



PERSONNEL POLICIES AND PROCEDURES

Southwest Michigan Planning Commission
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Amended through April 2008

The 2008 version of SWMPC's Personnel Policies & Procedures is shown as the "base/original" document. Alongside in text boxes is the new, proposed employee handbook.

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Note: This document sets forth certain policies and procedures relative to employment with the Southwest Michigan Planning Commission (SWMPC). It is provided to each employee solely for the purpose of information, and the contents are not intended to be, and should not be, construed as establishing a contract between the SWMPC and the employee for either employment or any other benefit, policy or practice.

The SWMPC may alter, change, modify or discontinue any policy, or benefit described or provided by this document at any time and with out notice. Nothing contained herein shall give the employee a right to the continuation of employment or any benefit, policy or practice which the SWMPC chooses to alter, change, modify or discontinue.

This Employee Handbook ("Handbook") is a compilation of personnel policies, practices and procedures currently in effect at Southwest Michigan Planning Commission (SWMPC).

The Handbook is designed to introduce you to SWMPC, familiarize you with our policies, provide general guidelines on work rules, benefits and other issues related to your employment, and help answer many of the questions that may arise in connection with your employment.

Each Employee of The SWMPC is an “At Will” employee. The term “At Will” employment means that the employment and compensation can be terminated at the will of either party, which may be without cause and without advance notice.

This Employee Handbook is not a contract of employment, and does not create a contract of employment. Southwest Michigan Planning Commission generally does not offer individual employees formal employment contracts with SWMPC. This Handbook does not create a contract, express or implied, guaranteeing you any specific term of employment, nor does it obligate you to continue your employment for a specific period of time. The purpose of the Handbook is simply to provide you with a convenient explanation of present policies and practices at SWMPC. This Handbook is an overview or a guideline. It cannot cover every matter that might arise in the workplace. For this reason, specific questions regarding the applicability of a particular policy or practice should be addressed to the Office Manager.

SWMPC reserves the right to modify any of our policies and procedures, including those covered in this Handbook, at any time. We will seek to notify you of such changes by email and/or other appropriate means. However, such a notice is not required for changes to be effective.

PART I THE COMMISSION

A. Establishment

The Southwest Michigan Planning Commission hereinafter referred to as the SWMPC was duly established on April 26, 1973 by joint action of Berrien, Cass and Van Buren Counties under authority of Michigan Public Act 281 of 1945, the Regional Planning Commission Act and Section 27 of Public Act 405 of 1978. Establishment and function of the SWMPC is consistent with Michigan Executive Directives 1968-1, 1970-4, and 1973-1 concerning sub-state planning and development regions.

B. Purpose

The purposes of the SWMPC are set forth in the Bylaws, Article III pursuant to Michigan Public Act 281 of 1945 and Public Act 405 of 1978.

C. Governing Body

The SWMPC governing body, hereinafter referred to as the Commission, is that policy-level body of member representatives established pursuant to the Bylaws, Article V.

D. Commission's Personnel Responsibilities

In addition to those Commission responsibilities set forth in the Bylaws, the Commission's personnel-related responsibilities shall include:

1. Review and approval of employee job classifications and salary ranges, job descriptions, individual salary levels, fringe benefits, working conditions, hiring practices, and related personnel matters, periodically as recommended by the Executive Director.
2. Review and make final determination concerning employee/Executive Director and employee/Commission disputes or appeals in accordance with Part V.
3. Employ an Executive Director who shall serve at the Commission's pleasure as the Commission's agent for carrying out administration of the SWMPC's functions and activities in accordance with the Commission's policies, procedures, and directives.

PART II EMPLOYMENT PRACTICES AND CONDITIONS

A. Employment Practices

1. Equal Employment Opportunity: The SWMPC shall be an equal opportunity employer and shall recruit and employ personnel without regard to race, color, religious preference, national origin, sex, or age. The SWMPC shall maintain an up-to-date roster of organizations and agencies which shall be contacted regarding the solicitation of applicants for vacant positions with the SWMPC.

Equal Employment Opportunity

SWMPC is an equal opportunity employer. We will extend equal opportunity to all individuals without regard to race, religion, color, sex (including pregnancy, sexual orientation and gender identity), national origin, disability, age, genetic information, or any other status protected under applicable federal, state, or local laws. Our policy reflects and affirms SWMPC's commitment to the principles of fair employment and the elimination of all discriminatory practices. Details of our equal employment opportunity policies are further explained in Part 2.

2. Employee Hiring Process

- a. Announcement and advertisement of SWPMC job openings shall be announced and inserted in appropriate employment centers for targeted position.
- b. Applications for Employment shall be completed and submitted by applicants for employment by the SWMPC contained herein as Attachment A. However, at the Executive Director's discretion a personal resume may be submitted in lieu of an application if the resume contains information equivalent to that required on the application.

SWMPC's primary goal when recruiting new employees is to fill vacancies with persons who have the best available skills, abilities, or experience needed to perform the work. Decisions regarding the recruitment, selection, and placement of employees are made on the basis of job-related criteria.

When positions become available, qualified current employees are encouraged and are welcome to apply for the position. As openings occur, notices relating general information about the position are posted. The Executive Director will arrange interviews with employees who apply.

- c. Applicant interviews, competitive ratings and selection shall be conducted by the Executive Director.
- d. Applicant Notification shall be given to all applicants for employment by the SWMPC either by telephone, by U.S. mail, or Electronic Mail of the status of their application within ten working days after all applicant interviews are completed.

3. At Will Employment

Employees of SWMPC are employed for an indefinite period of time. There is no guarantee of continuing employment. Employees may resign or be terminated at any time, with or without notice, with or without cause. If an employee is hired by contract the specific provisions of the contract may override the personnel policies herein. The employment at-will policy can be modified only if reduced to writing with specificity as to all employment terms, is approved by the Administration Committee of the SWMPC, and is signed by the employee, the Chairperson of SWMPC, and the Executive Director.

