Department. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in danger during an incident.

Employees should promptly inform the Human Resources Department of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regards to domestic violence. Meridian Township is committed to supporting victims of domestic violence. The Township will not retaliate against employees making good-faith reports.

Meridian Township will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence, and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. In order to maintain workplace safety and the integrity of its investigation, the Township may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to disciplinary action up to and including termination of employment.

## **H. Safety**

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all federal, state, and local safety and health regulations and Township standards, and with any special safety concerns for use in a particular area.

Although most safety regulations are consistent throughout each department, each employee has the responsibility to identify and familiarize her/himself with the emergency plan for his/her working area. Each facility shall have posted an emergency plan detailing procedures in handling emergencies such as fire, weather-related events, and medical crises.

It is the responsibility of the employee to complete an Incident and Accident Report within 24 hours for each safety and health incident/accident that occurs by an employee or that the employee witnesses. Failure to report such an incident/accident may result in employee disciplinary action up to and including termination.

The Human Resources Department and Township shall have the responsibility to develop and the authority to implement the safety and health program in the interest of a safer work environment.

**I. Right to Know**

Meridian Township adheres to all applicable Michigan Occupational Safety and Health Administration (MIOSHA), federal, state, and local regulations concerning workplace safety. Township employees shall be informed of what hazardous substances are in the workplace and shall also be trained how to properly work with these substances, label these substances as appropriate, and document these substances. Employees who have concerns regarding the Township’s workplace safety guidelines are encouraged to contact supervisory personnel, Managers, Directors, or the Human Resources Director.

**J. Smoke-Free Workplace**

It is the policy of Meridian Township to prohibit smoking and use of tobacco products on all Township premises. Smoking is defined as the “act of lighting, smoking, or carrying a lighted or smoldering cigar, cigarette, or pipe of any kind, including e-cigarettes.” Tobacco products include chewing tobacco, all smoked tobacco products, and all other forms of smokeless tobacco products.

The smoke-free workplace policy applies to

- All areas of Township buildings.
- All Township-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the Township.
- All visitors to the Township premises.
- All contractors and consultants and/or their employees working on Township premises.
- All employees, temporary employees, interns, seasonal workers, and visitors.

Smoking and use of tobacco products is only permitted in parking lots that are at least 50 feet from any municipal building including, but not limited to, the Township Hall, the Public Safety Building, the Service Center, and all Fire Stations. Meridian Township is not required to give employees any additional breaks for smoking other than the breaks granted to employees outlined in this Personnel Policy Manual. Littering after the use of smoking and tobacco products (including cigarette butts) will not be tolerated on any Township property and offenders may be subject to disciplinary action up to and including termination.



## **V. WORKPLACE EXPECTATIONS**

### **A. Code of Conduct/ Workplace Etiquette and Work Rules**

The Township has a strong commitment to providing an inclusive, non-discriminatory, and professional workplace. Employees of different backgrounds and perspectives add unique insights to the workplace and help foster innovation while providing great value to the Township.

The Township serves its residents best when functioning as a strong team. As such, the Township expects that staff from all departments, at every level of the Township, treat each other as respected and valuable colleagues. To promote an inclusive and well-functioning workplace, the Township requires employees to act in a professional and courteous manner to each other and the public. Although it is impossible to create an all-encompassing list of prohibited behaviors, below is a list of examples of unacceptable workplace behaviors that may result in discipline up to and including termination.

- Falsification of timekeeping records and any employment application statements.
- Any discourteous treatment of the public, other Township employees or officials, or residents.
- Working under the influence of alcohol, illegal drugs, or medical marijuana.
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs or medical marijuana in the workplace, while on duty, or while operating employer-owned vehicles or equipment.
- Theft in any form is not acceptable.
- Fighting or threatening violence in the workplace.
- Violation of safety or health rules.
- Sexual or other unlawful harassment or discrimination.
- Extensive absenteeism or any absence without notice.
- Unauthorized use of employer telephones, mail system, Internet, or computer networks.
- Unauthorized use of employee personal telephones, Internet, or computers during work hours.
- Unauthorized disclosure of confidential Township information.
- Unsatisfactory performance or conduct including insubordination.
- Abuse of Township property.
- Violation of personnel policies, Township ordinances, department rules, or federal, state, or local laws.

In general, the Township expects that common sense, professionalism, and general decency will govern personal conduct. Please contact the Human Resources Director if you have any questions regarding the Township's Code of Conduct.

## **B. Confidentiality**

Employees at the Township may overhear or have knowledge of confidential information from various sources (e.g. residents, businesses, etc.). It is the Township's policy that all information employees receive should be considered confidential unless the context clearly indicates otherwise. Confidential information will not be disclosed to external parties or to other employees without a legitimate business reason. If a Township employee has any questions about whether information is considered confidential, he/she should check with his or her supervisor, Director, or the Human Resources Director.

This policy is to alert employees to the need for discretion at all time and is not intended to inhibit normal Township communications.

All inquiries from the media should be referred to the Township Manager, Chief of Police, EMS/Fire Chief, or the Communications Director as applicable.

## **C. Conflicts of Interest**

Township employees must avoid any relationship or activity that might impair, or even appear to impair their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which actions taken on behalf of the Township may conflict with the employee's own personal interest. Township property, information, or business opportunities may not be used for personal gain.

Listed below are examples that may lead to conflicts of interest, but not limited to:

- Obtaining or continuing outside employment that may impair an employee's Township work responsibilities.
- Hiring family members or closely related persons, where the employee may have a personal interest.
- Serving as a board member or elected official for an outside organization, where the employee's responsibilities to the organization could conflict with the employee's responsibilities to the Township.
- Accepting gifts, discounts, favors, or services from a business based on one's status as a Township employee.

## **D. Gifts and Favors**

No elected or appointed official or employee shall solicit directly or indirectly or accept any gift, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation, in order to influence his/her Township decision-making.

## **E. Outside Employment**

Employees may engage in outside employment in accordance with the following limitations. In no case shall outside employment conflict with or impair work responsibilities to the Township.

Outside employment is defined as any paid employment a Township employee participates in outside of their Township work responsibilities. Approval shall be reviewed at least on an annual basis.

Any full-time employee desiring to participate in outside employment must obtain written permission from his/her Director and the Human Resources Director prior to beginning his/her outside employment. Unless granted expressed written permission from the Director and Human Resources Director, a Township employee shall not be allowed to engage in any outside employment while on a paid or unpaid leave of absence from the Township where benefits may be maintained.

