



PERSONNEL MANUAL
CITY OF PORT HURON
MICHIGAN

Revised 07-01-2014

INDEX

CHAPTER	DESCRIPTION	PAGE
I	PERSONNEL REGULATIONS	
	Personnel Regulations	1
	Employer's Rights	1 – 2
II	CHARTER PROVISIONS	
	Responsibility for Administration	2
	City Manager	2
	Personnel Appeals Board	2
	Human Resources Director	3
	Department Heads	3
	Compensation	3
III	LEGAL RIGHTS	
	Equal Employment Opportunity Policy	3 – 4
	Sexual Harassment Policy	4 – 5
	Anti-Harassment Policy	5
	Workplace Violence Policy	5 – 6
	Drug-Free Workplace Policy	6 – 8
	Health Insurance Portability and Accountability Act (HIPAA)	8
	Americans with Disabilities Act (ADA) – Disability Discrimination and Compliance with Laws Concerning Disabilities	9
	Non-Smoking and Smoke-Free Workplace Policy	9
	Personnel Files – Employee Access (Bullard-Plawecki Right to Know Act)	10
	Public Security	10
	Procedures and Guidelines to Comply with Fair Labor Standards Act	10 – 12
	Social Security Number Privacy Act	12
IV	THE CLASSIFICATION PLAN	
	Contents of the Plan	13
	Maintenance of the Plan	13
V	RECRUITMENT	
	Background and Reference Checks	13 – 14
	Physical Examinations	14
	Pre-employment/Promotional Examinations	14
	Residence Requirements	14
	Immigration Law and the Immigration Reform and Control Act of 1986 (IRCA)	15
	Filling Vacancies – Job Posting	15
	Appointments and Introductory Period	15 – 16
	Appointment to Temporary Positions	16
	Orientation	16

INDEX

VI	IN-SERVICE ACTIVITIES	
	Step Increase Policy	16 – 17
	Longevity Compensation	17 – 18
	Annual Leave	18
	Annual Leave Scheduling	18
	Longevity Vacation or Pay	18 – 19
	Accumulated Vacation Leave	19
	Personal Days	19
	Old Sick Leave Plan	20
	City Disability Income Plan	20
	Accumulated Sick Leave (Old Sick Leave Plan)	21
	Accumulated Sick Leave (City Disability Income Plan)	21
	Accident Reporting Policy	21
	Vehicle Accident Reporting Policy	21
	Vehicle Use for Business Travel	21
	Seat Belts and Occupant Restraint Systems	22
	Eye Protectors (Safety Glasses) and Face Protection	22
	Sick Leave/Benefits (Seasonal and Part-time Employees)	22
	Physician's Certificate	22
	Bereavement Leave	23
	Attendance	23
	Request for Leave	23
	Leave of Absence Without Pay	24
	Family and Medical Leave Act (FMLA)	24
	Military Leave and Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)	25
	Jury Duty and Court Appearances	25
	Employee Absence Reporting	25
	Legal Holidays	26
	Hours of Work	26
	Rest/Lunch Periods	26
VII	PENALTIES AND TERMINATIONS	
	Employee Conduct Attendance and Attention To Work Health and Safety Personal Conduct Political Activity Security	26 – 28
	Suspensions	28
	Demotions	29
	Reductions	29
	Layoffs	29
	Dismissals	29
	Resignations	29
	Exit Interviews	30

INDEX

VIII	SUGGESTIONS AND COMPLAINTS	
	Suggestions	30
	Complaints Involving Employee Suspensions, Reductions, Layoffs or Dismissals	30
IX	BENEFITS	
	New Hire – Benefits	30
	Healthcare Coverage	30
	Waiver of Healthcare Coverage	30
	Dental Coverage	30
	Life Insurance	31
	Optical Program	31
	Medical Flexible Spending Account	31
	Deferred Compensation	31
	Payroll Deductions	31
	Educational Reimbursement	31 – 32
X	EXEMPT POSITIONS	
	Positions Exempt from Provisions of this Manual Relative to Appointment	32
XI	RETIREMENT	
	Retirement – Municipal Employees’ Retirement System	32 – 33
	Retirement Healthcare Benefits	33
	Health Care Savings Program (HCSP)	33 – 34
XII	PERSONNEL APPEALS BOARD	
	Personnel Appeals Board	34
	Powers and Duties	34
	Rules of Procedure - Complaint	35
	Consideration of Complaint	35
	Notice of Hearing	35
	Adjournments	35
	Representation	35
	Conduct of Hearings	35
	Findings	35
XIII	CITY POLICIES AND PROGRAMS	
	Employee Status Change Policy	36
	Outside Employment Policy	36
	Conflict of Interest Policy	36 – 37
	City Dress Code Policy	37 – 38
	Nepotism Policy	38
	Internet/Electronic Mail Policy	39
	Political/Campaign Activity of Employees Policy	39 – 40
	City Vehicles and Distracted Driving Policy	40
	Storm/Emergency Policy	40

INDEX

XIII	CITY POLICIES AND PROGRAMS (continued)	
	City Bulletin Boards – Employee Updates	40
	Employee Assistance Program	41
	Solicitation on City Premises	41
	Open Door Policy	41
	Health and Safety Program	41 – 42
	Wellness Programs	42
	Suggestion Program	42
	Employee Recognition Program	42
	Medical Services and First Aid	42



VISION STATEMENT

The City of Port Huron employees are dedicated to providing the finest quality of community services available and we strive to maintain that goal as we believe in our obligation to the well-being of the community we serve.

MISSION STATEMENT

Our employees will always be our most valuable asset; a direct link to the community, and as such, an integral part in the success of the City's endeavors. As employees of the City we believe that "excellence" is the standard which is set for all we do, and that such a high standard is achieved by encouraging:

- Respect for Individuals
- Positive communication among employees and the community
- Encouragement for employees' creative, innovative solutions to unique challenges
- Facilitating the growth and development of the employee, both professionally and personally
- Recognition for a job well done
- Awareness and education concerning special needs of individuals, their families, and their environment

As employees of the City we believe that the quality of life through the development of a clean, healthy, safe, and progressive city depends upon our success and contributions as members of this society.

STANDARD OF CONDUCT

The City of Port Huron insists on the highest standard of conduct from its employees. Employees act as official representatives of the City of Port Huron and are expected to maintain the integrity and reputation of the City of Port Huron. Employees are expected to use discretion in their private and professional life so that their conduct as it relates to City business is of the highest professional and moral standards. Employees are expected to perform all duties impartially and treat all citizens/co-workers equally with courtesy, consideration and dignity. Employees will never allow personal feelings, animosity or friendship to influence official conduct. All citizens and coworkers are to be treated fairly and equally and regardless of race, national origin, gender, age, disability, religious affiliation, height, weight, or marital status.

FOREWORD

This manual is intended to serve as a working guide for officials and employees of the City of Port Huron in the operation of the system of personnel administration.

The manual does not create a contract either expressed or implied. The Personnel Manual applies to all non-represented positions. This manual is not all inclusive, and is designed to only be a set of guidelines.

This manual does not guarantee employment for any definite period of time and may be changed by the City Manager or his designated representative unilaterally, at any time.

This manual supersedes any previous handbook or unwritten policies and does not alter the “at will” relationship between employer and employee.

CHAPTER I – PERSONNEL REGULATIONS

Personnel Regulations

This manual contains the rules and regulations for operating the complete personnel program and presents the personnel policies and procedures of the Administrative Branch of the Municipal Government.

The policies and procedures so established apply to all full-time employees under the jurisdiction of the City Manager of the City of Port Huron (“City”) except as noted or as otherwise agreed by the City in writing. They are intended to provide a sound and equitable plan for handling personnel matters without limiting the responsible administrative officers in securing efficient service.

The Human Resources Director shall be responsible for the operation of the plan established by this manual. The Human Resources Director will confer with the Personnel Appeals Board on all matters for which such Board is responsible. The Human Resources Director will confer with the City Manager on all matters relating to the administrative policies and procedures established by this manual, and the decision of the City Manager shall be final. All Department and Division Heads shall follow the procedures outlined in this manual.

Employment with the City of Port Huron shall not be for a set or definite term. This means either the City of Port Huron or the employee may terminate the employment relationship at any time with or without cause. That being understood, each party will endeavor to provide reasonable advance notice to the other in the event of a separation of employment.

These policies may only be amended or varied from if done so in writing by the City Manager. No verbal variations or changes from these policies will be binding.

Employer’s Rights

The City, as an employer and on behalf of the electors of the City of Port Huron, hereby retains and reserves unto itself all powers, authority, duties and responsibilities conferred upon and vested in by law and the Constitution of the State of Michigan and of the United States, the Port Huron City Charter and City Code, and any modifications made thereto.

Further, all rights which ordinarily vest in and are exercised by employers are reserved to and remain vested in the City, including but not limited to the following rights:

- Manage the affairs of the City efficiently and economically, including the determinations of quantity and quality of services to be rendered;
- Introduce new equipment, methods, and machinery, or change and/or eliminate existing equipment and institute technological change, decide on materials, supplies, services, equipment and tools to be purchased;
- Determine the size of the work force and increase or decrease its size;
- Hire, assign and permanently or temporarily layoff employees;

- Direct the work force, assign work, determine classifications, and prescribe and assign job duties, content and classification;
- Establish, change, combine or discontinue job classifications and prescribe and assign job duties, content and classification;
- Discipline and discharge employees;
- Adopt reasonable work rules; and
- Select employees for promotion or transfer and determine the qualifications and competency of employees to perform available work.

CHAPTER II – CHARTER PROVISIONS

Responsibility for Administration

The Charter of the City of Port Huron vests the City Manager with the power to appoint and remove all officers and employees on the City's Administrative Service. "Administrative Service" includes all City employees who render services for which they receive compensation. Section 43, Chapter V, of the Charter states that "The appointments made by or under authority of the City Manager shall be on the basis of the fitness, training, and experience of such appointees for the work they are to perform." To assist the City Manager in administering the personnel functions, the Charter provides for the creation of a Personnel Appeals Board. This manual provides that "The Personnel Appeals Board shall investigate complaints made to it in writing by an officer or employee in the administrative service who is suspended, reduced, laid off, dismissed or otherwise disciplined and report its findings in writing to the City Manager. The decision of the City Manager shall be final."

It is further provided that the City Manager may call upon the Board to give assistance in other personnel matters as occasion requires.

This manual constitutes the official declaration of the specific practices and procedures that have been adopted in order to give effect to the personnel policy set forth in the Charter. A copy of this manual will be issued by the Human Resources Director and made available to all employees specifically covered by this manual's provisions.

City Manager

The City Manager will determine all personnel policies. In all cases, the City Manager's decision on personnel matters will be final.

Personnel Appeals Board

The Personnel Appeals Board will receive, investigate and report to the City Manager complaints made to it in writing by an officer or employee in the administrative service who is suspended, demoted, reduced, laid off, dismissed or otherwise disciplined. The Board may render such other assistance as may be required to carry out the City's personnel policies. In its function, the Board must not limit the responsible administrative officers in securing efficient service.