Like most American companies, Southwest Michigan Planning Commission generally does not offer individual employees a formal employment contract with SWMPC. Employment is “at will,” meaning that you or SWMPC may end your employment at any time for any lawful reason.

4. Layoff

Employees may be laid-off when in the best interests of SWMPC. The Executive Director shall have the sole discretion, based on the needs of SWMPC, to determine which employees may be laid-off and which employees may be subsequently recalled, as well as sole discretion as to when selected employees may be recalled. The SWMPC shall recognize a 90-day recall time limit and is under no obligation to recall or notify employees laid-off beyond that time period.

5. Probationary Period

Employees of SWMPC are “at will” employees as described in Part II, §4 above. There is no probationary period.

6. Promotions and Reassignments

Employees who are, in the best interests of the SWMPC, promoted or transferred to new or different job assignments within the agency shall receive full credit for accrued seniority and shall meet the experience and education requirements of the job classification and job description in order to qualify for such promotion or reassignment.

This Employee Handbook is not a contract. It does not create any agreement, express or implied, guaranteeing you any specific terms or conditions of employment. Nothing contained in this Handbook should be construed as creating a contract guaranteeing employment for any specific duration, nor does the Handbook obligate you to continue your employment for a specific period of time. Unless you have entered into an employment agreement that supersedes this document, either you or SWMPC may terminate the employment relationship at any time. The Handbook does not guarantee any prescribed process for discipline and discharge.

No representative of the SWMPC, other than the Executive Director, has the authority to enter into any agreement guaranteeing employment for any specific period. No such agreement shall be enforceable unless it is in writing and signed by the Executive Director and the employee.

B. Conditions of Employment

1. Conflict of Interest Policy

- a. All employees of the SWMPC shall disclose, in writing to the Executive Director, any local government, non-profit organization, volunteer or for-profit activity that may pose a conflict with SWMPC activity. No SWMPC employee shall engage in a for-profit activity within the boundaries of the SWMPC service area if said activity is offered in competition to SWMPC services.
- b. SWMPC employees shall adhere to any state or federal regulations as may apply to conflict of interest. In the event of conflict between such regulations or statutes and the above outlined policies, the more prescriptive policy shall apply.

2. Computer Use Policy

General Guidelines. The following document sets forth guidelines for use of the computing systems and facilities located at or operated by the Southwest Michigan Planning Commission (SWMPC). The definition of the SWMPC computing systems will include any computer, server, or network provided or supported by the SWMPC.

It is not possible to specify every acceptable or unacceptable use of computers in the workplace. But generally speaking, acceptable uses of the computer system are activities that support the goals of the SWMPC to serve the planning needs of its clients and/or projects that the SWMPC has undertaken. The SWMPC encourages staff to utilize their individual computers to meet professional needs through: electronic mail, conferences, bulletin boards, data bases, and access to the Internet, while refraining from computer activities including but not limited to computer games that detract from the completion of work tasks. The SWMPC seeks to empower staff in their creative and professional use of communications and computing technology for the business of planning.

The SWMPC computer system should be used in a responsible, efficient, appropriate, ethical, and legal manner in accordance with the goals of the SWMPC. Each staff person is responsible at all times for the proper use of his or her computer. Users should engage in “safe computing” practices by establishing appropriate access restrictions and guarding their password. Users must acknowledge their understanding of the general policy and guidelines as a condition of receiving access to an SWMPC computer.

Users should have no expectation of, or right to, privacy in their use of the SWMPC computers and network. The Executive Director may specifically monitor the activity of individual users without notice, when, in his or her sole discretion, it is reasonable to do so. Examples

Internet Access

Access to the Internet is given principally for work-related activities or approved educational/training activities. Incidental and occasional personal use and study use is permitted. This privilege should not be abused and must not affect the employee’s performance of employment-related activities.

Right to Monitor

SWMPC computer, cloud, email and Internet systems are at all times the property of SWMPC. By accessing the cloud, Internet, and email services through facilities provided by SWMPC, you acknowledge that, SWMPC (by itself or through its Service Providers) may from time to time monitor, log and gather statistics on employee activity and may examine all individual connections and communications. Please note that our Service Providers use email filters to block spam and computer viruses. These filters may from time to time block legitimate email messages.

Responsibilities and Obligations

Employees may not access, download or distribute material that is illegal, or which others may find offensive or objectionable, such as material that is pornographic, discriminatory, harassing, or an incitement to violence.

include, but are not limited to, occasions when monitoring is deemed necessary to protect the integrity, security, or functionality of the network or other computing resources or to protect the Commission from liability; when there is reasonable cause to believe that the user has violated or is violating the SWMPC computer policy; or a staff person appears to be engaged in unusual or unusually excessive computer activity. Individuals other than the Executive Director shall not engage in general or individual monitoring of Internet use or e-mail communications of any other employee unless specifically authorized by the Executive Director to do so.

Electronic Mail: The e-mail system is primarily for business use. Occasional and reasonable personal use is permitted, provided that files are not transferred that are large enough to hamper normal business function and that the time spent on personal messages does not exceed what would typically be an acceptable personal break period. As any correspondence created by an employee is a reflection of the SWMPC, and in fact, remains the property of the SWMPC, employees are required to keep all e-mail content in good taste and conform to the usual standards of written communication.

Unacceptable uses of electronic mail include but are not limited to:

- Posting or otherwise transmitting any content that is unlawful, harmful, threatening, abusive, harassing, tortious, defamatory, vulgar, obscene, libelous, invasive of another's privacy, hateful, of malicious intent, or racially, ethnically or otherwise objectionable.
- Impersonating any person or entity, or falsely stating or otherwise misrepresenting your affiliation with a person or entity; reposting personal communications without the author's prior consent.

You must respect and comply with copyright, trademark and similar laws, and use such protected information in compliance with applicable legal standards. When using web-based sources, you must provide appropriate attribution and citation of information to the websites. Software must not be downloaded from the Internet without the prior approval of qualified persons within SWMPC.