Employees engaged in outside or supplemental employment shall:

- Not use Township facilities as a source of referral for private customers or clients.
- Not be engaged in outside employment during the employee's regularly scheduled working hours.
- Not use the name of the Township or any Township agency as a reference or credential in advertising or soliciting customers or clients.
- Not use any Township supplies, facilities, staff, or equipment, including computers or technology, with any outside employment or private practice.
- Maintain a clear separation of outside or supplemental employment from activities performed for the Township.
- Not cause any incompatibility, conflict of interest, or any possible appearance of a conflict of interest.

The Township shall not be liable, either directly or indirectly, for any activities performed by an employee participating in outside employment. Additionally, the Township retains the right to review and change any decisions granting a Township employee permission to obtain or participate in outside employment while employed by Township.

#### **F. Attendance and Punctuality**

Attendance and punctuality are critical to the service the Township provides to its residents. Therefore, employees are expected to be on time and present at work when able. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances. Vacation and personal leave must be scheduled with one's supervisor in advance. Sick leave may be used in the case emergency or sudden illness without prior scheduling.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no-call/no-show will result in not less than a written warning. The second separate offense may result in more serious discipline up to termination of employment. **A no-call/no-show lasting three days will be considered job abandonment and will be deemed an employee's voluntary resignation of employment.**

## **G. Attire and Grooming**

As public servants, it is important for all employees to project a professional image while at work by being appropriately attired. Meridian Township employees are expected to be neat, clean, and well-groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed. Employees in Township departments required to wear uniforms must do so and apply by all uniform policies implemented by the specific department.

The Township is confident that employees will use their best judgement regarding attire and appearance. Management reserves the right to determine appropriateness. Any employee who is improperly dressed will be counseled or in some cases may be sent home to change clothes.

Examples of unprofessional attire include but are not limited to:

- Sweatpants, leggings, yoga pants, exercise wear (spandex), shorts, and any pants or jeans that are worn or that have tears or holes.
- Beachwear, crop tops, clothing showing midriff, tops with spaghetti straps, and sleeveless t-shirts.
- Any clothing with a printed message, slogan, political message/endorsement, picture, or art depicting drugs, alcohol, sex, weapons, violence, or anything that is obscene, disrespectful, or offensive.

In keeping with appropriate attire and grooming, the Township allows reasonable self-expression through personal appearance unless it conflicts with an employee's ability to perform his or her position effectively or it is regarded offensive or harassing towards co-workers, residents or others with whom the Township conducts business.

The Township permits employees to wear jewelry or to display tattoos at the workplace with the following guidelines. Factors that management will consider to determine whether jewelry or tattoos may pose a conflict with an employee's job or work environment include:

- Personal safety of self or others.
- Productivity or performance expectations.
- Offensiveness to co-workers, customers, residents, vendors, or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature.
- Customer or resident complaints.

If management determines an employee's jewelry or tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewelry, covering of tattoos, or other reasonable means to resolve the conflict.

## **H. Electronic Communication and Internet Use**

The following guidelines have been established for using the Internet, Township-provided cell phones, and e-mail in an appropriate, ethical, and professional manner:

- All technology systems used by the Township (telephones, facsimile machines, photocopiers, computers, printers, voice mail, e-mail systems, and other technology) are for Township business purposes and are provided to further our goals and service to the public. Employees must use common sense and adhere to appropriate work behavior when using the Township's technology systems.
- Any personal use of personal communication devices should be limited in duration and frequency so that it does not interfere with the employee's work responsibility or adversely affect the productivity of the employee or the employee's co-workers.
- Internet, company-provided equipment (e.g., cell phone, laptops, computers), and services may not be used for transmitting, retrieving, or storing any communications of a defamatory, discriminatory, harassing, or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane, or offensive language; creating, viewing, or displaying material that might adversely or negatively reflect upon the Township or be contrary to the Township's best interests; and engaging in any illegal activities, including piracy, hacking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and Township-provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify, or forward copyrighted materials, except with permission or as a single copy reference only.
- Employees should not open suspicious e-mails, pop-ups, or downloads. Employees may not install hardware or software, or engage in any other sort of file downloading or uploading without permission of the Township Manager, or his or her designee. Contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered to be public records and may be subject to discovery in the event of litigation and to the Freedom of Information Act (FOIA). Be aware of this possibility when sending e-mails within and outside the Township.

## **I. Right to Monitor**

All Township-supplied technology and Township-supplied work records belong to the Township and not to the employee. The Township may routinely monitor the use of Township-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

## **J. Inspection**

Meridian Township reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband. All employees may be asked to cooperate in inspections of their persons, work

areas, and property that might conceal drugs, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspection are subject to appropriate discipline up to and including termination.

#### **K. Solicitation, Distribution, and Posting of Materials**

Except with respect to protected labor relations activities, Meridian Township prohibits the solicitation, distribution, and posting of material on or at Township property by or to an employee during worktime, except as may be permitted by this policy. The sole exceptions to this policy are Township-sponsored programs related to Meridian Township's employee activities.

**Provisions:** Except for protected labor relations activity,

- Non-employees may not solicit employees or distribute literature of any kind in the workplace during worktime.
- Employees may only admit non-employees to work areas with management approval or as part of a Township-sponsored program. These visits should not disrupt workflow. An employee must accompany the non-employee at all times. Former employees are not permitted in Township workspaces unless on official business or invited by management. Protected labor relations activities are not permitted during scheduled working hours in the workplace unless prior approval is received.
- Employees may not solicit other employees during work times, except in connection with a Township-approved or sponsored event for employees.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a Township-sponsored employee event, or approved by the Township Manager.
- The posting of material or electronic announcements related to employees are permitted with approval from the Township Manager or the Human Resources Department.

Violations of this policy should be reported to the Human Resources Department and are subject to disciplinary actions up to and including termination of employment.

#### **L. Employee Travel and Reimbursement**

Employees will be reimbursed for reasonable expenses and applicable IRS mileage reimbursements incurred in connection with Township Manager approved travel on behalf of the Township.

#### **M. Use of Township Equipment**

The use of Township equipment for other than official Township business is strictly prohibited.

## **N. Township Vehicles**

Vehicles are authorized for use in conjunction with official duties or while in service only, unless otherwise specified within Department policy, subject to review and approval of the Township Manager, or by Township Board action.

All other Township vehicles, assigned or pool vehicles, will be used for official business only. Trips for personal business, other than breaks when the employee is in the field, will not be permitted. Employees shall not permit persons to drive Township vehicles who are not approved to do so.