Human Resources Director

The Human Resources Director, as head of the Human Resources Department, shall serve as Chairman of the Personnel Appeals Board, and be responsible to the City Manager for the proper administration of the City's personnel system. NOTE: In cases where an employee requests a hearing because of suspension, demotion, reduction, layoff, dismissal or other punitive action, the City Attorney, or other representative chosen by the City Manager, may act as the Chairman when this occurs. The City Attorney, or other representative chosen by the City Manager, will confer with the Personnel Appeals Board members and be responsible to submit the Personnel Appeals Board findings to the City Manager. In these situations, the Human Resources Director's role will be to prepare, present, or assist in presenting Management's position to the Personnel Appeals Board.

Department Heads

The Department Heads are expected to effectively supervise their employees and to maintain proper working relationships. They may adopt and enforce departmental regulations consistent with the Personnel Manual. Department Heads will report upon the efficiency of their subordinates, notify the Human Resources Director of changes in duties of their employees in order that the classification plan may be maintained, and recommended salary increases in accordance with the provisions of the Compensation Plan.

Compensation

The compensation of officers and employees shall be recommended by the City Manager and approved by the City Council in accordance with budget appropriations.

CHAPTER III – LEGAL RIGHTS

Equal Employment Opportunity Policy

It is the policy of the City of Port Huron to create a favorable work environment in which all employees, regardless of race, national origin, gender, age, disability, religious affiliation, height, weight, or marital status, can enjoy equal opportunities in their employment relationship with the City. In an effort to maintain equal employment opportunities, the City has recognized the need to periodically evaluate its hiring and promotional practices to insure equal opportunities are available to everyone.

Any employee who believes that he or she has been subjected to discrimination by employees, officers, or agents of the City is required to report the incident or complaint directly to his or her immediate supervisor, Department Head, or the Human Resources Director. Any job applicant who believes that he or she has been subjected to discrimination by employees, officers or agents of the City is requested to report the incident or complaint to the Human Resources Director or the City Manager. The matter will be promptly and thoroughly investigated without fear of reprisal or or retaliation. Do not be afraid to speak up. Without your help, the City of Port Huron may have no other way of discovering and addressing your particular complaint.

Employees working non-business hours (i.e. nights, weekends) who are unable to contact their immediate supervisor, Department Head or the Human Resources Director, and where immediate attention is necessary, may contact the Port Huron Police Department on-duty supervisor through the Central Dispatch Center and file their complaint. The caller should clearly state that they are a City employee and they have a harassment complaint. The dispatcher will immediately contact the PHPD on-duty supervisor to respond to the caller. The phone number is (810) 985-8115.

Sexual Harassment Policy

The City of Port Huron will not tolerate sexual harassment and is firmly committed to its prevention and elimination. No employee of the City will be expected to submit to, put up with, or otherwise be exposed to sexual conduct that causes or reasonably could be considered to cause an intimidating or hostile work environment. This policy also prohibits harassment by non-employees including citizens, vendors, etc. All employees are responsible and must conduct themselves so as to ensure that the City's policies of equal employment opportunity are being observed. Abusing the dignity of anyone through sexist slurs, jokes, sexist paraphernalia or other derogatory or objectionable conduct will subject the abuser to disciplinary action, up to and including discharge.

Sexual harassment is a form of sex discrimination which is illegal and will not be tolerated. The law states, in relevant part, that:

Discrimination because of sex includes sexual harassment which means unwelcome sexual advances, requests for sexual favors, other verbal or physical conduct or any other communication of a sexual nature including e-mail and Internet usage when:

- Submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain employment;
- Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment;
- Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment, and/or creating an intimidating, hostile, or offensive employment.

Due to the fact that the computer system is owned by the City of Port Huron, it can be monitored by the City at any time for content that may be in violation of this policy.

If you believe you have been the victim of sexual harassment, or know someone who you believe has been the victim of sexual harassment, you have an obligation to report what you know to your immediate supervisor, Department Head, the Human Resources Director or the City Manager. The matter will be promptly and thoroughly investigated without fear of reprisal or retaliation. Do not be afraid to speak up. Without your help, the City of Port Huron may have no other way of discovering and addressing your particular complaint.

Employees working non-business hours (i.e. nights, weekends) who are unable to contact their immediate supervisor, Department Head or the Human Resources Director, and where immediate attention is necessary, may contact the Port Huron Police Department on-duty supervisor through the Central Dispatch Center and file their complaint. The caller should clearly state that they are a City employee and they have a harassment complaint. The dispatcher will immediately contact the PHPD on-duty supervisor to respond to the caller. The phone number is (810) 985-8115.

Anti-Harassment Policy

The City of Port Huron does not tolerate harassment of any kind and is firmly committed to its prevention and elimination. This includes harassment due to race, national origin, gender, age, disability, religious affiliation, height, weight or marital status. This policy also prohibits offensive use of e-mail and Internet. Due to the fact that the computer system is owned by the City of Port Huron, it can be monitored by the City at any time. Employees who feel intimidated or harassed are requested to report the incident directly to his or her immediate supervisor, Department Head, the Human Resources Director or the City Manager.

The matter will be promptly and thoroughly investigated without fear of reprisal or retaliation. Do not be afraid to speak up. Without your help, the City of Port Huron may have no other way of discovering and addressing your particular complaint.

Employees working non-business hours (i.e. nights, weekends) who are unable to contact their immediate supervisor, Department Head or the Human Resources Director, and where immediate attention is necessary, may contact the Port Huron Police Department on-duty supervisor through the Central Dispatch Center and file their complaint. The caller should clearly state that they are a City employee and they have a harassment complaint. The dispatcher will immediately contact the PHPD on-duty supervisor to respond to the caller. The phone number is (810) 985-8115.

Workplace Violence Policy

The City of Port Huron recognizes the need to provide for the safety and security of all employees, contractors, customers and visitors. In doing so, the City is complying with Section 5(a), the Federal Occupational Safety and Health Act of 1970 (OSHA). Therefore, the City will not tolerate threats, threatening behavior, or acts of violence (or any other intimidating or disruptive behavior) against employees, visitors, guests, or other individuals by anyone on the City's property. This includes physical attacks (striking, beating, stabbing, shooting, sexual assault), verbal or physical threats or gestures, destruction of property, sexual harassment, intimidation, stalking, abusive language or yelling.

The City supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy and providing a reporting procedure to report incidents of violence without fear of reprisal.

It is a violation of this policy to engage in any act of workplace violence, except for law enforcement personnel as authorized by the law and within the confines of the Law Enforcement agency policies.

No employee or third party, excluding law enforcement personnel, is permitted to bring weapons or firearms into the workplace, or onto the City's property, or within City vehicles.

Any person who, in the opinion of the immediate supervisor, poses a threat to himself or others shall be removed from the premises and shall remain off the City's premises pending the outcome of a prompt and thorough investigation. Violent employees are subject to disciplinary action, arrest and/or criminal prosecution.

In the workplace, an employee witnessing violence directed against another or him/herself shall contact their immediate supervisor, Department Head or Human Resources Director, or dial 9-1-1, depending on the situation. The employee should also observe the situation and attempt to get information such as the name and description of the perpetrator, but only if it can be done without endangering the employee or others.

Employees working non-business hours (i.e. nights, weekends) who are unable to contact their immediate supervisor, Department Head or the Human Resources Director, and where immediate attention is necessary, may contact the Port Huron Police Department on-duty supervisor through the Central Dispatch Center, or dial 9-1-1, depending on the situation. The caller should clearly state that they are a City employee and they have a workplace violence situation to report. The dispatcher will immediately contact the PHPD on-duty supervisor to respond to the caller. The phone number is (810) 985-8115.

Any employee having knowledge of workplace violence involving any other employee (as victim or perpetrator) must report such an act to their immediate supervisor, Department Head or Human Resources Director immediately. Disciplinary action may result if the employee having knowledge of a suspected violent act fails to report the episode.

Drug-Free Workplace Policy

The City of Port Huron is dedicated to the well-being and safety of our employees and the community we serve. We are also committed to the successful operation of our City. We are committed to improve employee productivity and to service the needs and demands of our employees and residents.

We acknowledge and agree that alcohol and drug abuse in the workplace reflects a national problem. This policy is important in addressing this problem. As a result, we acknowledge and certify that we abide by the Federal Drug Free Workplace Act of 1988 (Section 4804 of the Anti-drug Abuse Act of 1988).

We must also comply with the regulations of the Federal Highway Administration, Department of Transportation (DOT) Qualification of Drivers and Procedures for Transportation Workers Drug Testing Programs (49 CFR, Parts 40 and 382). Finally, we must comply with Michigan's Motor Carrier Safety Act No. 339 of 1990 (M.C.L. 480.11) and all revisions to that act, specifically, Public Act No. 265 of 1995.

The City of Port Huron has a strong commitment to its employees to provide an alcohol and drug-free working environment. Likewise, the City of Port Huron is committed to its citizens, customers, administration, local businesses, and the public to operate its business safely and prudently. Consistent with this commitment, the City of Port Huron has developed this policy regarding the use of alcohol and drugs by our employees.

The purpose of this policy is to:

- Establish and maintain a healthy and safe working environment for all our employees;
- Assure the reputation of the City of Port Huron and its employees as good responsible citizens;
- Reduce accidental injury to persons and property;
- Reduce absenteeism, tardiness, and indifferent or declining job performance;
- Deter the use of illegally used controlled substances and alcohol abuses;
- Detect the use and abuse of both alcohol and controlled substances by those employees who may persist in the use of these substances in spite of our policy; and
- Provide assistance in rehabilitation for any employee by the City of Port Huron's *Employee Assistance Program*.

It is the City of Port Huron's intention to comply fully with all Federal and State regulations. In the event regulations are amended, this Policy and the applicable terms, conditions, and/or requirements shall be deemed to have been amended automatically.

The City of Port Huron Human Resources Department will comply with the above-mentioned Laws and is implementing the following provisions:

- A. Employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace. Employees violating this policy will be subject to discipline up to and including discharge.
- B. A drug and alcohol-free awareness program has been established to inform employees about the following:
 - a. The dangers of drug and alcohol abuse in the workplace;
 - b. The City's policy of maintaining a drug and alcohol-free workplace;
 - c. The available drug and alcohol counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that will be imposed upon employees for drug and alcohol abuse violations occurring in the workplace.
- C. City employees are notified of the requirements in Paragraph A, that, as a condition of employment with the City, the employees will do the following:
 - a. Abide by the terms of the statement; and
 - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

- D. The City will take one of the following actions within thirty (30) days of receiving notice under Subparagraph C (a) with respect to an employee who is so convicted:
- a. Take appropriate personnel action against such an employee, up to and including termination; or
 - b. Require such employee to participate satisfactorily in a drug and/or alcohol abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement or other appropriate agency.
- E. The City will make a good faith effort to continue to maintain a drug and alcohol-free workplace through implementation of this policy.

Health Insurance Portability and Accountability Act (HIPAA)

The City of Port Huron complies with the provisions of the Federal regulations under the Health Insurance Portability and Accountability Act.