Violation of this Policy

In all circumstances, use of Internet access and email systems must be consistent with the law and SWMPC policies. Violation of this policy is a serious offense and, subject to the requirements of the law, may result in a range of sanctions, from restriction of access to electronic communication facilities to disciplinary action, up to and including termination.

Email

The email system is the property of SWMPC. All emails are subject to review by SWMPC. You may make limited use of our email system for matters involving your own personal business, so long as such use is kept to a minimum and does not interfere with your work.

The SWMPC email system is SWMPC property, and as such, is subject to monitoring. System monitoring is done for your protection and the protection of the rights or property of the provider of these services. Please consider this when conducting personal business using SWMPC hardware and software.

- Forging headers or otherwise manipulating identifiers in order to disguise the origin of any content transmitted through the network.
- Intentionally transmitting or receiving any material that contains software viruses or any other computer code, files or programs designed to interrupt, destroy or limit the functionality of any computer software or hardware or telecommunications equipment.
- Attempting to access through the SWMPC network any domain, network, service, port, system, host, computer, or device without the specific prior permission, authorization, or approval of the controlling entity or to impair or damage the operations of computers, networks, terminals or peripherals devices.
- Copying or otherwise transmitting any content in violation of patent, trademark, trade secret, copyright law or other protected material
- Using the network for financial gain or for any commercial or illegal activity.
Internet Use: Employees are expected to devote their full time, attention and energy to work-related tasks during their work hours. The SWMPC believes that appropriate use of the Internet can enhance the quality of a staff member's work and can be conducive to increased productivity. The SWMPC encourages staff to make judicious use of this powerful tool.

The SWMPC recognizes that staff may need to access the web for personal business, similar to using the telephone. This modest level of personal use is permitted. However, staff who abuse Internet privileges while on the job are putting the network in jeopardy, are exposing the Commission to viruses, and wasting Commission time. The SWMPC is not responsible for material viewed or downloaded

Electronic mail is like any other form of SWMPC communication, and may not be used for harassment or other unlawful purposes. Your email account is a SWMPC provided privilege, and is SWMPC property. Remember that when you send email from the SWMPC domain, you represent SWMPC whether your message is business-related or personal.

Confidentiality of Electronic Mail

As noted above, electronic mail is subject at all times to monitoring, and the release of specific information is subject to applicable laws and SWMPC rules, policies and procedures on confidentiality. Existing rules, policies and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software.

Social Media

The term "social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board, or a chat room, whether or not associated or affiliated with SWMPC, as well as any other form of electronic communication. The same principles and guidelines found in SWMPC rules, policies and procedures apply to an employee's social media activities online.

by users of the Internet. Users accessing the Internet do so at their own risk.

Unacceptable uses of the Internet include, but are not limited to:

- Accessing, downloading, uploading, transmitting or saving sexually explicit or other offensive materials is not allowed.
- It is unacceptable to use the Internet for chat room activities.
- Games and third-party software are prohibited.
- Users shall not make unauthorized copies of copyrighted software, except as permitted by law or by the owner of the copyright.

Violation of this Policy may subject the employee to discipline, up to and including termination of employment.

Any conduct that adversely affects an employee's job performance or the performance of fellow employees, or otherwise adversely affects SWMPC's legitimate business interests, may result in disciplinary action, up to and including termination. Similarly, inappropriate postings, including but not limited to discriminatory remarks, harassment and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may result in disciplinary action, up to and including termination. However, this restriction will not apply to any postings made in the exercise of any rights granted to an employee by federal law.

Telephones

Access to the SWMPC telephone system is given principally for work-related activities or approved educational/training activities. Incidental and occasional personal use is permitted. This privilege should not be abused and must not affect the employee's performance of employment-related activities.

You should use common sense and your best judgment when making or receiving personal cellular phone calls at work. To the extent possible, employees should make personal cell phone calls during their breaks or lunch times. The use of cameras on cell phones during work hours is prohibited to protect the privacy of SWMPC as well as of fellow employees. However, this restriction will not apply to any recordings made in the exercise of any rights granted to an employee by federal law.

The SWMPC telephone system is at all times the property of SWMPC. By accessing the telephone system through facilities provided by SWMPC, you acknowledge that SWMPC has the right to monitor its telephone system from time to time to ensure that employees are using the system for its intended purposes.

3. Workplace Harassment Policy

- a. The SWMPC seeks to maintain a work environment within which individuals of each gender and all races, ethnicities, religions, or marital status can professionally thrive. As such, the work atmosphere shall remain free of intimidation, insult, humiliation, and offense of a physical or verbal nature whether direct or insinuated. Harassment that is based on any of the protected classifications within the Civil Rights Acts is considered a form of illegal discrimination.

Sexual harassment is included in the classifications covered by the Civil Rights Acts. Such harassment includes physical or verbal conduct of a sexual nature when the employee's response might impact their job status or work environment; such acts might include but are not limited to unwelcome sexual advances and requests for sexual favors.

Instances where harassment is specifically prohibited include:

- Where submitting to the suggestion of the harassment is either an explicit or implicit condition of employment.
- Where submitting to or rejecting the suggestion of the harassment is used as the basis of a tangible employment decision that has an impact on the person subject to the harassment.
- Where the harassment has the purpose or

Workplace Harassment

SWMPC is committed to providing a work environment that provides employees equality, respect and dignity. In keeping with this commitment, SWMPC has adopted a policy of "zero tolerance" with regard to employee harassment. Harassment is defined under federal law as unwelcome conduct that is based on race, color, religion, sex (including pregnancy, sexual orientation and gender identity), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where: (1) enduring the offensive conduct becomes a condition of continued employment; or (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

This policy applies to all aspects of your employment. Harassment of any other person, including, without limitation, fellow employees, contractors, visitors, clients or customers, whether at work or outside of work, is grounds for immediate termination.

actual effect of substantially interfering with the affected person's work performance.