All vehicles will be operated in accordance with applicable federal, state, and local traffic laws. Operators are responsible for reasonable vehicle maintenance checks (gas, oil, fluid levels, tires, unusual operation symptoms, noises, interior and exterior cleaning, etc.) and reporting vehicle problems to the Township mechanic.

Employees who receive a moving violation(s) may have the use of Township vehicles restricted by the Township Manager and may be subject to discipline.

## **O. Energy Efficient Workplace**

Meridian Township is committed to raising awareness among employees on how to make better energy saving choices during the workday. The following list, although not all inclusive, will assist in making the Township a more green work environment:

- Make energy efficiency a habit.
- Lights will be turned off in employee offices, restrooms, storage areas, etc. when not occupied.
- Unplug unused electrical devices.
- Turn off computers overnight.
- Limit printer use and reduce paper usage.
- Use less electricity wherever possible.
- Utilize the recycle bins throughout the workplace.

## **VI. TIME OFF/LEAVES OF ABSENCE**

### **A. Holiday Pay**

Meridian Township recognizes paid holidays each year:

- New Year's Day
- Martin Luther King Jr. Day
- Good Friday (4 hours)
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve

Should a holiday fall on a weekend, the holiday will be observed on the work day closest to the holiday.

To qualify for holiday pay, employees must report to work on his/her regularly scheduled work day immediately preceding and immediately after his/her scheduled holiday, unless he/she is on vacation or is otherwise excused by his/her supervisor, except that holiday pay will not be paid to an employee who is on a leave of absence of one (1) week or more during which the holiday falls.

If an employee terminates his/her employment, he/she will not receive pay for holidays occurring after the last day worked.

Time off may be granted by the Township Manager to employees who desire to observe a religious holiday that is not recognized by the Township.

### **B. Vacation**

All full-time and part-time employees are eligible for vacation leave benefits. Part-time employees working 20 to 29 hours per week will earn vacation on a pro-rated basis. For purposes of vacation leave, full-time employees are those working over 30 hours per week. Vacation accrual begins on the first day of the month following the hire date for full-time or permanent part-time employment. Vacation is accrued according to the schedule in this policy. Vacation can be used only after an employee has completed six months of continuous employment. Vacation leave will not be earned during an unpaid leave of absence.

To schedule vacation time, employees should submit a completed leave form to the employee's supervisor at least two weeks before the requested leave (refer to collective bargaining units for clarification).



Employees must ensure that they have enough accrued leave available to cover the dates requested. Requests will be approved based on a number of factors, including department operating and staffing requirements. The supervisor should return the leave request to the employee within three business days of the date it is submitted indicating that the request has been approved or denied. If the request for vacation leave is denied, the supervisor should provide an appropriate reason on the form returned to the employee.

### ***Non Union Personnel Vacation Benefits Schedule***

Each full-time employee shall accumulate vacation monthly up to a maximum of 25 working days (200 hours). The Township Manager may waive the maximum accumulation of vacation time upon written request of the employee. Vacation shall be earned according to the following schedule of continuous and completed years of service:

- Start through 4 years = 8 hours per full month worked
- 5 years through 9 years = 10 hours per full month worked
- 10 years and over = 14 hours per full month worked

Regular part-time employees earn vacation in a pro-rated amount.

If employment is terminated, accrued unused vacation leave earned through the last day of active employment will be paid at the employee's base rate of pay at termination.

### **C. Personal Leave**

Personal leave days are made available to provide for pressing personal business which cannot be conveniently scheduled on the employee's time off. Each full-time employee shall be allowed three (3) paid personal leave days (24 hours) each calendar year with full pay and pro-rated if the employee is employed for less than one year. Regular, part-time employees receive pro-rated hours based on hours worked. Paid personal leave days must be used by the end of the calendar year. Personal leave may not be changed to sick or vacation leave, and shall not be cumulative. Personal leave also may not be used in conjunction with regularly established vacation periods and may not be scheduled consecutively at the end of the calendar year. Unused leave will be forfeited at the end of the calendar year.

### **D. Sick Leave**

All regular full-time employees accrue sick leave beginning on the first day of the month following the employee's first day of work after hire for a maximum of 12 days per year. Regular, part-time employees accrue sick leave the first day of the month following the employee's first day of work after hire in a pro-rated amount using the full-time total of 12 days per year and the average number of hours the part-time employee works per week. Leave can be accumulated up to a total of one hundred ten (110) working days.

Employees may use sick leave if their presence is needed at home because of the illness of a member of their immediate family or they have a medical appointment of a routine or preventative nature. "Immediate family" is defined as parents, spouse, children, stepchildren, and any family members

living in the employee's household or any other relative for whom the employee is legally responsible for as a dependent or guardian.

Directors may require substantiation of sick leave as they deem necessary, including a certificate from a physician or an examination by a physician duly appointed by the Township. If such examination is required, the Township will pay the cost if not covered by insurance.

Sick leave may not be used during a vacation period or immediately before or after a vacation or holiday, unless substantiated by a doctor's certificate.

Upon separation of employment, the employee shall receive payment of 1/4 of his/her accumulated sick leave which is paid into the employee's ICMA/RHS account, provided at least two (2) weeks written notice of separation is given by the employee, and providing no abuse of sick leave takes place during the final two (2) weeks of his/her employment. Employees who are terminated by the Township due to misconduct are not entitled to any payout for unused sick leave and all such leave is forfeited. Employees who retire shall receive payment for one-half of his/her accumulated sick leave, which shall be paid into the employee's ICMA/RHS account, provided the employee has given the Township 30 days prior notice of retirement.

Employees who have accumulated 500 or more hours of unused sick leave at the beginning of any calendar year, have the option to sell back to the Township up to forty hours of sick leave at the end of the calendar year. Payment shall be based on the employee's current hourly rate of pay as of December 31 of that year.

#### **E. Bereavement Leave**

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor immediately.

Paid bereavement leave is granted according to the following schedule:

- Employees are allowed three days of paid leave in the event of the death of the employee's spouse, child, father, father-in-law, mother, mother-in-law, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepbrother, stepsister, stepson, stepdaughter, grandparent, grandchild, or spouse's grandparent. Based on extenuating circumstances, a Director, the Human Resources Director, or the Township Manager may grant leaves in excess of three days for bereavement.
- Employees are allowed one day of paid leave in the event of death of the employee's aunt, uncle, nephew, or niece.

#### **F. Jury Duty**

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, employees must notify their supervisor and provide him/her with a copy of the jury summons. The Township will pay a regular full-time and regular part-time employee his/her regular straight time rate which he/she would have earned if working. If jury duty ends before an employee's scheduled shift ends, he/she may either return to work or take personal or vacation leave for the remainder of

the day. In order to receive payment, an employee must give the Township at least two (2) days' prior notice that he/she has been summoned for jury duty, furnish satisfactory evidence that he/she reported for or performed jury duty on the day(s) for which he/she claims payment, and submit payment(s) received for jury duty, less mileage paid, to Human Resources/Payroll.