“Protected health information” is health information created or received that contains information that may be used to identify you, such as your name or address. It includes written or verbal health information that relates to your past, present or future physical or mental health; the provision of health care to you; and your past, present or future payment for health care.

Your protected health information may be used and disclosed by the Plan in the course of providing payment for treatment and conducting health care operations. Any disclosures may be made in writing, electronically, by facsimile, or orally. The Plan may also use or disclose your protected health information in other circumstances if you authorize the use or disclosure, or if state law or the HIPAA privacy regulations authorize the use or disclosure.

The Plan is required by law to ensure the privacy of your protected health information and to provide you with this notice of your rights and the Plan’s legal duties and privacy practices. Every employee has received a copy of the “Notice Regarding Privacy of Protected Health Information” policy. Employees who would like another copy may contact the Human Resources Department.

If you believe that your privacy rights have been violated, you have the right to relate complaints to the Plan and to the Secretary of the Department of Health and Human Services. You may provide complaints to the Plan verbally or in writing. These complaints should be directed to the Privacy Officer. The Plan encourages you to relate any concerns you may have regarding the privacy of your information and you will not be retaliated against in any way for filing a complaint.

The Plan’s contact person regarding the Plan’s duties and your rights under the HIPAA privacy regulations is the Privacy Officer. The Privacy Officer can provide information regarding issues related to this notice by request. Complaints to the Plan should be directed to the Privacy Officer at the following address:

Human Resources Director/Privacy Officer
City of Port Huron
100 McMorran Boulevard
Port Huron, MI 48060
Phone: (810) 984-9723

Americans with Disabilities Act (ADA) – Disability Discrimination and Compliance with Laws Concerning Disabilities

The City of Port Huron complies with State and Federal laws, including the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability.

The City is dedicated to the principle of open and fair employment opportunities for everyone. Individuals with disabilities will not be discriminated against under any of the City's policies and procedures.

The City recognizes the right to certain accommodations in the workplace so that employees with disabilities may still continue to perform their jobs. The City will make reasonable accommodations when necessary and appropriate under the circumstances.

Any employee who believes he or she may qualify for assistance under these laws are encouraged to put the request in writing and contact the Human Resources Director for assistance.

Non-Smoking and Smoke-Free Workplace Policy

The City of Port Huron is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. As part of the "Michigan Clean Indoor Air Act" and "Michigan's Smoke Free Air Law," and also motivated by our desire to provide a healthy work environment for our employees, the following Non-Smoking and Smoke-Free Workplace Policy has been adopted and shall apply to all employees of the City of Port Huron.

It is the policy of the City of Port Huron to prohibit smoking on all company premises in order to provide and maintain a safe and healthy work environment for all employees. Full-time employees (hired on or after October 1, 1993) are required to be non-smokers and are required to sign an agreement stating that they are non-smokers. This non-smoking requirement applies to smoking on and off the premises, at any time of the day or night, while on City or personal time. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind."

The Non-Smoking and Smoke-Free Workplace Policy applies to:

- All City of Port Huron owned facilities occupied by employees.
- All City of Port Huron sponsored off-site conferences and meetings.
- All vehicles owned or leased by the City of Port Huron.
- All visitors (customers and vendors) to City of Port Huron premises.
- All contractors and consultants and/or their employees working on City of Port Huron premises.
- All part-time/seasonal/temporary employees.
- All interns.

To accommodate grandfathered employees, customers and vendors, a designated area for smoking will be clearly marked at each City of Port Huron Facility.

Employees who violate any part of this Non-Smoking and Smoke-Free Workplace Policy will be subject to disciplinary action up to and including discharge.

Personnel Files - Employee Access (Bullard-Plawecki Right to Know Act)

An employee, upon written request to the Human Resources Department, may periodically review, at reasonable intervals, generally not more than two (2) times per year, his or her personnel record. The review shall take place in the Human Resources Department during normal office hours, unless inconvenient to the employee due to an unusual shift or job site. If that occurs, a mutually convenient time and place shall be arranged.

An employee may obtain a copy of information contained in his or her personnel file. If there is a disagreement with information contained in the personnel file, an employee may submit a written statement explaining his or her position which shall then be made part of the personnel file, with a copy provided to the supervisor.

Employees will be responsible for all costs (i.e. photocopying and labor) associated with the copying of their personnel files. The Human Resources Department can supply an employee with an estimate of the cost for such service, upon request. Employees may be required to pay the Human Resources Department in advance should they wish to obtain a copy of their file.

Public Security

City employees may not engage in strikes, sit-downs, stay-ins, stoppages of work, or the interruption of services provided by the City, including strikes or other types of unlawful or prohibited job actions taken in sympathy for the actions of other employee groups.

Any City employees engaging in, instigating or leading any activity herein prescribed shall immediately be subject to disciplinary action up to and including discharge.

Procedures and Guidelines to Comply with Fair Labor Standards Act

This manual provides general information concerning the application of the Fair Labor Standards Act (FLSA). The FLSA contains minimum wage, overtime pay and record keeping requirements, and restricts child labor.

The City of Port Huron complies with the provisions of the FLSA under which all employees, except those exempted from the Act, must be compensated for overtime worked in accordance with said Act. The provisions of this overtime and compensatory time policy implement the FLSA requirements, with respect to employees covered by said Act and also outlines the rules for exempt employees.

- A work week for all employees (excluding Police and Fire personnel, and shift workers) shall be the seven calendar days beginning at 12:00 a.m. Saturday and ending 12:00 a.m. the following Sunday. For the purpose of calculating a 40 hour work week, where applicable, the beginning of the employees pay period shall be the first hour of the first scheduled day of work occurring after 12:00 a.m. Saturday.
- A work day (excluding employees working shift or platoon schedules) shall begin at 8:00 a.m. and end at 4:30 p.m.
- Police Officers may work up to 171 hours in a 28-day period at straight time.

- Fire Fighters may work up to 212 hours in a 28-day period at straight time.
- Employees will be allowed to be at their work sites prior to starting time and after departure time but shall not be permitted to work without the permission of their immediate supervisor. Assignment of work to be done at home is prohibited unless authorized by the employee's immediate supervisor.
- If compensatory time off in lieu of paid overtime is authorized by the Department Head, the following guidelines will be followed:
 - Compensatory time shall be earned at the rate of time and one half actual number of hours required to complete the job.
 - Compensatory time off shall be scheduled at the discretion of the Department Head or his authorized representative.
 - Compensatory time off shall be taken no later than thirty (30) calendar days after it is earned. Employees leaving City employment, for any reason, shall use accumulated compensatory time prior to separation, if possible. In the event that accumulated compensation time is not used prior to separation, payment for same will be made at the final rate received by the employee.
 - Compensatory time earned or taken each week shall be recorded on COMPENSATORY TIME REPORT forms and submitted to the Human Resources Department every Friday afternoon. Forms for reporting compensatory time are available from the Human Resources Department.
 - All compensatory time taken shall be indicated on payroll attendance sheet with symbol "C."
 - The following information will be used when earning or taking compensatory time:

TIME TAKEN

Actual Time Taken	Time Taken Recorded As
6 minutes	0.1
12 minutes	0.2
18 minutes	0.3
24 minutes	0.4
30 minutes	0.5
36 minutes	0.6
42 minutes	0.7
48 minutes	0.8
54 minutes	0.9
60 minutes	1.0

TIME EARNED (examples)

Actual Time Worked	Multiplier	Time Earned Recorded As
0.5 hour	1.5	0.8
1.0 hour	1.5	1.5
1.5 hours	1.5	2.3
2.0 hours	1.5	3.0
2.5 hours	1.5	3.8
3.0 hours	1.5	4.5
3.5 hours	1.5	5.3
4.0 hours	1.5	6.0

- Department Heads, Division Heads, and certain designated professional employees, are exempted from earning compensatory time off as outlined above.
- All employees shall be shown on the payroll attendance with the symbol “A” whenever absent with pay for the following reasons: attending conferences, workshops, educational classes, jury duty, etc.
- Training programs (including school classes) and lectures involving employee’s attendance and/or travel outside employee’s regular working hours must be approved by Department Head, Director of Finance and Human Resources Director before attendance is authorized.

Social Security Number Privacy Act

The City of Port Huron is required by Michigan’s Social Security Number Privacy Act (“the Act”) to control how it obtains, uses, disseminates and disposes of records which contain Social Security numbers. The Act also requires the City of Port Huron to establish, publish and enforce a policy regarding the use, disclosure and disposal of records which it creates or obtains in the course of its business and which contain Social Security numbers. This Policy and Procedure sets forth the City of Port Huron’s standards and practices for how much information is gathered, stored, disclosed and ultimately disposed of.

It is the policy of the City of Port Huron that Social Security numbers obtained from employees, vendors, contractors, customers or others are confidential information. Social Security numbers will be obtained, retained, used and disposed of only for legitimate business reasons and in accordance with the law and this Policy and Procedure. This law does not prohibit the City of Port Huron from using Social Security numbers.

Every employee has received a copy of the “Social Security Number Privacy Act” policy. Employees with questions concerning this act or who would like another copy may contact the Human Resources Department.

CHAPTER IV – THE CLASSIFICATION PLAN

Contents of the Plan

The classification plan consists of:

A grouping of the classes of all positions in the city service which are sufficiently alike in duties and responsibilities to be called by the same descriptive title, to be accorded the same pay scale and to require substantially the same qualifications on the part of the incumbents.

Written class specifications shall contain a description of the duties of positions in the class and a statement of the qualifications required for appointment. Specifications should be considered as descriptive only and are not restrictive in the sense that they may be held to exclude other duties or responsibilities not mentioned, if such other duties and responsibilities are similar as to kind and quality.

Maintenance of the Plan

The Human Resources Director will study the duties and responsibilities of each new position as it is created and on the basis of his or her study, the position will be placed in the appropriate class for the position.

Whenever a change is made in the duties and responsibilities of a position involving either the addition of new assignments or the taking away or modification of existing ones, such changes will be reported to the Human Resources Director by the Department Head. The Human Resources Director will investigate such changes and, if necessary, will place the position in the appropriate class.

When an employee is transferred to another position, the Human Resources Director will confer with the appropriate Department Head and they will determine whether or not a classification problem is involved. If such is the case, the Human Resources Director will decide the status of the employee in the position to which he or she is transferred.

The Human Resources Director will check periodically the classification of positions and may combine existing classes or establish new ones as needs may require. Any such changes in the classification plan will be subject to approval by the City Manager.

CHAPTER V – RECRUITMENT

Background and Reference Checks

To ensure that individuals who join the City of Port Huron are well qualified and to ensure that the City of Port Huron maintains a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form.

All offers of employment are conditioned on receipt of a background check report that is acceptable to the City of Port Huron. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

If information obtained in a background check would lead the City of Port Huron to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks may include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record or credit report may be made on applicants for particular job categories if appropriate and job related.

The City of Port Huron 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.