SWMPC will make every reasonable effort to ensure that its entire community is familiar with this policy and that all employees are aware that every complaint received will be promptly, thoroughly and impartially investigated, and resolved appropriately. SWMPC will not tolerate retaliation against anyone who complains of harassment or who participates in an investigation.

Sexual Harassment

Sexual harassment is prohibited by federal, state and local laws, and applies equally to men and women. Federal law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when the conduct: (1) explicitly or implicitly affects a term or condition of an employee's employment; (2) is used as the basis for employment decisions affecting the employee; or (3) unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive working environment.

Such conduct may include, but is not limited to: subtle or overt pressure for sexual favors; inappropriate touching; lewd, sexually oriented comments or jokes; foul or obscene language; posting of suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons; and repeated requests for dates.

Company policy further prohibits harassment and discrimination based on sex stereotyping. (Sex stereotyping occurs when one person perceives a man to be unduly effeminate or a woman to be unduly masculine and harasses or discriminates against that person because he or she does not fit the stereotype of being male or female.) SWMPC encourages reporting of all perceived incidents of sexual harassment, regardless of who the offender may be. Every employee is encouraged to raise any questions or concerns with the Executive Director.

b. Employee Reporting of Harassment

The following steps should be taken by any employee who believes they are being or have been harassed in the workplace:

- Confront the person who is the source of the harassment, explain that the behavior is perceived as harassment, and ask that it cease immediately.
- If confrontation is ineffective or it is believed that it would lead to further workplace problems or more harassment, report the harassment to the Executive Director. Speak directly to the Executive Director or present details of the harassment in writing. It is the responsibility of the Executive Director to listen to all complaints, investigate them promptly, and invoke disciplinary actions when appropriate. If the Executive Director is believed to be involved, to have facilitated the harassment, or is not present to address the complaint, the individual may contact the SWMPC chair. The chair shall conduct the remainder of the process through the Executive Committee (vice chair, treasurer, secretary).
- Investigation of a harassment complaint normally will include conferring with the parties and witnesses to the harassment. Every effort will be made to keep the investigation confidential. Discipline can be applied to employees who disclose details of the investigation. In some instances, the Executive Director has the discretion to bring the matter in question before the Executive Committee for consultation.
- Depending upon the nature and scope of the harassment, disciplinary action will vary. Serious or repeated harassment

Employees should report incidents of inappropriate behavior or sexual harassment as soon as possible after the occurrence. Employees who believe they have been harassed, regardless of whether the offensive act was committed by a manager, co-worker, vendor, visitor, or client, should promptly notify the Executive Director. If the Executive Director is involved in the incident, the employee should report the incident to the Executive Committee. SWMPC takes claims of harassment seriously, no matter how trivial a claim may appear. All complaints of harassment, sexual harassment, or other inappropriate sexual conduct will be promptly, thoroughly and impartially investigated by SWMPC.

may result in the termination of the offending employee. Less serious harassment may justify written reprimand with copies in the employee file or suspension without pay.

- SWMPC employees are assured that if they bring harassment claims to the Executive Director's attention, they will be protected from retaliatory action. The SWMPC shall not discipline or otherwise adversely affect the terms and conditions of their employment. An employee accused of harassment shall not retaliate against the person who makes the accusation. Any act of retaliation will be subject to discipline up to and including termination.

Any employee who knowingly or recklessly reports a false complaint of harassment shall be disciplined accordingly, up to and including termination.

SWMPC prohibits retaliation against any employee who files or pursues a harassment claim. To the extent possible, all complaints and related information will remain confidential, except to those individuals who need the information to investigate, educate, or take action in response to the complaint.

All employees are expected to cooperate fully with any ongoing investigation regarding a harassment incident. Employees who believe they have been unjustly charged with harassment can defend themselves verbally or in writing at any stage of the investigation.

To protect the privacy of persons involved, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. Investigations may include interviews with the parties involved, and, where necessary, individuals who may have observed the alleged conduct or who may have relevant knowledge.

At the conclusion of a harassment investigation, the complainant and the alleged "harasser" will be informed of the determination. Where appropriate, the "harasser" and the "victim" may be offered mediation or counseling through an employee assistance program (EAP).

Penalties for Violation of Anti-Harassment Policy

If it is determined that inappropriate conduct has occurred, SWMPC will act promptly to eliminate the offending conduct, and take such action as is appropriate under the circumstances. Such action may range from counseling to termination of employment, and may include such other forms of disciplinary action (such as, for example, suspension), as SWMPC deems appropriate under the circumstances and in accordance with applicable law.

4. Drug Free Workplace Policy

- a. No employee shall dispense, use, possess, manufacture, or distribute “illicit drugs,” meaning controlled substances included in Schedule 1 and 11, as defined by section 802 (6) of Title 21 of the United States Code and schedules 1 through V of section 202 of the Controlled Substance Act. The term “illicit drugs” does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.

SWMPC employees shall:

- Abide by the terms of the Drug Free Workplace Policy; and
- Submit to random drug testing; and
- Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace or on duty representing the Commission no later than five days after such conviction. “Conviction” means a finding of guilt (including a pleas of nolo contendere) or imposition of sentence, or both by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

Drug-Free Workplace

SWMPC takes the problem of drug and alcohol abuse seriously, and is committed to providing a substance abuse-free workplace for its employees. Substance abuse of any kind is inconsistent with the behavior expected of our employees, subjects all employees and visitors to our facilities to unacceptable safety risks, and undermines our ability to operate effectively and efficiently.¹

- b. If convicted for dispensing, use, possession, manufacture, or distribution of “illicit drugs” in the workplace or on duty representing the Commission an employee will be suspended from all work duties, and must undergo a substance abuse assessment at their own expense, from a qualified and licensed Certified Addiction Counselor (CAC). Failure to comply will be sufficient grounds for dismissal.
- c. If the assessment determines illicit drug use, the following will be a pre-requisite for return to full employment:

- Enrollment in and demonstrated appropriate progress at an accredited substance abuse outpatient/intensive outpatient program, or with a private (CAC) counselor or;
 - Successful completion of an in-patient substance abuse treatment program.
- d. If the assessment does not indicate illicit drug use, the employee will be encouraged to seek appropriate support services suggested by the therapist.
- e. As a condition of reinstatement, a range of job related performance expectations will be defined and monitored by the Executive Director.