### **G. Election Leave**

Employees who are chosen to serve as an election official at polling sites will be permitted to take required time off to serve in this capacity. It is incumbent on employees who are chosen to act as election officials to notify their supervisor or Director a minimum of seven (7) days in advance of the need for time off in order to accommodate the necessary rescheduling of work periods. Time engaged as an election official should be reported and coded appropriately on timekeeping records.

### **H. Military Leave of Absence**

Meridian Township is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the Township's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or company policy. If any employee believes that he or she has been subjected to discrimination in violation of company policy, the employee should immediately contact Human Resources.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the Uniformed Services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time being spent being examined to determine fitness to perform such service.

Employees requesting leave for military duty should contact the Human Resources Department to request leave as soon as they are aware of the need for leave.

### **I. Lactation/Breastfeeding**

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. The Township will designate a private room for this purpose. Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

## **VII. BENEFITS**

For more information regarding benefits programs, please contact the Human Resources Department or refer to the Township Summary Plan Descriptions, which were provided to employees upon hire. In the event of a conflict between the provisions of this Manual and the terms of any insurance or plan document, the insurance or plan document shall apply.

### **A. Medical and Dental Insurance**

The Township currently offers regular full-time employees regularly scheduled to work a minimum of 30 hours per week enrollment in medical and dental insurance coverage options in effect the first day of the month following their first day of work after hire.

Insurance elections are fixed for the remainder of the plan year. Changes in family status, as defined in the Plan document, allow employees to make midyear changes in coverage consistent with the family status change. Please contact the Human Resources Department to determine if a family status change qualifies under the Plan document and IRS regulations.

During open enrollment, employees may change medical, dental, and vision elections for the following year. An employee may refuse medical insurance coverage at his/her will. Such refusal must be documented in writing and submitted to the Human Resources Department. NOTE: if employees waive coverage considered affordable and the minimum essential under the Patient Protection and Affordable Care Act ("ACA"), they will not qualify for government credits and subsidies to purchase individual health insurance on the Marketplace. Employees should be aware of the individual responsibility requirement under the ACA. If employees refuse the offer of the Employer's health coverage and do not obtain coverage on their own, they will be subject to a penalty.

The Township will pay an employee \$375.00 per month if medical coverage is refused, but an employee waiving coverage must acknowledge that the Township has offered him or her affordable minimum essential coverage, as defined under the ACA and that he or she understands the consequences of the waiver of coverage.

The Township reserves the right to change insurance carriers and terms and conditions of insurance coverage at any time with the goal that the fundamental provisions of the coverage will not be changed.

The Human Resources Department is available to answer benefits plan questions and assist in enrollment as needed.

### **B. Flexible Spending Account**

The Township currently offers an employee-funded flexible spending account (FSA) to regular full-time employees. Plan participants may elect an annual amount of flexible dollars to pay for eligible health care expenses, including medical or dental insurance deductibles, copayments, and out-of-pocket costs for vision care and other types of care.

If eligible medical or dental expenses are less than the elected annual amount of flex dollars for that calendar year, the balance may be held over to use for 2 months 15 days in the next calendar year. Claims must be submitted by March 31 for the previous calendar year to be applied to that balance.

### **C. Group Life Insurance**

The Township provides regular full-time employees an employer-paid basic group term life policy along with an accidental death and dismemberment policy. Each policy pays a death benefit equal to the employee's salary to the next multiple of \$1,000, subject to the terms of the policy as to an age reduction in benefits and other terms.

### **D. Long-Term Disability Benefits**

The Township offers regular full-time employees who are regularly scheduled to work a minimum of 30 hours per week a non-contributory long-term disability (LTD) base plan. This non-contributory base plan provides for monthly LTD benefits of 60% of basic monthly earnings to a pre-determined maximum benefit less any other offsets. Eligible employees are automatically enrolled as of the first day of the calendar month following their first date of work after hire. Long-term disability coverage terminates on the last day of employment.

Please direct any questions about long-term disability benefits to the Human Resources Department.

### **E. Pension Plans**

Please refer to any applicable Collection Bargaining Agreement.

### **F. Retirement**

- **401(a) Defined Contribution Plan:** The Township offers a contribution plan, requiring employee contributions and Township contributions, for eligible employees.
- **457 Deferred Compensation Plan:** Available to eligible employees.

The benefits are outlined in the plan documents which are available in the Human Resources Department. Please direct any questions about retirement benefits to the Human Resources Department.

### **G. Workers' Compensation Benefits - Coordination with Township Benefits**

An employee who receives compensation under the Michigan Workers' Compensation Act may supplement workers' compensation benefits with the use of sick leave but only to the extent that the sick leave, together with workers' compensation benefits, does not result in regular take home

pay that exceeds what the employee would have received for working his or her regular shift. An employee will not accrue additional vacation, sick leave, personal leave, or holiday pay while receiving workers' compensation. The Township will provide health, dental and vision insurance benefits equivalent to those received by active employees for up to a total of six (6) months while an employee is on a leave covered by workers' compensation.

#### **H. CARES Employee Assistance Program (EAP)**

Through the CARES employee assistance program, the Township provides confidential access to professional counseling services. The EAP, available to all employees, offers problem assessment, short-term counseling and referral to appropriate community and private services. This service is provided on behalf of the Township by Sparrow Health System.

The EAP is confidential and is designed to safeguard an employee's privacy and rights. Contacts to and information given to the EAP counselor may be released to the Township only if requested by the employee in writing. There is no cost for an employee to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

#### **I. COBRA**

Eligible employees shall have the right to continue group health coverage for themselves and their dependents when they terminate employment at the Township. Such coverage is subject to the provisions of the COBRA laws and will be at the employee's expense.

Employees who terminate their employment with the Township or who experience another qualifying event under the provisions of the COBRA law will be advised of their rights by the Township.

## **VIII. COMPENSATION**

### **A. Overtime Pay**

Non-exempt employees who work more than 40 hours in a workweek will be paid time and one half for all hours worked over 40 in a workweek.

Employees who anticipate the need for overtime to complete their work must notify their supervisor in advance and obtain approval before working hours that extend beyond their normal schedule.