Physical Examinations

As a condition of employment, applicants may be required to satisfactorily complete a post offer of employment physical examination from a physician designated by the Human Resources Director and at the City's expense, which shall include screening for controlled substances.

Any employee may be required to undergo periodic physical and/or psychological examinations as deemed necessary for the health and safety of the individual or to protect the health and safety of other employees and citizens. The City shall pay the cost of all medical examinations required under this section when such examinations are ordered by the Human Resources Director.

The City may, at its discretion, require employees to take physical examinations including screening for controlled substances.

Pre-employment/Promotional Examinations

The relative fitness of applicants for appointment or promotion to job positions, will be determined by competitive or qualifying examinations, which may consist of an evaluation of the applicant's education and experience, written tests, performance tests, personal interviews and such other techniques as deemed appropriate by the Human Resources Director and are designed to determine the qualifications of applicants to perform the work satisfactorily. Applicants may be required to submit proof of educational achievement and related matters as requested by the Human Resources Director.

Residence Requirements

The City will encourage employees to have a residency location that is within the City limits but, will not be required as a condition of employment.

Any employee who moves his/her place of residency shall report such a move within seventy-two (72) hours to his/her Department Head and to the Human Resources Department.

Immigration Law and the Immigration Reform and Control Act of 1986 (IRCA)

U.S. Immigration Laws and the Immigration Reform and Control Act of 1986 (IRCA) requires that any employee who is hired or recruited for a fee after November 6, 1986, be subject to a document inspection process. The requirement applies to U.S. citizens as well as to non-citizens. The verification process must take place within three business days of hiring.

Essentially, you will be testifying that you are:

- A citizen or national of the United States, or
- An alien lawfully admitted for permanent residence, or
- An alien authorized to work in the United States.

You must present documents to prove your identity and employment eligibility and the City must physically examine this evidence. These regulations and the proofs required will be discussed during the hiring process.

Filling Vacancies – Job Posting

The City of Port Huron is committed to providing promotional opportunities to employees who have demonstrated exemplary job progress and self-motivation. In an attempt to advise employees of job openings, bulletins will be posted announcing job vacancies as they occur. Employees who meet the standards and are interested in being considered for posted jobs should contact the Human Resources Department for application details and further information about the job. Those employees selected for consideration of the posted job will be contacted by the Human Resources Department and interviewed for the position.

Employees are expected to present the job bid to the Human Resources Department and have it date stamped prior to the end of the day that the bidding process expires.

Jobs posted are not necessarily reserved or held exclusively for internal consideration of employees. The City may concurrently advertise or otherwise recruit qualified persons in the appropriate labor market.

Appointments and Introductory Period

All appointments are made with an introductory period of six (6) months, during which time the employee's performance is subject to close review as to his or her competency to carry out the assignments of the position. The City Manager and/or Human Resources Director may, upon request of the Department Head, extend this introductory period to a maximum of an additional six (6) months if, in his or her opinion, it is necessary. The introductory period shall be regarded as an integral part of the examination process and shall be used for closely observing the employee's work, for obtaining the most effective adjustment of the new employee to his or her position, and for rejecting any employee whose performance does not meet the required standards. This period supplements the formal examination selections methods. During this introductory period, we will conduct orientation and training, and evaluate the person's performance. The new hire will evaluate whether this is the job and organization where he or she wants to work.

An employee serving his or her introductory period may be released at any time without the right of appeal or hearing before the Personnel Appeals Board. The inclusion of an introductory period as set forth in this manual does not alter the “at-will” employment relationship also provided for in this manual.

Appointment to Temporary Positions

Appointments to temporary positions (i.e., a position which is clearly understood to be of limited duration) may be made for periods not to exceed six (6) months. Temporary appointments may be renewed for an additional period by the City Manager if it is determined that the position is required for a somewhat longer time.

If, at some point, the position is changed from temporary to a regular full-time position, the Human Resources Director may require the employee to serve an introductory period not to exceed six (6) months.

Orientation

The City believes that a smooth and thorough orientation of new employees results in a positive integration into the City’s operations, and will lead to a more productive and satisfying employment relationship. For this reason, new employees are to be scheduled for a thorough orientation promptly following their date of hire where they will receive information about the City’s employment benefits and complete related documents. The employee’s supervisor is to provide each new employee with such information as: background about the City, its personnel policies, each department’s organization and functions, the employee’s role in helping to achieve City goals, the employee’s job content and performance evaluation standards, job safety, promotional opportunities, and any other information deemed pertinent to establish employee comfort.

New employees should also be introduced to their co-workers and other supervisors and managers with whom they will be working.

The topics covered by a supervisor in a new employee orientation shall be documented on a form prescribed by Human Resources, who will receive completed orientation forms, including the employee’s signature, for placement in the employee’s personnel file.

Following initial orientation, supervisors and managers should regularly check with employees concerning questions they may have, their working conditions, any problems or difficulties they may have encountered, and feedback concerning their performance or job progress.

CHAPTER VI – IN-SERVICE ACTIVITIES

Step Increase Policy

All step increases shall be made effective at the beginning of the pay in which the employee’s anniversary date occurs until the employee has reached the maximum rate for his or her position.

Step increases shall be granted upon the recommendation of the Department Head. Employees who become eligible for step increases upon completion of the required length of employment shall be considered for step increases. It is within the discretion of the Department Head to recommend the denial or postponement of such increase for a good cause.

Employees who are appointed at the minimum step of the salary range shall be granted step increases in accordance with the schedule for the classification to which they are assigned in the following manner:

- Step A – is the entrance pay step. Employees will remain in this step for the first six (6) months of employment;
- Step B – employees are eligible for a step increase equal to 2 ½ % in pay to this step upon completion of six (6) months of continuous, full-time employment and removal from introductory period;
- Step C – employees are eligible for a step increase equal to 2 ½ % in pay to this step upon completion of twelve (12) months of continuous, full-time employment;
- Step D – employees are eligible for a step increase equal to 5% in pay to this step upon completion of twenty-four (24) months of continuous, full-time employment;
- Step E – employees are eligible for a step increase equal to 5% in pay to this step upon completion of thirty-six (36) months of continuous, full-time employment.

The City Manager may, upon his or her own initiative or upon request of the Department Head, where the performance of the employee and situation warrants, and after appropriate review and justification, grant more than one scheduled step increase. This is intended to apply in cases of unusual circumstances.

The City Manager and/or Human Resources Director shall have the authority to place new hires into any step he/she believes is appropriate.

NOTE: Supervisor and Technical positions do not include step increases. Employees with questions should contact Human Resources.

Longevity Compensation

NOTE: Employees hired after January 1, 1999, shall not be eligible for longevity pay.

Longevity payments, for employees hired prior to January 1, 1999, will be made to all employees with continuous full-time service according to the following schedule:

- A. 2 ½ % per year applied to annual base pay being received by the employee after five (5) years of continuous full-time service.
- B. 5% per year applied to the annual base pay being received by the employee after ten (10) years of continuous full-time service.
- C. 7 ½ % per year applied to annual base pay being received by the employee after fifteen (15) years of continuous full-time service.
- D. 10% per year applied to the annual base pay being received by the employee after twenty (20) years of continuous full-time service.

Longevity compensation is based upon total, continuous length of service with the City, and does not relate to length of service in a particular classification. Longevity date begins with date of hiring as regular introductory employees. Such service must be continuous unless on authorized leave of absence. Upon return from authorized leave of absence, the date for longevity benefits will be adjusted accordingly.

A full-time regular employee of the City who is called to active military duty and returns to the employ of the City upon completion of such military duty shall have this time credited consistent with State and Federal law.

All longevity increases shall be made effective at the beginning of the pay in which the employee's anniversary date occurs and paid each pay period thereafter.

Annual Leave

Employees will be allowed vacation leave according to the following schedule plus ten (10) days on the following holidays as observed by the City: New Year's Day, ML King Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, Christmas Eve Day, Christmas Day and New Year's Eve Day.

Vacation leave shall be granted according to the following schedule:

Years of Service	Annual Vacation Leave
After 1 year of service	5 days
After 3 years of service	10 days
After 5 years of service	15 days

Legal holidays falling within a period of vacation leave are not included as part of such leave.

Annual Leave Scheduling

Annual leave scheduling shall be at the discretion of the Department Head. Annual leave should be scheduled in weekly periods. Annual leave for periods of less than one week will be allowed only when it is necessary for the good of the service.

Longevity Vacation or Pay

All employees, upon completion of ten (10) years of service with the Employer, shall become eligible for a total of five (5) longevity vacation days on their anniversary date. Employees will then be given the option to keep, receive cash payment for or convert the time off to investment in the ICMA Deferred Compensation Program or ICMA Roth IRA or a combination of these choices for these five (5) longevity vacation days. This investment option will be net of any applicable payroll tax (i.e. Medicare). Cash payment shall be at the regular rate of pay.

Furthermore, all employees, upon completion of fifteen (15) years of service with the Employer, shall become eligible for an additional five (5) longevity vacation days for a total of ten (10) longevity vacation days on their anniversary date. Employees will then be given the option to keep, receive cash payment for or convert the time off to investment in the ICMA Deferred Compensation Program or ICMA Roth IRA or a combination of these choices for these five (5) longevity vacation days. This investment option will be net of any applicable payroll tax (i.e. Medicare). Cash payment shall be at the regular rate of pay.

Longevity vacation shall not be cumulative from year to year. Employees will be provided with a selection form each year in order to advise the Human Resources Director of their option. Cash payment and/or investment will be made on the first pay period beginning after the anniversary date.

Employees will be eligible each year for the above days beginning with their ten (10) year anniversary date and will schedule the additional days as outlined in the “Annual Leave Scheduling” section above.

Any excess days beyond the thirty (30) days authorized accumulation caused as a result of longevity vacation may only be carried over to the employee’s next anniversary date.

Accumulated Vacation Leave

Vacation leave may be accumulated to a maximum of thirty (30) work days without the approval of the Department Head, but under no circumstances may an employee absent him or herself from their position for vacation leave for longer than thirty (30) work days in any one calendar year. The maximum number of days that can be sold at separation from employment are thirty (30) vacation days which includes longevity vacation days for a maximum of two hundred and forty (240) hours.

Personal Days

All employees shall be granted up to three (3) personal leave days per calendar year, based on the following schedule. On each subsequent January 1, employees will be entitled to personal days as described below. These days are to be taken by employees consistent with adequate organizational staffing, supervisory approval, and employee preference; and the hours involved in these three (3) personal days shall be carried as personal holidays for purposes of management control. These days are non-accumulative and therefore must be used by December 31 of each calendar year. Personal Days may be taken in a minimum of four (4) hour increments. To avoid scheduling conflicts and possible denials, requests for Personal Days should be submitted at least 24 hours in advance. New hires will earn a prorated amount of personal days after completing ninety (90) calendar days of service, on the same date that the employee’s insurance benefits become effective, as follows:

Insurance benefits effective date:	Employee will receive:
January 1 st	3 days
February 1 st	3 days
March 1 st	2.5 days
April 1 st	2.5 days
May 1 st	2 days
June 1 st	2 days
July 1 st	1.5 days
August 1 st	1.5 days
September 1 st	1 day
October 1 st	1 day
November 1 st	0.5 day
December 1 st	0.5 day

Old Sick Leave Plan

Each employee hired prior to July 1, 1987, who is not covered under the Disability Income Plan, will be granted sick leave with full pay for one (1) day for each full calendar month of service. Effective July 1, 2014, sick time will be converted into hours entitling employee to full pay for eight (8) sick hours for each full calendar month of service. The unused balance of sick leave may be carried over and accumulated from one calendar year to the next to a maximum of one hundred and forty (140) days or 1,120 hours at any one time. Any excess over this amount shall be deemed to have expired. No employee will be entitled to sick leave until he or she has completed their probationary period. Sick leave shall be accrued as of the day an employee enters the service of the Employer, and shall be computed and allowed on the calendar year basis.