Smoking

In order to provide a safe and comfortable working environment for all employees, smoking is strictly prohibited at all times inside the SWMPC Office.

Safety and Accident Rules

Safety is a joint venture at the SWMPC. We strive to provide a clean, hazard-free, healthy, safe environment in which to work, and we make every effort to comply with all relevant federal, state and local occupational health and safety laws, including the federal Occupational Safety and Health Act. As an employee, you have a duty to comply with the safety rules of the SWMPC, and you are expected to take an active part in maintaining this hazard-free environment. Your workspace should be kept neat, clean and orderly. You are required to report any accidents or injuries – including any breaches of safety – and to promptly report any unsafe equipment, working condition, process or procedure to the Executive Director. In addition, if you become ill or are injured while at work, you must notify the Executive Director immediately. Failure to do so may result in a loss of benefits under the state workers' compensation law.

Failure to abide by the SWMPC's safety and accident rules may result in disciplinary action, up to and including termination.

Workplace Violence Prevention Policy

As stated above, SWMPC is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our organization, staff, and clients.

Workplace violence includes any physical assault or act of aggressive behavior occurring where an employee performs any work-related duty in the course of his or her employment, including but not limited to an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; any intentional display of force which would give an employee reason to fear or expect bodily harm; intentional and wrongful physical contact with a person without his or her consent that entails some injury; or stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Acts of violence by or against any of our employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken, including involving law enforcement authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients and visitors, following all policies, procedures and practices, and for assisting in maintaining a safe and secure work environment.

Promotions

Most job openings that are intended to be filled from within the SWMPC will be posted. SWMPC reserves the right, however, to transfer or promote an employee without posting the availability of that position.

Your eligibility for promotion is dependent, of course, on your having the needed skills, education, experience and other qualifications that are required for the job.

Discrimination Is Prohibited

SWMPC is an equal opportunity employer and makes all employment decisions without regard to race, religion, color, sex (including pregnancy, sexual orientation and gender identity), national origin, disability, age, genetic information, or any other status protected under applicable federal, state, or local laws. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, leaves of absence, benefits, compensation and training. We seek to comply with all applicable federal, state and local laws related to discrimination and will not tolerate the interference with the ability of any of SWMPC's employees to perform their job duties.

SWMPC makes decisions concerning employment based strictly on an individual's qualifications and ability to perform the job under consideration, the comparative qualifications and abilities of other applicants or employees, and the individual's past performance within the organization.

If you believe that an employment decision has been made that does not conform with management's commitment to equal opportunity, you should promptly bring the matter to the attention of your immediate supervisor, designated manager, or Human Resources. Your complaint will be promptly, thoroughly and impartially investigated. There will be no retaliation against any employee who files a complaint in good faith, even if the result of the investigation produces insufficient evidence to support the complaint.

Americans with Disabilities Act

The federal Americans with Disabilities Act (ADA) prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, fringe benefits, job training, and other terms, conditions and privileges of employment. The ADA does not alter SWMPC's right to hire the best-qualified applicant, but it does prohibit discrimination against a qualified applicant or employee because of his or her disability, or because of a perceived disability. As a matter of Company policy, SWMPC prohibits discrimination of any kind against people with disabilities.

Disabled Defined

An applicant or employee is considered disabled if he or she (1) has a physical or mental impairment that substantially limits one or more major life activities; (2) has a record or past history of such an impairment; or (3) is regarded or perceived (correctly or incorrectly) as having such impairment.

A qualified employee or applicant with a disability is an individual who satisfies the requisite skill, experience, education and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position.

Reasonable Accommodation

A reasonable accommodation is any change in the work environment (or in the way things are usually done) to help a person with a disability apply for a job, perform the duties of a job, or enjoy the benefits and privileges of employment.

Qualified applicants or employees who are disabled should request reasonable accommodation from SWMPC in order to allow them to perform a particular job. If you are disabled and you desire such reasonable accommodation, contact your immediate supervisor, designated manager, or Human Resources. On receipt of your request, we will meet with you to discuss your disability. We may ask for information from your health care provider(s) regarding the nature of your disability and the nature of your limitations, or take other steps necessary to help us determine viable options for reasonable accommodation. We will then work with you to determine whether your disability can be reasonably accommodated, and if it can be accommodated, we will explore alternatives with you and endeavor to implement a mutually agreeable accommodation.

Reasonable accommodation may take many forms and it will vary from one employee to another. Please note that according to the ADA, SWMPC does not have to provide the exact accommodation you want, and if more than one accommodation works, we may choose which one to provide. Furthermore, SWMPC does not have to provide an accommodation if doing so would cause undue hardship to SWMPC.

5. Hours of Work
Normal hours of work shall be 8:30 a.m. until 5:00 p.m., with one hour lunch period, Monday through Friday, except on paid holidays as specified in Part III, B, §1.

When deemed in the best interests of the SWMPC, the Executive Director may approve a flexible work time schedule for each employee. Any such flexible work schedule shall be subject to the following conditions:

- a. All full-time employees shall work a minimum of 75 hours per pay period with a daily average within a pay period of 7.5 hours, unless minimum number of hours per

Full-Time Employees

Full-time employees are those who are regularly scheduled to work at least 31 hours per week and are not hired on a temporary basis.