### **B. Compensatory Time**

Non-exempt employees paid at an overtime rate for hours worked over 40 in a workweek may elect to receive compensatory time to be used for additional time off. Time worked over 40 hours in a workweek will be eligible for compensatory time if the additional time worked is approved in advance by the Director or Human Resources Director. Compensatory time is earned at the rate of one and one-half hour for each hour worked over 40 hours in a workweek. Accumulated compensatory time may be taken off only upon approval of the Director or Human Resources Director. Compensatory time may not be used before or after a scheduled vacation or a holiday.

An employee may not carry over more than forty (40) hours of compensatory time from one calendar year to the following calendar year. If it is not convenient to grant the use of compensatory time prior to the end of a calendar year, the Township Manager, in his or her sole discretion, may pay an employee for such compensatory time as he or she determines appropriate.

### **C. Longevity**

The Township will pay longevity pay to employees according to the following schedule of continuous and completed years of service:

- 5 through 9 years = \$320
- 10 through 13 years = \$640
- 14 through 17 years = \$960
- Over 17 years = \$1280

Longevity payments must be earned (as of the end of five (5) years and paid in the first pay period thereafter) of any calendar year. For the purposes of computation, years of service shall be measured from the last date of continuous employment with the Township. Elected Officials are not eligible to receive longevity payments. Pro-rated longevity payments shall be made to an employee at retirement or to an employee who is currently, or has been, on an unpaid leave within the previous year who is otherwise eligible for longevity.

## **IX. UNLAWFUL HARASSMENT POLICY**

### **A. Objective**

The objective of the Township in implementing and enforcing this policy is to define workplace harassment, prohibit it in all forms, provide procedures for lodging complaints about conduct that violates this policy, investigate claims of unlawful harassment, and carry out appropriate disciplinary measures in the case of violations.

### **B. Scope**

This policy applies to all employees, Full-Time, Part-Time, Seasonal, Interns, and Volunteers of the Township, as well as for citizens, vendors, visitors, or contracted employees. All employees, including Supervisors, Managers, and Directors will be subject to discipline, up to and including termination, for any violation of this Policy.

### **C. Workplace Harassment**

The Township expects employees to respect the dignity and rights of others. Consistent with our policy of equal employment opportunity, harassment or discrimination in the workplace based on a race, color, ancestry, religion, sex, sexual orientation, national origin, age, physical or mental disability, citizenship status, veteran status, gender identity or expression or any other characteristic protected by applicable law (workplace harassment, including cyber harassment and cyber sexual harassment) will not be tolerated. It is the Township's policy that all employees are responsible for assuring that the workplace is free from discrimination and unlawful harassment against any employee, including sexual harassment and harassment on the basis of their protected characteristics. Actions, words, jokes, or comments based on or ridiculing an individual's protected characteristic will not be tolerated. Any employee found in violation of this policy will be subject to disciplinary action, up to and including termination.

### **D. Defining Sexual Harassment**

Sexual harassment is unwelcome conduct of a sexual nature that is sufficiently persistent or offensive to unreasonably interfere with an employee's job performance or creates an intimidating, hostile, or offensive working environment. Sexual harassment is defined by the Equal Employment Opportunity Commission Guidelines as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Under Title VII of the Civil Rights Act of 1964, there are two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment can be physical and psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the



incidents considered on its own would not be harassing. Employees are prohibited from sexually harassing other employees whether or not the incidents of harassment occur on Township premises and whether or not the incidents occur during working hours. Meridian Township adheres to all federal, state, and local laws applying to sexual harassment including Michigan's Elliot-Larsen Civil Rights Act.

### **E. Examples of Prohibited Conduct**

Though sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include the following:

- Physical assaults of a sexual nature, such as rape, sexual battery, molestation, or attempts to commit these assaults, and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.
- Unwelcome sexual advances, propositions, or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience.
- Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
- Sexual or discriminatory displays or publications anywhere in the Township workplace.
- Retaliation for sexual harassment complaints.

### **F. Complaint Resolution Procedures**

#### ***1. Employees***

If an employee believes that he or she has been subjected to unlawful harassment on the basis of sex or any other protected characteristic or any unwelcome attention on the basis of a protected characteristic, he or she may address the situation directly and immediately to the harasser, if possible. If the inappropriate conduct does not cease, or if the employee is unable to or is uncomfortable with addressing the alleged harasser directly, he or she must report the incident to his or her own supervisor or manager and the Human Resources Director. If the alleged harassment complaint is directly related to an employee's Supervisor, Manager or Director, the employee may report the incident to the Human Resources Director, Township Manager, or any other Director or Supervisor.

It is important to report any and all concerns of unlawful harassment or inappropriate conduct to the Human Resources Director or a supervisor/director as soon as possible, but no later than 182 days from the initial event. Management must be made aware of the situation so that it can conduct an immediate and impartial investigation and take appropriate action to remediate or prevent the prohibited conduct from continuing.

To initiate a formal investigation into an alleged violation of this policy, employees are asked to provide a statement about the alleged misconduct to the Human Resources Director. The Human Resources Director may assist the complainant in completing or documenting the statement. To ensure the prompt and thorough investigation of a complaint of unlawful harassment, the complainant should provide as much of the following information as is possible:

- The name, department, and position of the person or persons allegedly engaging the harassment.
- A description of the incident(s), including the date(s), location(s), and the presence of any witnesses.
- The effect of the incident(s) on the complainant's ability to perform his or her job, or on other terms or conditions of his or her employment.
- The names of the other individuals who might have been subject to the same or similar harassment.
- Any other information the complainant believes to be relevant to the harassment complaint.

## ***2. Directors, Managers, and Supervisors***

Directors, Managers, and Supervisors must deal expeditiously and fairly with allegations of unlawful harassment within their departments whether or not there has been a written or formal complaint. They must:

- Take all complaints or concerns of alleged or possible harassment or discrimination seriously no matter how minor or who is involved.
- Ensure that harassment or inappropriate sexual oriented conduct is immediately reported to the Human Resources Director or Human Resources Department (also referred to as "Human Resources") so that a prompt investigation can occur.
- Take appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Directors, Managers and Supervisors who knowingly allow and tolerate unlawful harassment or retaliation, including the failure to immediately report such conduct to Human Resources, are in violation of this policy and subject to discipline up to and including termination.

## ***3. Human Resources***

The Human Resources Director is responsible for:

- Ensuring that both the individual filing the complaint and the allegedly accused individual are aware of the seriousness of a harassment complaint.
- Explaining this policy and investigation procedures to the complainant and the respondent.
- Exploring informal means of resolving harassment complaints.

- Arranging for and conducting an investigation of the alleged harassment and the preparation of a written report.
- Submitting a written report summarizing the results of the investigation and making recommendations to the Township Manager.
- Notifying the complainant and the accused of the corrective actions to be taken, if any, and administering those actions.