Employees covered under the Old Sick Leave Plan may use sick time in one (1) hour increments for the employee or for a member of their immediate family. This sick time may also be used to attend to the medical and dental needs of the employee or a member of his/her immediate family only when they cannot be scheduled after work hours. Employees are encouraged to schedule their medical and dental appointments after work hours when possible. Time off for medical and dental appointments must be approved by your immediate supervisor to avoid scheduling conflicts within your department. Immediate family shall be defined as: husband, wife, unmarried children, parents and grandparents. Effective July 1, 2014, there will no longer be a separate designation for sick medical time.

City Disability Income Plan

All full-time employees hired on or after July 1, 1987, will be covered under the City of Port Huron Disability Income Plan, which provides for non-work disability after four (4) work days illness in the amount of 67% of an employee's current bi-weekly rate of pay, defined as base salary plus longevity.

Effective January 1, 2012, eligible employees will receive four (4) sick days or 32 hours each January 1st. These days shall "carry over" into the next calendar year; however, at no time will an employee have a sick balance greater than eight (8) days or 64 hours. Effective July 1, 2014, sick time will be converted into hours.

Employees covered under the Disability Income Plan may use sick time in one (1) hour increments for the employee or for a member of their immediate family. This sick time may also be used to attend to the medical and dental needs of the employee or a member of his or her immediate family only when they cannot be scheduled after work hours. Employees are encouraged to schedule their medical and dental appointments after work hours when possible. Time off for medical and dental appointments must be approved by your immediate supervisor to avoid scheduling conflicts within your department. Immediate family shall be defined as: husband, wife, unmarried children, parents and grandparents. Effective July 1, 2014, there will no longer be a separate designation for sick medical time.

Accumulated Sick Leave (Old Sick Leave Plan)

Sick leave may be accumulated if not used during the year, but the total accumulation shall not exceed one hundred forty (140) days or 1,120 hours. Sick leave will not be allowed for any day on which an employee would not have otherwise worked. Fifty percent (50%) of accumulated sick leave shall be paid an employee terminating employment with the City at his or her then current rate of pay provided he or she has worked a minimum of ten (10) continuous years with the City.

Accumulated Sick Leave (Disability Income Plan)

Sick leave may be accumulated if not used during the year, but the total accumulation shall not exceed eight (8) days or 64 hours. Sick leave will not be allowed for any day on which an employee would not have otherwise worked. Fifty percent (50%) of accumulated sick leave shall be paid an employee terminating employment with the City at his or her then current rate of pay provided he or she has worked a minimum of ten (10) continuous years with the City.

Accident Reporting Policy

Any on-the-job injury, no matter how slight, must be reported by the employee to the immediate supervisor at the time of the injury. If the injury does not require professional medical care and is only a matter of applying first aid, then the supervisor need only make a notation of this injury in the unit log.

If, at the request of the employee or in the opinion of the immediate supervisor, medical attention is needed, the supervisor should refer to the guidelines spelled out in Administrative Regulation 9-2.

New employees will be given a copy of Administrative Regulation 9-2 "Accident Reporting Policy" when they are hired. Current employees may request a copy of the regulation from the Human Resources Department.

Vehicle Accident Reporting Policy

Any employee involved in a vehicle accident shall immediately report said accident and physical injury sustained. When required by the City, the employee, before starting his or her next shift, shall make out a vehicle damage report in writing on forms furnished by the City and shall turn in all available names and addresses of witnesses to any accidents. Failure to comply with this provision shall subject such employee to disciplinary action by the City.

Vehicle Use for Business Travel

Employees shall use their personal vehicle for out of town travel. If a personal vehicle is used for out of town travel, the City will reimburse mileage at the current State of Michigan standard mileage rate applicable for that budget year. Please note that if an employee uses their personal vehicle and they are involved in an accident, they will be liable to meet the requirements of their personal automobile insurance carrier (i.e. deductibles, etc.). Employees with assigned City vehicles should use those vehicles for out of town travel. Employees receiving a monthly automobile allowance will not be reimbursed for mileage for out of town travel.

Seat Belts and Occupant Restraint Systems

Michigan State Law requires that each driver and front seat passenger of a motor vehicle operated on a street or highway in Michigan shall wear a properly adjusted and fastened seat belt.

All employees shall use all safety devices and restraint systems provided by the vehicle manufacturer when operating or riding in a City vehicle or any other vehicle used to conduct City business. This means that the seat belt, shoulder harness, and any other safety devices provided will be used in accordance with the intended use and design of the manufacturer.

Eye Protectors (Safety Glasses) and Face Protection

Employees shall wear proper eye and face protection when performing tasks which may subject the employee to flying objects or particles, liquid chemicals, harmful contacts, exposures, molten metal, acids or caustic liquids, chemical gases or vapors, and electrical flash. Care must be taken to recognize the possibility of multiple and simultaneous exposure to a variety of hazards. Adequate protection against the highest level of each of the hazards must be used by employees. Eye protection may be required by an employee's job and/or location in a facility.

Sick Leave/Benefits (Seasonal and Part-time Employees)

Seasonal and part-time employees shall not be entitled to earn sick leave or benefits.

Physician's Certificate

A certificate from a reputable physician may be required, at the option of the employer, as evidence of illness before compensation for the period of illness is allowed. It shall be optional with the Human Resources Director whether the physical examination in such instance shall be administered by the City physician.

Bereavement Leave

In the case of a death in his or her immediate family, a permanent, full-time employee shall be granted bereavement leave with pay following the date of death as follows:

A period of time not to exceed five (5) work days following the date of death for the following members of your immediate family:

Current Spouse	Child
----------------	-------

A period of time not to exceed three (3) work days following the date of death for the following members of your immediate family:

Parent	Parent-in-law
Brother	Sister
Brother-in-law	Sister-in-law
Son-in-law	Daughter-in-law
Grandparent	Grandparent-in-law
Grandchildren	Current step-parent
Current step-sibling	Current step-child
Other relatives living in the same household	

Upon returning to work from Bereavement Leave, the employee shall submit a completed Request for Bereavement Leave form along with a full copy of the obituary.

Attendance

Employees are expected and required to be in attendance, prepared to commence work activities, at designated work locations, at assigned hours. Employees are also expected to remain at work for the entire work period excluding rest and meal periods. Late arrival, early departure, and other personal absences are disruptive and should be avoided. Where employees are found to abuse absence time from scheduled work, the City may find it necessary to attempt correction of the situation by counseling, disciplinary measures, or termination. Any employee on an unauthorized absence for more than three (3) scheduled work days (days/shifts) without acceptable notification to the City will be deemed to have abandoned the position, and will be automatically terminated.

Request for Leave

Requests for any type of leave (except short-term illness) shall be made in writing and shall, whenever possible, be made far enough in advance to permit approval. However, leave with pay may be granted when an employee is unable, by reason of illness or other incapacity, to make a written request for leave in time for payment for such absence on the payroll for the period in which the absence occurred.

Leave of Absence Without Pay

A written leave of absence without pay request for an extended period may, at the discretion of the City Manager, be granted for a period not to exceed one (1) year. Upon expiration of the leave, the employee will be reinstated to the position held before the leave was granted. Failure of the employee to report promptly at the expiration of the leave may result in dismissal. Such leave shall be granted when it will not result in undue prejudice to the interests of the City as an employer beyond any benefits to be realized. Applications for leaves of absence for travel or study calculated to equip the employee to render more efficient service to the City may be deemed justification for granting such leave. No leave shall be granted primarily in the interests of the employee, except in the case of one who has shown by the employee's record of service or by other evidence to be of more than average value to the City whose service it is desirable to retain even at some sacrifice.

Family and Medical Leave Act (FMLA)

The FMLA was enacted in 1993 for the purpose of allowing employees to balance their family life and their work by letting them take reasonable unpaid leave for certain family events and medical reasons.

The FMLA provides that certain employers (those who employ 50 or more employees) must allow an employee who has worked at least 12 months, and 1,250 hours over the previous 12 months, to take up to 12 weeks of unpaid leave due to one of the following events:

- To care for a newborn, newly adopted, or newly placed foster child;
- To care for a child's, parent's or spouse's serious medical condition; or
- To care for their own serious medical condition.

Leave taken under the FMLA is job-protected, which means that employees cannot be fired while on leave or retaliated against for requesting leave and further, must be given the same job or a similar job when they return. Also, the employer must provide group health insurance benefits during the employee's leave on the same terms that it provided them when the employee was working.

For purposes of computing the 12-week leave, the employer uses a forward-measured 12-month period. Employees are entitled to 12 weeks of leave in the 12-month period that follows the first date they take FMLA leave. Once this 12-month period has passed, the employee will be entitled to 12 weeks of leave starting on the first day they take FMLA leave again. FMLA leave will run concurrent with any other paid time used such as: sick, vacation, personal, compensatory, disability income or workers' compensation.

Employees must provide 30 days advance notice when such leave is foreseeable. The employee shall submit medical certification to support a request for such leave because of a serious health condition. While on FMLA leave, employees shall retain all employment benefits which had accrued prior to the commencement of the leave requested. The minimum requirements and the terms and definitions as provided and as subsequently amended under the FMLA, 29 USC & 2601 et. seq. and any regulations promulgated there under, shall control the granting of unpaid leave under this subsection. Employees with specific questions about the Family Medical Leave Act should contact the Human Resources Department.

Military Leave and Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)

Following the Gulf War, Congress enacted USERRA to provide protection for members of the Armed Forces who leave employment to perform military service, including Reserve duty. The Act prohibits employment discrimination against an employee who takes leave for military service and protects the employee's job status. Significantly, the Act requires that returning service personnel must be reemployed in the same or similar position that they would have attained if they had not been absent for military service. Employers also are obligated to maintain certain benefits or offer their continuation. Employees may request a copy of Administrative Regulation 9-10 "Military Leave" from the Human Resources Department. See the Human Resources Department if you need clarification.

Jury Duty and Court Appearance

All employees who, during the course of their working hours, must serve on jury duty, or who, by reason of their employment with the City of Port Huron, appear as witnesses in court, give depositions out of court, or for any matter similar thereto, must immediately report the necessity of such appearances to their Department Head and the Human Resources Director. Failure to advise the Department Head and Human Resources Director could result in employee's loss of pay for that day.