Hours of Work

The workweek is 37.5 hours and is generally from Monday through Friday, with normal operating hours from 8:30 a.m. to 5:00 p.m., with one hour for lunch; except on paid holidays as specified in Part 5. Core hours are 10:00 a.m. until 3:00 p.m. and all employees should be at work during those hours. If you are out of the office, during regular business hours, whether attending off-site meetings, on vacation, telecommuting, etc., you are responsible for recording it on the SWMPC Calendar.

Flex Time and Telecommuting

SWMPC recognizes that many employees need flexibility in work schedules in order to meet childcare and other needs. When deemed in the best interests of SWMPC, the Executive Director may approve a flexible work time schedule for employees. Any such flexible work schedule shall be subject to the following conditions:

- a. All full-time employees shall work a minimum of 75 hours per pay period with a daily average of 7.5 hours, unless minimum number of hours per pay period is otherwise established in advance between 62 and 74 hours subject to approval of the Executive Director.

pay period is otherwise established in advance between 62 and 74 hours subject to approval of the Executive Director.

- b. Each employee shall ordinarily keep office hours from 10:00 a.m. until 3:00 p.m. at least four out of five days between Monday and Friday, except for part-time employees and those who normally work less than 75 hours per pay period by special arrangement. Said employees shall establish regular routine office hours in advance subject to approval of the Executive Director.
- c. Each employee utilizing a flexible work time schedule shall predetermine such schedule on a pay period basis and such predetermined schedule shall be subject to approval of the Executive Director.
- d. Each employee shall be required to submit a time sheet for each SWMPC pay period. Such time sheet shall fully account for a full pay period of 75 hours of job performance or established number of work hours if part-time or otherwise arranged in advance. The employee shall be required to sign and submit the time sheet and his/her signature shall be deemed as certification that the time sheet represents a true and accurate accounting of hours worked.
- e. Willful misrepresentation of hours worked as accounted for on the required time sheet shall be cause for immediate termination of the employee.

- b. Each Employee shall ordinarily keep office hours from 10:00 a.m. until 3:00 p.m. at least four days out of five days between Monday and Friday, except for part-time employees and those who normally work less than 75 hours per pay period by special arrangement. Said employees shall establish regular routine office hours in advance subject to approval of the Executive Director.
- c. Each employee utilizing a flexible work time schedule shall predetermine such schedule on a pay period basis and such predetermined schedule shall be subject to approval of the Executive Director.
- d. Each employee shall be required to submit a time sheet for each SWMPC pay period. Such time sheet shall fully account for a full pay period of 75 hours of job performance or established number of work hours if part-time or otherwise arranged in advance. The employee shall be required to sign and submit the time sheet and his/her signature shall be deemed as certification that the time sheet represents a true and accurate accounting of hours worked.
- e. Willful misrepresentation of hours worked as accounted for on the required time sheet shall be cause for immediate termination of the employee.

- f. Employees have the option to bank hours during each pay period. All banked hours shall be assigned to the project on which the employee's work was dedicated. Employees will be eligible to use the banked hours up to two pay periods before or after the time is banked.

- f. Employees have the option to bank hours during each pay period. All banked hours shall be assigned to the project on which the employee's work was dedicated. Employees will be eligible to use the banked hours up to two pay periods before or after the time is banked.

SWMPC also offers employees the opportunity to telecommute. Not all jobs are suitable for telecommuting. You may telecommute up to three (3) days per week with the approval of the Executive Director.

6. Part-Time Employment

Part-time employees are hereby defined as employees who work an average of 30 hours per week or less. Employees working at least 20 hours per week shall be eligible for fringe benefits such as annual leave, paid holidays, health insurance, and similar paid benefits on a sliding scale of 20-25 hours @ 50 percent; 26-30 hours @ 75 percent; 31+ hours @ 100 percent.

Part-Time Employees

Part-time employees are hereby defined as those who are regularly scheduled to work 30 or fewer hours per week that are not hired on a temporary basis.

7. Absence from Work

Any absence from work must be an excused absence. Excused absences are those in utilization of annual leave, paid holidays or leave of absence. An absence of more than three consecutive workdays without proper notification and explanation may be deemed as voluntary termination of employment.

When you are absent from work and your absence has not been previously scheduled, you must personally notify the Executive Director as soon as you are aware that you will be late or unable to report to work.

When absence is due to illness, SWMPC reserves the right to require appropriate medical documentation. Such documentation includes the employee's name, the date and time the employee was seen, and if applicable, a specific instruction regarding the employee's incapacity to perform his or her job.

Excessive absenteeism or tardiness can result in discipline, up to and including discharge.

If you are absent because of an accident or you are absent for longer than seven (7) days due to illness, compensation is paid under the benefits of SWMPC's short-term disability plan, annual leave will not accrue. The application of disability benefits must be in compliance with the Michigan Workman's Compensation Law. The employee shall use accumulated annual leave to the extent available for the first seven days of disability.

8. On the Job Attire and Conduct
SWMPC employees shall attire and conduct themselves in a manner that reflects credit upon the SWMPC at all times while on the job.

Dress Code and Public Image

As an employee of SWMPC, we expect you to present a clean and professional appearance when you represent us, whether you are in or outside of the office. You are, therefore, required to dress in appropriate business attire and to behave in a professional, businesslike manner.

The current SWMPC dress code is business casual. Please keep in mind, however, that SWMPC is a professional business office, where clients and others often visit. Generally, clean, neat clothing is acceptable. However, torn jeans or other torn clothing and tee shirts are not appropriate casual attire. As always, please use common sense in your choice of business

It is the intent of this policy to comply with applicable state, local and federal laws prohibiting discrimination on the basis of color, race, religion, sex (including pregnancy, sexual orientation and gender identity), national origin, disability, age, genetic information and any other status protected under such laws.

Workspace

Employees are responsible for maintaining the workspace assigned to them. A clean, orderly workspace provides an environment conducive to working efficiently. Employees should keep in mind that their workspace is part of a professional environment that portrays SWMPC's overall dedication to providing quality service to its clients. Therefore, your workspace should be clean, organized. With the exception of a few personal items your workspace should be free of items that are not required to perform your job.