#### **G. Confidentiality**

In order to protect the interests of all involved, confidentiality will be maintained to the extent practicable and deemed appropriate by the Township. The Human Resources Director shall take adequate steps to ensure that the complainant is protected from retaliation during the period of the investigation. All the information pertaining to a harassment complaint or investigation is maintained by the Human Resources Director.

#### **H. Discipline**

Employees who violate this policy are subject to appropriate discipline. If an investigation results in finding that this policy has been violated, the mandatory minimum discipline is a written warning. The discipline for very serious or repeat violations is termination of employment.

## **Y. FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY**

### **A. About**

The function of this policy is to provide Township employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes related to this policy, you must contact the Human Resources Director in writing.

### **B. General Provisions**

Under this policy, Meridian Charter Township will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

### **C. Eligibility**

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

- 1) The employee must have worked for the Township for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven (7) years. Separate periods of employment will be counted if the break in service exceeds seven (7) years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- 2) The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours of leave will not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

#### **D. Types of Leave Covered**

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- 1) The birth of a child and in order to care for that child.
- 2) The placement of a child for adoption or foster care and to care for the newly placed child.
- 3) To care for a spouse, child, or parent with a serious health condition.
- 4) The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven (7) days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year. Pregnancy (including pre-natal medical appointments, incapacity due to related sickness, and medical required bedrest) is also covered. Employees with questions about what illnesses are covered under this FMLA policy or under the Township's sick leave policy are encouraged to consult with the Human Resources Director.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the Township may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

- 5) Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

***The qualifying exigency must be one of the following:***

- a. Short-notice deployment
- b. Military events and activities
- c. Child care and school activities
- d. Financial and legal arrangements
- e. Counseling
- f. Rest and recuperation
- g. Post-deployment activities
- h. Additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

In order to care for a covered service member, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered service member. Any employee with specific eligibility questions should seek assistance from the Human Resources Department.

**E. Amount of Leave**

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The Township will measure the 12-month period as a rolling 12-month period measured forward from the date an employee uses any leave under this policy.

An eligible employee can take up to 26 weeks for the FMLA circumstance military qualifying exigencies during a single 12-month period. For this military caregiver leave, the Township will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the Township and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the Township and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

## **F. Employee Status and Benefits during Leave**

While an employee is on leave, the Township will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the Township may require the employee to reimburse the Township the amount it paid for the employee's health insurance premium during the leave period.

The Township shall have no obligation to pay health care premiums for the employee on unpaid leave for any time after the employee's approved FMLA absence from work. Employees may continue insurance coverages at their own expense during approved, unpaid leave of absence. An employee will not accumulate sick or vacation leave, nor be paid for holidays which may fall during the unpaid leave period.

If the employee does not continue these payments, the Township may discontinue coverage during the leave. If the Township maintains coverage, the Township may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work. The Township will provide 15 calendar days' notice prior to the employee's loss of coverage.

## **G. Employee Status after Leave**

In order to return to work an employee who takes leave under this policy will be asked to provide a fitness for duty without restrictions from the health care provider. This requirement will be included in the Township's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is equivalent in terms of pay, benefits and working conditions. The Township may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

## **H. Use of Paid and Unpaid Leave**

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid sick leave prior to the use of personal and vacation leave. FMLA leave will be unpaid except that employees must exhaust any accumulated sick leave time as compensation during the FMLA leave. FMLA leave will run concurrently with all paid sick leave that must be exhausted or that is voluntarily taken, all workers compensation leave and all long-term disability leaves. An employee who is using military FMLA leave for a qualifying exigency must use all paid sick leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid sick leave prior to being eligible for unpaid leave.

## **I. Intermittent Leave or a Reduced Work Schedule**

Township employees may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take time when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period). In all cases, the leave must be qualified leave under the FMLA.

The Township may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the Township and its employees must mutually agree to a schedule before any employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If an employee is taking leave for a serious health condition or because of a serious health condition of a family member, the employee should try to reach agreement with the Township before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

## **J. Certification for the Employee's Serious Health Condition/ Family Member/ Qualifying Military Exigency**

The Township will require certification for an employee's/family member's serious health condition or qualifying exigency. The employee must respond to such a request within 15 calendar days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the U.S. Department of Labor (DOL) Certification of Health Care Provider for Employees/Family Members Serious Health Condition and the DOL Certification of Qualifying Exigency.

The Township may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, a Human Resources employee, leave administrator, or management official. The Township will not use the employee's direct supervisor for this contact. Before the Township makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the Township will obtain the employee's permission for clarification of individually identifiable health information.

The Township has the right to ask for a second opinion if it has reason to doubt the certification. The Township will pay for the employee to get a certification from a second doctor, which the Township will select. The Township may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion.



If necessary to resolve a conflict between the original certification and the second opinion, the Township will require the opinion of a third doctor. The Township and the employee will mutually select the third doctor, and the Township will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA policy pending the second or third medical opinion.

**K. Recertification**

The Township may request recertification for the serious health condition of an employee or the employee's family member, or military/family service member no more frequently than every 30 days unless circumstances have changed significantly, or if the Township receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of the leave.

**L. Procedure for Requesting FMLA Leave**

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Human Resources Department. Within five (5) business days after the employee has provided this notice, the Human Resources Department will complete and provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the Township with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the Township's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

**M. Designation of FMLA Leave**

Within five (5) business days after the employee has submitted the appropriate certification form, the Human Resources Department will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

**N. Intent to Return to Work from FMLA Leave**

The Township may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Prior to returning to work, an employee must provide a fitness for duty release from the physician.

# **XI. REASONABLE ACCOMMODATION/ AMERICANS WITH DISABILITIES ACT (ADA) AND AMENDMENTS ACT (ADAAA) POLICY**

## **A. Reasonable Accommodation/ Americans with Disabilities Act (ADA)**

The Americans with Disabilities Act (ADA), the State of Michigan's Persons With Disabilities Civil Rights Act, and Meridian Charter Township's Human Relations ordinance provide an opportunity for greater economic security for a significant number of citizens by providing Equal Employment Opportunity (EEO) protection for achieving and maintaining employment. The Township strives to demonstrate its commitment to this concept by requiring the removal of unnecessary and artificial barriers to employee selection and work access and by maintaining an orderly and structured process for working with employees in an interactive process to make reasonable accommodations that allow an otherwise qualified individual with a disability to perform the essential functions of a job assignment. It is the policy of the Township to provide reasonable accommodations in employment to qualified individuals with disabilities unless the accommodation would impose an undue hardship on Township operations or would change the essential functions of the position. Retaliation against an individual with a disability for using this policy is prohibited.