Employees will be allowed suitable time to get from their work site to clean up and report to court and likewise will be given suitable time to report from court back to their work site. However, failure on the part of the employee to report to work prior to and following court appearance will result in employee's loss of pay for time not worked (e.g. Employee in court from 10:00 a.m. to 3:00 p.m. If the employee fails to report to work at 8:00 a.m. and 3:00 p.m., the employee would suffer loss of pay from 8:00 a.m. to 10:00 a.m., and from 3:00 p.m. to 4:30 p.m.).

Employees must turn over any fees received for such purposes to his or her supervisor or Department Head. The supervisor or Department Head will turn the above fees over to the Human Resources Department as soon as they are received.

Employee Absence Reporting

When an employee is not able to report for work because of sickness, illness or injury, the employee or some member of the household shall notify the supervisor or department office by telephone as soon as possible. Unless the employee's supervisor or department office is so notified, no leave will be approved, except in unusual cases and then only after approval of the Human Resources Director. Each department shall notify the Human Resources Department no later than the Monday following the pay period ending detailing their department absentees for the entire pay period. For clarification, please contact the Human Resources Department.

Legal Holidays

Legal Holidays observed by the City of Port Huron shall be as follows:

New Year's Day	January 1 st
ML King Day	Third Monday in January
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Friday following Thanksgiving Day	
Christmas Eve	December 24 th
Christmas Day	December 25 th
New Year's Eve Day	December 31 st

When a holiday falls on Sunday, the following day will be declared the holiday for regular employees. When a holiday falls on Saturday, the previous day or the following Monday will be declared as the holiday for regular employees, by order of the City Manager.

Hours of Work

The City Manager shall prepare and install regulations governing hours of work.

Rest/Lunch Periods

Employees are permitted rest periods and lunch based on department policy. Employees with questions concerning this policy should contact their supervisor or Department Head.

CHAPTER VII – PENALTIES AND TERMINATIONS

Employee Conduct

When it is necessary to apply corrective action to modify employee conduct, the City will generally apply the basic principles of progressive discipline. In accordance with these principles, severe disciplinary action and/or discharge will normally occur only after previous corrective actions have failed, although some infractions may be so serious as to require immediate discharge or other severe disciplinary action. The City retains the right to determine which level of discipline is appropriate and if it will use progressive discipline or not.

Generally, progressive discipline generally involves an oral warning, written warning, suspension without pay, and termination; however, the appropriate actions are determined by considering such factors as the nature and severity of an offense and the past work record of an employee. All disciplinary actions which result in a written warning and/or a suspension from work become a part of an employee's personnel record with a copy of the record going to the employee.

The following is a list of unacceptable conduct within the work setting. This list is not intended to be all inclusive; rather, it is a list of examples of conduct that may result in discipline. Certain departments may develop additional work rules which are specific to those departments' needs and the type of department.

Attendance and Attention to Work:

- Failure to adhere to appropriate leave time provisions when taking time off;
- Arriving for work after the designated starting time for your work day;
- Leaving from work prior to the designated ending time for your work day;
- Taking more rest periods than are permitted or extending the rest period beyond the agreed upon time limits;
- Conducting excessive personal business on the job via conversation, telephone, or mobile device, texting, internet, email, etc.;
- Failure to carry out one's basic duties and responsibilities or sleeping, loafing or loitering on the job;
- Incompetence in the performance of duty causing excessive or repeat errors on work assignments;
- Disturbing co-workers by visiting during work hours.

Health and Safety:

- Not adhering to prescribed safety procedures;
- Not using, when necessary, prescribed safety devices and clothing;
- Not complying with or falsifying accident and injury reporting procedures as described in Administrative Regulation 9-2;
- Endangering the safety of self or others through horseplay or carelessness.

Personal Conduct:

- Any act or conduct which tends to bring the City into disrepute or reflects discredit upon the individual as an employee or the City in general;
- Refusal or failure to follow the direction of a duly designated member of management from whom an employee receives direct supervision or failure to comply with an established procedure without good cause;
- Uncooperative, discourteous or abusive behavior toward citizens or co-workers including disrespectful, profane, abusive, degrading, insulting, racist or sexist language;
- Dishonesty, falsification of any report or document including falsifying employment applications, work records, time sheets and payroll records, lying or stealing;
- Gossiping about a member of the City concerning their personal character or conduct;

- Misuse, abuse or damage resulting from the misuse of City property;
- Unauthorized use of City property;
- Use or possession of alcohol or drugs while on City time or being impaired or under the influence while working due to the use of drugs or alcohol;
- Not adhering to the City's smoking policy;
- Sexual harassment, anti-harassment and workplace violence as outlined in the City's policy statements;
- Behavior of a sexual nature, even if welcomed, such as: touching, kissing, etc.
- Off-duty misconduct such as conviction of a crime;
- Gambling – the playing of a game of chance for stakes while on duty;
- The employee is careless or negligent with any City property.

Political Activity:

- Unauthorized soliciting or political campaigning on city time or property.

Security:

- Carrying or having on City property unauthorized weapons;
- Misusing City identification;
- Disclosing information which is confidential, such as individual wage and benefit information, social security information or other protected information;
- Accepting or offering bribes, gifts or favors.

Suspensions

Suspensions are temporary separations for disciplinary reasons. An employee may be suspended at the discretion of Management without pay for a period not to exceed thirty (30) days. At the time of suspension, Management will give the employee a written notice of suspension including the reasons therefore. Any suspension which would have the effect of making the total time during which the affected employee is suspended without pay during any twelve-month period greater than thirty (30) days will be deemed a dismissal and subject to the provisions of this manual concerning dismissals.

Demotions

This form of penalty for disciplinary purposes may be made when, in the sole judgment of Management, the employee does not give satisfactory service in the position the employee holds. At the time of demotion, Management will give the employee a written notice of demotion including the reasons therefore.

Reductions

It may be necessary to reduce an employee from one classification to another because of lack of work or funds, department reorganization, layoffs, etc. When it is necessary, the City Manager may request the Human Resources Director to make a thorough investigation of the problem. The analysis of the proposed reduction will consider first the types of activities to be curtailed and the classes of positions thereby affected, and will then proceed to the selection of individual employees to be reduced. The final decision as to an employee reduction shall rest with the City Manager.

Layoffs

When it is necessary to reduce the number of employees on the City payroll because of lack of work or funds, the City Manager may request the Human Resources Director to make a thorough investigation of the problem. The analysis of proposed layoffs will consider first the types of activities to be curtailed and the classes of positions thereby affected, and will then proceed to the selection of individual employees to be laid off. Employees who are separated from the service through no fault of their own will be placed on a reemployment register.

Employee's previous service will be a factor in determining the order in which the employee should be laid off.

All other things being equal, consideration will be given to the employee's length of service with the City in determining layoffs. The final decision as to layoff shall rest with the City Manager.

Dismissals

Management may dismiss an employee, with or without cause, but at the time of the dismissal, Management will give the employee a written notice of dismissal including the reasons therefore. The employee may file a complaint with the Personnel Appeals Board as provided in the rules and regulations of the Personnel Appeals Board.

NOTE: An employee serving his/her introductory period may be released at any time without the right of appeal or hearing.

Resignations

An employee resigning his or her position should, whenever possible, give sufficient advance notice of their intention to enable the City to make proper provisions for the filling of his or her position. All resignations must be in writing and submitted in duplicate to the Department Head. The Department Head shall forward one copy to the Human Resources Director.

Exit Interviews

All employees will be afforded the opportunity of an exit interview with the Human Resources Director.

CHAPTER VIII – SUGGESTIONS AND COMPLAINTS

Suggestions

The Human Resources Director will welcome suggestions from Department Heads and employees for improving the personnel system. Such suggestions may be presented to the Human Resources Director by letter, memorandum, e-mail or in person. If it becomes apparent that changes in any part of the personnel system are necessary, or desirable, such changes will be made.

Complaints Involving Employee Suspensions, Reductions, Layoffs or Dismissals

The Personnel Appeals Board shall investigate complaints made to it in writing by any officer or employee who is suspended, reduced, laid off, dismissed or otherwise disciplined, and report its findings in writing to the City Manager. The City Manager shall make the final determination as to whether the suspension, demotion, reduction, layoff, dismissal or other disciplinary action shall be upheld.

CHAPTER IX – BENEFITS

New Hire – Benefits

The following will apply to full-time employees hired after January 1, 1995:

During the first ninety (90) calendar days of employment, the employee shall not receive health, dental, life insurance or optical plan coverage. Upon successful completion of ninety (90) calendar days, the employee shall commence to receive the fringe benefits noted above.

Healthcare Coverage

The City shall provide healthcare coverage for each full-time employee. Employees should contact the Human Resources Department for clarification of this benefit program.

Waiver of Healthcare Coverage

Employees electing not to participate in the health insurance program healthcare coverage provided by the City will be eligible to participate in the Medical Incentive Program. Employees with questions concerning this benefit should contact the Human Resources Department.

Dental Coverage

The City shall supply dental coverage for each full-time employee. Employees should contact the Human Resources Department for clarification of this benefit program.

Life Insurance

The City shall pay the cost of life insurance for each full-time employee. Employees should contact the Human Resources Department for clarification of this benefit program.

Optical Program

The City shall provide an optical program for each full-time employee. Employees should contact the Human Resources Department for clarification of this benefit program.

Medical Flexible Spending Account

Beginning January 1, 2009, interested employees will be eligible to participate in a medical flexible spending account. Sometimes referred to as a cafeteria plan, flex plan, or a Section 125 plan – a Flexible Benefits plan lets the participant set aside a certain amount of their paycheck into an account – before paying taxes. During the year participants have access to this account for reimbursement of expenses they regularly pay for, such as healthcare.

Reimbursable expenses can include:

- Deductibles, Co-pays, and Prescription Drugs
- Expenses not covered by insurance
- Dental Services and Orthodontics
- Eyeglasses, Contacts, Solutions & Eye Surgery
- Adult and Childcare Services

Deferred Compensation

Deferred compensation is a tax-shelter plan which allows the deferring of a specified amount of your current compensation for retirement years. Taxes are due and payable at time of withdrawal and use of funds. The details of the plan and restrictions are established per IRS Guidelines. For further information, contact Finance.

Payroll Deductions

Payroll is prepared bi-weekly. Various deductions from paychecks include the following: deferred compensation, automatic deposits to participating financial institutions, union dues, insurance premiums, may be authorized by contacting payroll.

Educational Reimbursement

The City recognizes the value of training and educational programs in improving employee performance. In order to encourage such training, the City will permit, within budget limitations, reimbursement for training and educational programs which are deemed to be related to the employee's classification and work assignments. Such reimbursement must be approved by the Department Head, Human Resources Director and Finance Director prior to the beginning of the program. Reimbursement will be made upon satisfactory completion of the course/training sessions, etc. Full reimbursement will be provided for tuition and books (as long as they are turned over to the City of Port Huron for use). Reimbursement will not be permitted for travel expenses or for employee time. Requests for reimbursement at the end of the program/course should include proof of successful completion, grade "B" or better for graduate work; "C" or better for undergraduate work, and receipts for tuition, and book costs.