Office Equipment

Certain equipment is assigned to staff depending on the needs of the job, such as a calculator, personal computer, printer and access to our central computers and servers. This equipment is the property of the SWMPC and cannot be removed from the office without prior approval from the Executive Director. SWMPC expects that you will treat this equipment with care and report any malfunctions immediately to staff members equipped to diagnose the problem and take corrective action.

Copier/Printer

SWMPC permits personal copying and printing at cost by employees. Details SWMPC's Printer/Copier Reimbursement Policy are contained in Appendix B of this Handbook.

Overtime and Banked Hours

Because of the nature of our business, your job may periodically require overtime work. If SWMPC requires that you work overtime, we will give you as much advance notice as possible. Overtime hours shall be banked and assigned to the project on which the employee's work was dedicated. Employees will be eligible to use the banked hours up to two pay periods before or after the time is banked.

Attendance and Punctuality

It is important for you to report to work on time and to avoid unnecessary absences. SWMPC recognizes that illness or other circumstances beyond your control may cause you to be absent from work from time to time. However, frequent absenteeism or tardiness may result in disciplinary action, up to and including discharge. Excessive absenteeism or frequent tardiness puts an unnecessary strain on your co-workers and can have a negative impact on the success of SWMPC.

You are expected to report to work when scheduled. Whenever you know in advance that you are going to be absent, you are responsible for recording it on the SWMPC Calendar. If your absence is unexpected, you should attempt to reach SWMPC as soon as possible, but in no event later than one hour before you are due at work. In the event no one is available, you must leave a voicemail, or send an email.

Some, but not all, absences are compensated under SWMPC's leave policies described in Part 5.

Inclement Weather

SWMPC is open for business unless there is a government-declared state of emergency or unless you are advised otherwise by the Executive Director. There may be times when we will delay opening, and on rare occasions, we may have to close. In the event that SWMPC's facilities are closed, employees are expected to work remotely for the day. You should always use your judgment about your own safety in getting to work.

Temporary Employees

Employees hired for an interim period of time, usually to fill in for vacations, leaves of absence, or projects of a limited duration. Temporary employees are not eligible for SWMPC paid benefits, except as required by law.

Immigration Law Applicable to All Employees

SWMPC complies with the Immigration Reform and Control Act of 1986 by employing only U.S. citizens and non-citizens who are authorized to work in the United States. All employees are asked on their first day of work to provide original documents verifying the right to work in the United States and to sign a verification form required by federal law (Form I-9). If you cannot verify your right to work in the United States within three (3) days of hire, SWMPC is required by law to terminate your employment.

PART III COMPENSATION AND BENEFITS

A. Wages, Salaries and Expenses

1. Job Classifications; Job Descriptions

- a. Job Classifications: All SWMPC staff positions shall be classified according to required educational and experience qualifications and salary levels or ranges. The SWMPC Job Classification Structure shall periodically, as recommended by the Executive Director, be reviewed, updated, and approved by the Commission, and is contained herein as Attachment B.
- b. Job Descriptions: An up-to-date and accurate description of all SWMPC staff positions shall be maintained and shall be periodically, as recommended by the Executive Director, reviewed, updated, and approved by the Commission. Such job descriptions are contained herein as Attachment B.

2. Pay Period

SWMPC employees shall receive paychecks on a bi-weekly basis, for each pay period or part thereof worked.

Payroll Practices

Employees are paid bi-weekly, on Wednesdays. When a payroll date falls on a holiday, employees will, when possible, be paid on the last business day before the holiday. Otherwise, employees will be paid on the first business day following the scheduled payroll date.

Timesheets and Travel/Expense forms are due by 11:00 a.m. on the Monday prior to the payroll date. If a holiday falls anytime between and including the pay date, timesheets will be due by 11:00 a.m. the Friday prior.

3. Paycheck Withholdings

Federal and state income taxes and F.I.C.A. taxes shall be withheld from employee paychecks in accordance with applicable federal and state rules and regulations. Employee retirement contributions shall be withheld in accordance with retirement plan requirements and Commission policy. Credit union deductions may be withheld in accordance with

Salary Deductions and Withholding

SWMPC will withhold the following from your paycheck:

Taxes

Federal, state and local taxes, as required by law, as well as the required FICA (Social Security and Medicare) payments.

employee authorization and credit union procedural requirements. Other withholdings may be withheld with approval of the employee and the Executive Director.

Insurance

Your contribution to health insurance or other insurance premiums for yourself and any eligible family members or to other contributory benefit programs.

Other Deductions

Other deductions, which you authorize, including Retirement and HSA Contributions. Or deductions mandated by Court Order.

4. Reimbursement of Employee Expenses

By the last pay period of each month, employees shall submit for the reimbursement of expenses incurred in carrying out their respective job responsibilities during that month. Reimbursement shall be paid at the current rates approved by the State and Federal government. The expense reimbursement submissions shall be reviewed and approved by the Executive Director.

Direct Deposit

Payroll Direct Deposit may be made in accordance with employee authorization and the procedural requirements of the financial institution. Other withholdings may be withheld with approval of the employee and the Executive Director.

B. Benefits

General

This section describes the benefits provided by SWMPC and information on your eligibility for benefits. Employees are eligible to participate in the various insurance programs offered by SWMPC on the first of the month following 30 days of employment.

Employees working at least 20 hours per week shall be eligible for fringe benefits such as annual leave, paid holidays, health insurance and similar benefits on a sliding scale of 20-25 hours @ 50 percent; 26- 30 hours @ 75 percent; 31+ hours @ 100 percent. Please refer to Appendix D Insurance Summary of Benefit Summaries for an explanation of the various plan benefits and limitations.