## **B. Notification and Medical Documentation**

In general, it is the responsibility of an applicant or employee with a disability to inform the Human Resources Director that a need for an accommodation exists or that some adjustment or change is needed to perform the essential function of a job because of limitations caused by a disability. A reasonable accommodation refers to change or adjustment in the job or the work environment that allows a qualified employee with a disability to perform the essential functions of his or her job. While it has been our experience that supervisors and employees often informally work through issues surrounding limitations caused by a disability, this policy has been developed to provide a formal process through which the employee notifies the Human Resources Director for assistance.

Generally speaking, any request for an accommodation should be made in writing within 182 days or sooner after you know or reasonably should have known of the need for accommodation.

When the Human Resources Director is so notified, the Human Resources Department initiates the interactive process with the individual by requesting the employee to identify what accommodations are requested (if known) and to provide appropriate medical documentation. A form for accommodation requests (to be supported by medical documentation) is available from Human Resources. Employees can also provide requests in another format so long as the necessary information is provided.

Appropriate medical documentation should:

1. Describe the nature, severity, and duration of the employee's impairment.
2. Describe the activity or activities that the impairment limits.
3. Describe the extent to which the impairment limits the employee's ability to perform any specific employment activity or activities.
4. Substantiate the need for accommodation and makes suggestions, if reasonably possible, for any specific accommodations.

Employees seeking accommodation will be notified if their documentation is insufficient. In obtaining this information, employees are cautioned that the Township is not requesting nor should the employee provide part of his or her medical documentation any genetic information regarding the employee or a family member protected by the Genetic Information Nondiscrimination Act (GINA).

### **C. Interactive Process**

Once a request has been made and appropriate medical documentation supporting the need for accommodation has been provided, then the circumstances will be addressed on a case-by-case basis. This process may encompass one or more of the following steps or other efforts not listed below that are reasonably needed to determine where an applicant's or employee's needs can be met through the reasonable accommodation process:

- Job analysis, job description review, and review of any other relevant data regarding job requirements and functions.
- Consultations with the appropriate supervisor and Human Resources, and others as necessary, to define possible accommodation that might be reasonably necessary to permit or allow an otherwise qualified person with a disability to participate in the screening process in the case of applicants, or to perform the job assignment under consideration for employees.
- Applicant accommodation requests will be handled by Human Resources in conjunction with the selection manager.
- Among the points to be addressed in the analysis are whether, based on the information available, the employee is otherwise qualified to perform the essential job functions; the physical and/or mental work requirements; physical barriers, if any, based on the work location; the effect of accommodations on related jobs or individuals; any possible threats to the health/safety of the person with a disability or to others in the work place; any undue hardship on the Township in providing the accommodation; and estimated dollar costs (if any) to accomplish the desired accommodation.

All applicants and employees are expected to cooperate in the interactive process. As part of the process, employees should also remember that the Township is not obligated to and will not provide personal use items needed in accomplishing daily activities, such as eye glasses or hearing aids, but will consider work-specific equipment, such as but not limited to, voice-activated software or adaptive technology where appropriate.

#### **D. Decision on Accommodation and Recordkeeping**

Once the interactive process is complete and a decision is made regarding accommodations, the employee will be notified by Human Resources. The employee will also be notified if/when documentation needs to be renewed or updated.

Human Resources will also produce the decision in writing and document it in the employee's confidential medical file. The supervisor is responsible for providing support in completing appropriate written documentation to Human Resources. Information regarding an employee's disability and requests for accommodations will be kept confidential and shared with others only if they have a legitimate business reason to know.

#### **E. Terms Used in This Policy**

- **Disability:** A physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or being regarded as having such an impairment.
- **Major life activities:** Term includes caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.
- **Major bodily functions:** Term includes physical or mental impairment such as any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. Also covered are any mental or psychological disorders, such as intellectual disability (formerly termed "mental retardation"), organic brain syndrome, emotional or mental illness and specific learning disabilities.
- **Substantially limiting:** In accordance with the ADAAA final regulations, the determination of whether an impairment substantially limits a major life activity requires an individualized assessment, and an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include epilepsy, hypertension, asthma, diabetes, major depressive disorder, bipolar disorder, and schizophrenia. An impairment, such as cancer that is in remission but that may possibly return in a substantially limiting form, is also considered a disability under US Equal Employment Opportunity Commission (EEOC) final ADA Amendments Act of 2008 (ADAAA) regulations.

- **Direct threat:** A significant risk to the health, safety or well-being of individuals with disabilities or others when this risk cannot be eliminated by reasonable accommodation.
- **Qualified individual:** An individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.
- **Reasonable accommodation:** Includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

## **F. Appeals**

If the employee disagrees with the accommodation selected or has been denied an accommodation to which the employee believes he/she is entitled to, the employee may appeal the decision to the Township Manager within twenty (20) working days of the date of the decision.

## **XII. SOCIAL MEDIA POLICY**

### **A. Introduction**

In order to provide residents timely information about activities, news, and events regarding Meridian Township, the Township may administer various social media accounts. The Township also acknowledges and honors employees' rights to have their own personal social media accounts.

To promote an inclusive work environment, the Township has developed a policy for official Meridian Township social media accounts. The Township has also drafted guidelines for employees to consider while using their own personal social media accounts. If there are any questions regarding this policy, please feel free to contact the Human Resources Director.

### **B. "Official" Township Social Media Accounts**

An official Township social media account is defined as a social media account representing the Township in an official capacity (e.g. a social media account representing the Police Department). The Township retains the rights to alter any employee's access to any social media platform at the workplace and to also republish or re-use any content posted on an official Township social media account. Although not all-encompassing, the following is a list of Township regulations regarding employee use of official Township social media accounts.

- **Approval** – The creation of any official Township social media accounts must be approved by the Township Manager or by a designated appointee of the Township Manager.
- **Adherence to Departmental Policies** – Township departmental guidelines regarding official Township social media accounts may not usurp the Township Social Media Policy. However, employees must adhere to any additional official Township social media policies set by their department. Additionally, employees operating official Township social media accounts must adhere to all Information Technology (IT) policies.
- **Identification** – When relevant, all employees representing the Township on an official Township social media account, must identify themselves by name and role within the Township.
- **Confidential Information** – Operators of official Township social media accounts shall not share any confidential Township information including, but not limited to, pending Township litigation or personnel matters.
- **Obscene Content** – Although not an all-encompassing list, Township employees operating official Township social media accounts shall not share any content that is deemed harassing, libelous, defamatory, discriminatory, pornographic, or any material which may cause a hostile work environment.
- **Endorsements** – Employees operating official Township social media accounts shall not, without prior written approval from the Township Manager or by a designated appointee of the Township Manager, share any content that endorses political candidates, political causes, ballot proposals, or businesses and services.