If the Department Head requests that an employee attend such a training program, full reimbursement for travel and lodging (when appropriate) shall be permitted.

The City may require the employee receiving training/education at City expense to sign a statement stipulating that they will remain in City employment for a minimum specified time period after completion of the training or repay a prorated portion of the expenses paid by the City.

CHAPTER X – EXEMPT POSITIONS

Positions Exempt from Provisions of this Manual Relative to Appointment

The following classifications are exempt from those provisions of the Personnel Manual relative to original appointment and to promotion within the service: Department Heads, Division Heads, and Administrative positions designated by the City Manager. However, all appointments to the above designated positions will be made on the basis of merit, fitness and experience.

CHAPTER XI – RETIREMENT

Retirement – Municipal Employees’ Retirement System

All employees are enrolled in the Municipal Employees’ Retirement System (MERS). A retirement plan booklet is reviewed and given to all new hires. Also, each full-time permanent employee receives a copy of the most recent MERS booklet. Employees with questions about their retirement program should refer to the booklet entitled “Municipal Employees Retirement System” or contact the Human Resources Department for discussion and review of their particular benefits under this program.

Defined Benefit Plan

Employees hired prior to June 23, 2008, the MERS pension benefit program will include:

- Benefit Program B-4 - 2.5% of member’s final average compensation multiplied by years and months of credited service. This benefit shall not exceed 80% of member’s final average compensation.
- FAC-3 Final Average Compensation is computed on the highest 36 consecutive months of earnings, divided by 3.
- RS 50 - Automatic Survivor Benefit
- F55 - (25 Years) - Age 55 with 25 or more years of credited service.
- Vesting is Ten (10) years.
- The employee pension contribution shall be as follows:
 - July 1, 2010 3% total employee contribution
 - Additional 3% for all wages paid after July 1, 2011 – total 6%.
 - Additional 1% for all wages paid after July 1, 2012 – total 7%.
 - Additional 1% for all wages paid after July 1, 2013 – total 8%.

Hybrid Plan

Employees hired on or after June 23, 2008, shall be enrolled in the MERS Hybrid Retirement Benefit Plan. The Hybrid Plan will include a Defined Benefit, as well as, a Defined Contribution component.

- The Defined Benefit Plan will include a 1.25% multiplier.
- The Defined Contribution portion will include 1.0% employer contribution and a 2.0% employee contribution, with employees able to contribute additional after-tax funds up to IRS limits.
- Vesting is Six (6) years.
- Three (3) year F.A.C. (Final Average Compensation)
- Normal Retirement at age 60.

Retirement Healthcare Benefits

Employees hired prior to December 31, 1992, will be eligible to receive Retirement Healthcare Benefits if they remain on the active rolls and attain “normal” retirement age and appropriate years of service.

NOTE: Normal retirement age is defined as being eligible for unreduced retirement benefits (age + years of service). i.e. age 55 with 25 years of service minimum.

Employees hired after December 31, 1992 and prior to June 23, 2008, must have a total of 80 points (age + years of service) to receive Retirement Healthcare Benefits. Employees hired on or after January 1, 2010, are required to participate in HCSP (see HCSP Section below).

The provisions in the Municipal Employees’ Retirement System that relate to duty disabilities could also qualify employees for Retirement Healthcare Benefits.

Health Care Savings Program (HCSP)

Employees hired on or after June 23, 2008, the City will offer to contribute an employer match from a flat amount of \$2.50 up to a 2% match of the employee’s wage per pay into the MERS Health Care Savings Program. The employer’s contribution in this program will have a three (3) year vesting requirement.

Employees will contribute \$2.50 per pay up to 100% of their wage into the MERS Health Care Savings Program. The employee’s contributions may be increased, but never decrease. Both the employer and employee contributions will be contributed and invested tax-free.

Effective July 1, 2014, MERS Health Care Savings Program current and future participating employees will no longer have the option to increase their contributions. The mandatory employee contribution will be 2% of the employee’s base wage per pay beginning with the first pay date in July, 2014. The City will match 2% of the employee’s base wage per pay beginning with the first pay date in July, 2014.

Upon leaving employment, the account is available to the employee, spouse and eligible dependents for tax-free reimbursement of medical expenses.

HCSP Participant Eligibility to Purchase Health Care

Employees hired on or after June 23, 2008, and their spouse of record, will be eligible to be included in the City's group health insurance plan following retirement, at the retiree's expense. The employee must meet the age and years of service requirements (age 55/25 years of service) or their age plus years of service must equal 80 points to be eligible to purchase the City retirement health care benefit. The employee upon making an application for retirement must choose to purchase or not purchase the City's group health insurance plan. The employee as a retiree, may not choose to purchase the City's group health insurance at a later time.

CHAPTER XII – PERSONNEL APPEALS BOARD

Personnel Appeals Board

There is hereby created a Personnel Appeals Board of three (3) members. One (1) shall be appointed by the City Manager and will be the Human Resources Director who shall act as Chairman and serve at the pleasure of the City Manager. Two (2) members will be elected by the represented employees and their terms of office shall be four (4) years. Vacancies occurring shall be filled in the same manner as the original appointments were made.

Powers and Duties

The Personnel Appeals Board will receive, investigate and report to the City Manager complaints made to it in writing by an officer or employee in City service who is suspended, demoted, reduced, laid off, dismissed or otherwise disciplined at the request of the complainant. The Human Resources Director, as head of the Human Resources Department, shall serve as Chairman of the Personnel Appeals Board. NOTE: In cases where an employee requests a hearing because of suspension, demotion, reduction, layoff, dismissal or other punitive action, the City Attorney, or other representative chosen by the City Manager, may act as the Chairman when this occurs. The Board shall report its findings in writing to the City Manager. The decision of the City Manager shall be final. At the request of the City Manager, the Board shall render such other assistance as may be required to carry out the City's personnel policies. In its function, the Board may in no way limit the responsible administrative officers in securing efficient service. The function of the Board shall in no way be construed as modifying the at-will employment relationship between employee and employer as referenced in this manual. The function of the board shall not include the exercise of governmental authority as a governmental function, but shall remain exclusively advisory in nature. The City Manager shall provide for the necessary clerical help and supplies.

Rules of Procedure – Complaint

Any officer or employee who has been suspended, demoted, reduced, dismissed or otherwise disciplined is encouraged to utilize the open door policy as described in this manual. Also, the employee may file a complaint in writing with the Personnel Appeals Board in accordance with this Personnel Manual and may request a hearing thereon. Such complaint shall state the pertinent facts relating to the suspension, demotion, reduction, layoff, dismissal or discipline; shall be subscribed by the employee and set forth his or her mailing address and shall be filed with the Human Resources Director within twenty (20) days after the action complained of.

Consideration of Complaint

If no request for hearing is contained in said complaint, the Board shall promptly convene and after making such investigation as it deems necessary, shall make and file its determination with reference thereto. If a request for hearing is contained in said complaint, a hearing shall be had thereon within twenty (20) days after the filing of said complaint, at such time and place as shall be fixed by the Chairman of the Board of Appeals.

Notice of Hearing

Notice of the time and place set for hearing shall be given promptly by the Board to the complainant and at least five (5) days prior to the date of hearing by certified mail, addressed to the complainant at his or her last known post office address.

Adjournments

Hearings on complaints may be adjourned only upon good cause shown, and in the event that the complainant shall fail to appear in person or by counsel at the time and place set for hearing, he or she shall be presumed to have waived the right to further hearing and the Board may proceed forthwith to investigate and determine the case.

Representation

Complainants may, at their election, be represented at the Appeals Board Hearing by counsel, provided that notice of such representation shall be filed with the Board at least forty-eight (48) hours prior to the time set for hearing.

Conduct of Hearings

All hearings before the Personnel Appeals Board shall be conducted in an orderly manner with a view to the presentation of all material facts so that a fair and impartial investigation may be made. The Chairman of the Board shall have full authority at all times to maintain orderly procedure and to reject irrelevant matters and limit the hearing to relevant facts.

Findings

The findings and recommendations of the Personnel Appeals Board shall be promptly reduced to writing and be filed with the City Manager within ten (10) working days after the hearing. The decision of the City Manager shall be final. Employees will be entitled to receive a copy of the written findings and recommendations if requested in writing to the Human Resources Department.

CHAPTER XIII – CITY POLICIES AND PROGRAMS

Employee Status Change Policy

Each employee is responsible to let Human Resources know about the following status changes within seventy-two (72) hours after the event of:

- Change of address
- Marriage
- Birth or adoption of dependent children
- Change in spouse or dependent status (i.e. divorce, marriage, death)

Please contact Human Resources. This will assure that your benefits remain uninterrupted.

Outside Employment Policy

Outside employment or business activities of full-time City employees shall be prohibited unless specific approval is obtained from the City. The City will consider the following elements of policy before approval shall be given to any employee applying for permission to engage in outside employment or business activities:

- Impairment of Efficiency
- Workers' Compensation and Disability Claims
- Conflict of Interest
- Public Relations
- Public Safety

Employees on a leave of absence under the provisions of FMLA, Workers' Compensation, the Disability Income plan or the sick leave program are prohibited from working outside employment for another employer without permission from their Department Head or the Human Resources Director while on said leave.

Employees will be given a copy of Administrative Regulation 9-1 "Outside Employment" when they are hired. Current employees may request a copy of the regulation from the Human Resources Department.

Conflict of Interest Policy

No employee shall engage in any business or transaction or shall have a financial or other personal benefitting interest which is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of his or her duties.

Examples of conflicts are enumerated below for guidance. When an employee has doubt as to the possible conflict of a particular situation, he or she shall consult the supervisor beforehand.

- Accepting or soliciting gifts and favors;
- Use of privileged information for personal or financial gain;
- Any use of official position for personal or financial gain;

- Participation in transactions as a City representative with a business entity in which he or she has a direct or indirect financial or other personal interest;
- Conspiring with or influencing a fellow employee to engage in conflict of interest acts;
- Use of City property for personal benefit.

Employees with questions concerning this policy should contact the Human Resources Department and request a copy of Administrative Regulation 2-1.

City Dress Code Policy

A professional appearance is important to the public we serve, to the image of the City of Port Huron and to each of us. Because all clothing is not suitable for work, these guidelines will help you determine what is appropriate to wear.

This is a general overview of appropriate attire, as well as, inappropriate attire. Neither list is all-inclusive and both are open to change. No dress code policy can cover all contingencies so employees must exert a certain amount of judgment in their choice of clothing to wear to work. If you experience uncertainty about acceptable attire, please ask your supervisor or a member of the Human Resources staff in advance. When in doubt, please do not wear it.