- **Usage** – Content posted by operators of official Township social media accounts shall not be a substitute for any public notice requirements mandated by federal, state, or local law.
- **Intellectual Property** – Official Township social media accounts shall adhere to all federal and state laws that govern intellectual property including, but not limited to, copyright and trademark protections.
- **Document Storage** – All official Township social media content shall adhere to existing Township electronic document storage procedures and all Township Freedom of Information Act (FOIA) policies and procedures.
- **Right to Monitor** – Operators of official Township social media accounts shall have the right to monitor all content shared by these accounts as well as content contributed by the public. Additionally, operators have the right to remove content contributed by the public if deemed vulgar, harassing, or threatening. Threats or harassing material shall be reported to the proper law enforcement agency.
- **Press Requests** – Meridian Township honors employees’ rights to speak to the press. However, the Township asks employees operating official Township social media accounts to consider forwarding all requests from the media or press to a supervisor or the Communications Department.
- **Work Responsibilities** – Operators of official Township social media accounts shall only use these accounts for work-related purposes. Excessive use of non-work related use of social media platforms during work hours is subject to discipline.

### **C. Personal Social Media Use**

Meridian Township respects employees’ rights to express themselves through social media and additionally adheres to all provisions in Michigan’s Internet Privacy Protection Act. *However, all content shared by Meridian Township employees on their personal social media accounts should be considered public and permanent, and may be monitored by the Township.*

Personal social media use is considered as employees using social media on their own personal accounts, not representing the Township in an official capacity. Although not all-encompassing, the following is a list of guidelines for an employee to consider when using personal social media.

- **Identification** – If an employee of Meridian Township identifies themselves as an employee of Meridian Township on a personal social media account, the employee should note that the account is non-official.
- **Disclaimer Recommendation** – Employees who identify themselves as Township employees on personal social media accounts may want to consider posting a disclaimer on their account stating, “The views and opinions expressed here are the views of the writer and do not necessarily reflect the views and opinions of Meridian Charter Township.”
- **Be Respectful** - Always be fair and courteous to fellow employees, the public, vendors or people who work on behalf of the Township. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage co-workers, customers, associates or suppliers, or that might constitute harassment or bullying.
- **Obscene Content** – Township employees should refrain from publicly sharing obscene content on personal social media accounts (as defined in the “Official” Township Social Media Accounts).
- **Confidential Information** – Township employees may not publicly share confidential Township information on personal social media accounts (as defined in the “Official” Township Social Media Accounts).
- **Use of Township Logos** – Township employees may not use any Township logos on their personal social media accounts without the expressed written permission by the Township Manager or by a designated appointee of the Township Manager.



### **XIII. Military Leave Policy (USERRA)**

Meridian Charter Township values its employees who also serve in the military. It is the policy of Meridian Charter Township to comply with the Uniformed Services Employment and Reemployment Act of 1994 (USERRA), as revised, and applicable state laws that protect job rights and benefits for veterans and members of the reserves. The laws cover all persons serving in the Army, Navy, Marine Corps, Air Force, Coast Guard, Public Health Service commissioned corps, and the reserve components of these services, and the National Guard.

USERRA provides protection to employees who are absent from work for active duty, active duty for training, initial active duty for training, funeral honors duty, inactive duty training, full-time National Guard duty under federal direction, and a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any of those duties. In addition, also protected are those in service in the commissioned corps of the Public Health Service, those attending a military service academy, and those participating in a ROTC active or inactive duty training program. Covered service also includes an employee's service as an intermittent disaster-response appointee upon activation of the National Disaster Medical System (NDMS) or as a participant in the authorized NDMS training program. Finally, in times of war or national emergency, the President has the authority to designate any category of persons called into the country's service at such times as a service member covered by USERRA's rights and protections.

#### **A. Notice Required**

An employee taking leave provided in USERRA (or appropriate commanding officer of the employee) must provide as much advance written or oral notice as possible of the need for leave, unless impossible because of military necessity or otherwise impracticable or unreasonable. Consistent with the Department of Defense recommendations, the Township requests at least thirty (30) days' notice.

#### **B. Documentation**

An employee taking leave provided in USERRA is required to provide documentation confirming his or her military service for leave that is longer than thirty (30) days. The Township requests that employees provide documentation for all leave taken under USERRA.

#### **C. Confirmation of Service**

An employee taking leave provided in USERRA must provide the name and contact information of his or her commanding officer. The Township reserves the right provided in USERRA to contact the commanding officer of an employee to confirm the service related to any leave.

#### **D. Employment and Pay**

Upon presentation by a regular full-time employee of compensation records identifying the date of and payment made for the training program, the Township shall pay the difference between the compensation received for the training and the compensation that would have been received

had the regular full-time employee worked as scheduled for up to ten (10) working days annually. In the event that the annual training required for an employee exceeds the ten (10) days specified above, the additional days shall be granted as a leave of absence without pay (or charged against the employee's accumulated vacation leave, if requested by the employee).

**E. Reemployment**

Under USERRA, an employee is entitled to reemployment upon separation from military leave, if the employee:

- Was honorably discharged or terminated from service;
- Was employed in a position for which there was an expectation of continued employment;
- Has not been absent for duty in the military for longer than a cumulative period of five years, unless involuntarily retained in the military;
- Reported to work or notified his or her supervisor of an intention to return to work, at the proper time, as indicated within this policy.

<b>Period of Service</b>	<b>Required Employee Action</b>	<b>When Action Must Be Taken</b>
1 – 30 days	Report to work	(1) On the next regularly scheduled work shift on the first full calendar day after service ended, plus the time for safe transportation back to his/her residence and eight hours of rest – OR – (2) As soon as possible after the eight hour rest period, if, through no fault of the employee, it would be impossible or unreasonable to report within the time described in (1)
31 – 180 days	Notify his or her supervisor in writing of the employee's intent to return to work	Within 14 calendar days (Unless impossible or unreasonable through no fault of the employee, then the next first full calendar day that submitting the request becomes possible)
181+ days	Submit a written request for reemployment	Within 90 days after completing service

This policy may not address all issues concerning your rights during military leave. If issues arise that are not addressed in this policy, the Township will abide by USERRA and other applicable laws. Should you have any questions or require further information, please see the Human Resources Director.