Acceptable professional attire that should be worn Monday through Thursday:

- Suits
- Sport jackets
- Tailored dress pants
- Dresses or skirts that are split at or below the knee
- Long or short sleeve dress shirts, sweaters, turtlenecks or blouses that cover the waist
- Sleeveless dresses or shirts that fit closely around the arm, not saggy or low
- Ties
- Dress socks or nylons
- Closed or open toed dress shoes or dress sandals that fit properly to the foot and do not create a slapping noise while walking (no flip flops)

Each Friday, and on certain special designated days, as a result of an employee suggestion, employees are encouraged to donate funds to benefit a fundraiser and are allowed to dress in casual attire. Casual attire is somewhat less formal but, should still represent professionalism.

Acceptable casual attire that may be worn on Friday or Special Casual Days:

- Khaki pants
- Capri pants that are below the knee
- Denim clothing
- Golf-type shirts, t-shirts, sweaters, sweatshirts, sports team, university and fashion brand names on clothing are generally acceptable
- Clothing that has the City of Port Huron logo is encouraged
- Tennis shoes or loafers or sandals that fit properly to the foot and do not create a slapping noise while walking (no flip flops)

Unacceptable attire includes:

- Clothing which is sheer or exposes excessive amounts of skin, including bare midriffs, bare backs or cleavage
- Undergarments should not be visible
- Halter style tops, spaghetti straps and tank tops
- Beach dresses or spaghetti strap dresses
- Sweatpants, exercise pants, shorts, bib overalls, leggings, spandex, mini-skirts or skorts
- Flip flops or slippers
- Hats or bandanas
- Torn, dirty, or frayed clothing
- Any clothing containing words, terms or pictures that may be offensive

While body piercing and tattoos are a matter of personal choice, management has made the decision that the following will not be permitted while working:

- Displaying of inappropriate or excessive body art, such as piercings and tattoos
 - Ear lobe gauges will not be permitted
 - Visible body piercings of any kind will not be permitted (i.e. lip, nose, eyebrow, cheek, tongue, etc.)
 - Tattoos shall be covered while working, if possible

NOTE: Some positions requiring field work, etc., may have different attire guidelines based on a review of the job classification and approval by the Department Head.

If clothing fails to meet these standards, as determined by the employee's supervisor and Human Resources staff, the employee will be asked not to wear the inappropriate item to work again. If the problem persists, the employee may be sent home to change clothes without pay and may receive a verbal warning and progressive disciplinary action if violations continue.

Let's strive to maintain the City's image in the eyes of our Citizens!

Nepotism Policy

It is the policy of the City that a permanent employee shall be deemed ineligible to hire into, promote into, demote into, transfer into, or in any other manner move into, the same City department in which an immediate relative is employed, if said employee would thus directly supervise, or be directly supervised by, the immediate relative. For the purpose of this policy, the term "immediate relative" shall include: spouse, parent, child, brother, sister, grandparent, parent-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, or any step-relatives in any of the foregoing categories.

In the event that a relationship listed above is created between employees within the same department, one of the said employees shall, within ninety (90) calendar days, move to a position outside of said department. Failure of the employee to obtain a position outside of the department will result in termination.

The City Manager shall have the authority to waive this policy if deemed necessary for the good of the City. Questions should be referred to the Human Resources Department.

Internet/Electronic Mail Policy

The purpose of the Internet/electronic mail (e-mail) system is to assist the City of Port Huron's day-to-day conduct of business activities. This document sets forth the policies regarding the use of the Internet and e-mail system. The City of Port Huron reserves the right to change these policies at any time.

The Internet/e-mail system is the property of the City of Port Huron. All data and other electronic messages whether sent from or received within this system are the property of the City of Port Huron. Internet/e-mail messages either composed or received in this system may be considered City Records, depending on their content, and therefore may be subject to Freedom of Information Act requests and other legal disclosure.

The City of Port Huron reserves the right to monitor all Internet sites accessed and e-mail messages either sent from or received in the e-mail system. It is possible that e-mail sent from the City of Port Huron's system can be intercepted on the system and on the Internet; therefore the user should not expect any degree of privacy regarding Internet use or e-mail messages. Internet sites and e-mail messages deleted by the user may be retrievable from the hard drive, backup tapes or the receiving or sending e-mail system.

Employees will be given a copy of Administrative Regulation 9-9 "Internet/Electronic Mail Policy" when they are hired. Current employees may request a copy of the regulation from the Human Resources Department.

Political/Campaign Activity of Employees Policy

"Political/campaign" activity means working to promote any position or candidate seeking office subject to general election at the local, state or national level. This includes contribution of funds, time or anything of value, solicitation of such contribution from others, attempting to influence voter decision and/or public opinion, displaying signs or insignia on one's person or property, and public endorsement.

The following defines inappropriate activity based on your rights and responsibilities as citizens and City employees based on law.

- City employees may not engage in political/campaign activity while on duty. This includes paid breaks, paid lunch and paid dinner.
- City employees may not use City property, equipment or materials for political/campaign activity. This includes telephones, e-mail, fax machines, copiers, computers, etc., as well as, activity at City owned and/or operated places of business.
- City employees may not use their positions to influence individual or public opinion, or represent their personal opinion as that of the City's for political/campaign activity purposes.
- City employees may not engage in political/campaign activity while wearing City uniforms or City insignia of any kind.
- City employees may not solicit or attempt to influence other City employees for political/campaign purposes.

Every employee has received a copy of the “Political/Campaign Activity of Employees” policy. This list is not all-inclusive, for clarification of the policy or employees who would like another copy may contact the Human Resources Department.

City Vehicles and Distracted Driving Policy

Employees are expected and required to be alert and attentive to their duties at all times, including periods of on-duty driving and equipment operation. Distracted driving can be caused by many factors, including but not limited to, such activities as: cell phone manipulation and use; texting; eating or drinking; attention to a radio communication, pager, or mobile data terminal; adjusting a radio/cassette/CD; listening to an iPod or walkman; attention to distractions outside of the vehicle, such as an accident, unusual event, or searching for an address; adjusting vehicle/climate controls; being startled by or attention to a moving object within the vehicle; or conversations with passengers. Some of these distractions are controllable by the driver.

The City of Port Huron recognizes that potential distractions may arise when cell phones are in use while operating a car, van, or truck, i.e., “moving vehicle.” In fact, research indicates that talking on a cellular phone while driving quadruples the risk of an accident.

In keeping with our obligation to maintain a safe and healthful workplace, and to control potential risk to our employees, passengers, and the general public, employees driving City vehicles are asked to use extreme caution when driving and utilizing two-way radios or cellular phones. Preferably, when possible, employees should proceed to a safe location, park the car and complete the conversation. Please “hang up and drive.”

Storm/Emergency Policy

Occasionally, the City of Port Huron must close its offices due to inclement weather or for other unforeseen circumstances. Should this occur, the City will announce its intention to close on local radio stations (WHLS, WPHM) and, if possible, on local television Channel 6.

The announcement will include the reason for the closure. Whether an employee is expected to report to work will depend on their normal duties as well as skills as they relate to the emergency.

Employees concerned whether to report to work because of an announced closing should contact their immediate supervisor or, if necessary, their Department Head. Employees should not automatically assume their job is “non-essential” to the emergency or unforeseen circumstance requiring the closure. Failure to report to work could result in being absent for the day without pay, as well as, possible discipline for not reporting to work.

City Bulletin Boards – Employee Updates

Bulletin boards have been placed at all locations as a means to update employees on pertinent employee data, such as birthday, anniversaries, weddings, funeral announcements, policy changes, wellness programs, employee events, etc.

Employees are prohibited from using the boards for personal solicitation. The boards are maintained by employees selected in each department and supervisors.

Employee Assistance Program

Life does not always go smoothly. All of us experience times when a personal problem or crisis situation affects the way we function at work and home. The Employee Assistance Program is a problem-solving resource that is available to you and members of your family (i.e. spouse, child) living in the same household. The employee assistance professionals will assist you in assessing your situation, finding options, making choices or locating further help. It's confidential and free!

The City covers the cost of initial assessment, problem-solving sessions, and referral services. If there is a need for long-term counseling or treatment, the EAP professional will help you explore the various resources and/or payment options that are available.

Some common concerns include:

- Stress or burnout
- Financial and legal concerns
- Marriage and family problems
- Alcohol or chemical dependency
- Work-related problems
- Parenting
- Emotional problems
- Grief and loss
- Abuse issues

Solicitation on City Premises

Solicitation of employees on the premises is strictly prohibited with the exception of solicitations for non-profit fundraising and for gifts for special events for employees (resignations, retirements, weddings, births, etc.). This prohibition applies both to employees on working time and to outsiders. The Human Resources Department should be contacted when this policy is violated.

Open Door Policy

Employees are encouraged to take complaints directly to their supervisors. If the employee is not satisfied with the response of the supervisor, or is not comfortable in discussing the concern with the supervisor, he or she may go directly to the appropriate Department Head or the Human Resources Director. Employees are encouraged to discuss their concerns openly. All complaints will be treated confidentially and employees will not be criticized or coerced for utilizing the Open Door Policy.

Health and Safety Program

Supervisors will analyze all of their jobs step-by-step to assure they can be handled safely. All appropriate OSHA and MIOSHA guidelines will be adhered to, including the use of Material Safety Data Sheets (MSDS) sheets. New hires, as well as current employees, will receive training concerning confined spaces, hazardous materials, back safety, etc.

Employees are responsible to report any concerns they have concerning Health and Safety issues to their supervisors, Human Resources or a member of the Health and Safety Committee immediately.

A Health and Safety Committee comprised of labor and management has been formed to aid and advise management on matters of work safety.

Wellness Programs

The City is dedicated to creating a healthy work environment and to offer programs for employees that will lead to healthy life styles. Programs included are walking clubs, aerobics, wellness appraisals, and various wellness seminars.

Suggestion Program

Employees who have ideas or suggestions that will improve the City's operations or enhance safety may submit a suggestion to the Human Resources Department by letter, memorandum or e-mail.

Employee Recognition Program

Employees deserving of recognition can be nominated by fellow employees, citizens, and supervisors. To be nominated for this program, an employee should do something beyond that which is expected during the course of his or her normal job duties. This could be anything from assisting a citizen or fellow employee to saving a life. Nominations can be submitted to the Human Resources Department by letter, memorandum or e-mail.

Medical Services and First Aid

In the past, the City of Port Huron has provided training through the American Red Cross and other certifying agencies for a number of employees to enable them to administer First Aid and CPR to a person in need. This training was provided as a demonstration of our concern for the well being of our fellow citizens and not as an occupational obligation on the part of any of our employees.

The City has made available, and will continue to do so, well supplied First Aid kits. These kits are supplied for the purpose of allowing an employee to treat a minor injury to his or her own person. No person in the employment of the City of Port Huron, except Public Safety personnel, is under any obligation to render First Aid treatment to another employee as part of their occupational obligations.

If an employee chooses to render First Aid and/or CPR, then that employee would be acting as a "Good Samaritan."

Any employee transporting an injured worker to a medical facility from their work location in a privately owned or City owned vehicle does so at his or her own choice. The employee who chooses to assist an injured person is under no contractual obligation to the City of Port Huron to perform such an act and would be acting as a "Good Samaritan." If needed, an ambulance will be summoned to perform this service.