1. Paid Holidays

SWMPC employees shall receive the following holiday leaves with pay:

New Years Day	January 1
Martin Luther King Junior's Birthday	Third Monday in January
President's Day	Third Monday in February
Good Friday (afternoon)	According to Calendar
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day After Thanksgiving Day	Friday After Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve (afternoon)	December 31

In the event that any paid holiday falls on Saturday, the Friday immediately proceeding shall be observed as a paid holiday, and in the event that a paid holiday falls on Sunday, the Monday immediately following shall be observed as a paid holiday.

Religious Observance

Federal and state equal opportunity laws generally require employers to accommodate the religious beliefs of employees, but do not require them to provide paid leave. SWMPC respects your religious beliefs, however, and therefore, will provide one (1) day of paid leave to employees who, for religious reasons, must be away from the office on days of normal operation.

Employees who require additional time off may use accrued leave. This leave must be requested through the Executive Director two weeks prior to the event.

2. Annual Leave

- a. After six months of continuous employment, employees shall be entitled to utilize accumulated annual leave. Beginning from the date of employment, annual leave shall accumulate as follows:

Staff Employee Annual Leave:		
Up to five years of employment	hours per pay period	5.5
Five to ten years of employment	hours per pay period	7.0
Ten or more years of employment	hours per pay period	8.5
Executive Director Annual Leave		
Up to ten years of employment	days total	20
Ten years or more	days	30

SWMPC recognizes the importance of vacation time in providing rest, recreation and personal enrichment. After six months of continuous employment, employees shall be entitled to utilize accumulated annual leave. Beginning from the date of employment, annual leave shall accumulate as follows:

Full-time employees earn vacation time as follows:

Staff Employee Annual Leave

Up to five years of employment	5.5 hours per pay period
Five to ten years of employment	7.0 hours per pay period
Ten or more years of employment	8.5 hours per pay period

Executive Director Annual Leave

Up to ten years of employment	20 days total
Ten years or more	30 days

Part-time employees working at least 20 hours per week shall be eligible for annual leave on a sliding scale of 20-25 hours 2.5 hours per pay period, 26-30 hours 4 hours per pay period.

- b. Employees may carry forward into the next year a maximum of one year's accrued annual leave. All excess time not taken will be forfeited; except that for employees with five or more years of employment, the Commission shall make an employee contribution to the individual employee's retirement plan in an amount equal to 37.5 hours of excess time not taken at their respective rate of pay. Adjustments and/or contributions will be made December 31 of each year.

Employees may carry forward into the next year a maximum of one year's accrued annual leave. All excess time not taken will be forfeited. For those employees having met the requirements for vestment in the 401(a) Retirement Plan, the Commission shall make an contribution to the individuals employee's 401(a) Retirement Plan in an amount equal to 37.5 hours of excess time not taken at their respective rate of pay. Adjustments and/or contributions will be made the first pay period of the following year.

- c. Termination: conditions for withholding accumulated annual leave:
- If employee's employment is terminated by SWMPC for cause, the employee shall not be compensated for unused accumulated annual leave.
 - If employee fails to provide SWMPC a written notice of voluntary termination with an effective date 30 days after the date of delivery, the employee shall not be compensated for unused accumulated annual leave.
 - If the employee provides SWMPC with a written notice of voluntary termination with an effective date 30 days after the date of delivery, but fails to perform the last 30 days of his or her employment satisfactorily, the employee shall not be compensated for unused accumulated annual leave.
- d. Termination: conditions for payment of accumulated annual leave:
- If the employee is terminated by SWMPC without cause, employee shall be fully compensated at their respective rate of pay for unused accumulated annual leave.
 - In the event of voluntary termination by an employee, the employee who provides the SWMPC a written notice with an effective date 30 days after the date of delivery, and performs the last 30 days of his or her employment satisfactorily, shall be fully compensated at their respective rate of pay for unused accumulated annual leave.
 - In the event the employer finds that an exception to the 30 days notice requirement is merited, the SWMPC may accept an employee's written notice of voluntary termination. In such cases, based on the amount of the actual termination notice time provided to the SWMPC, the SWMPC shall determine the appropriate amount of accumulated annual leave to be compensated to the employee.

SWMPC asks all employees to participate in an exit interview with the Executive Director prior to leaving SWMPC. This provides an opportunity to return, keys and other property and to tie up any loose ends.

If you leave SWMPC in good standing, you may be considered for reemployment at a later date. However, in the case of rehiring, SWMPC may consider you to be a new employee with respect to vacation time, benefits and seniority.

3. Other Leaves

Unless otherwise specified below, a leave of absence is unpaid. There will be no accrual of compensated leave time during a leave of absence. When a leave of absence is unpaid, contributions into employee pension programs will pause during the leave time unless the employee chooses to pay the entire amount during their absence. Also for an unpaid leave of absence, disability, life and healthcare (health, vision, dental) will pause unless the employee continues to pay the standard employee share of the total premium cost. (e.g. two percent)

a. Pregnancy Leave of up to 975 hours shall be granted when requested by an employee and approved by the Executive Director. Such leave shall:

- Shall be taken within 12 months of the date of commencement.
- The employee may utilize accumulated annual leave with pay during pregnancy leave; however
- After expiration of accumulated annual leave, any remaining portion of pregnancy leave shall be unpaid.
- May be used in conjunction with disability if covered by the Commission's disability benefits.

Family and Medical Leave

SWMPC does not offer Family and Medical Leave. *The federal Family and Medical Leave Act (FMLA) generally applies to employers of 50 or more employees in 20 or more workweeks in the current or preceding calendar year.*

b. Parenting Leave shall be granted when requested by an employee and approved by the Executive Director. Such leave shall be applicable for all employees who desire a leave of absence for the care of newborn babies.

- The employee must submit a formal request for parenting leave.
- Parenting leave shall not exceed ten working days commencing
 - For fathers the day the newborn comes home

- For mothers the day the maternity leave benefit terminates
- c. Personal Leave of Absence shall be granted by the Executive Director to an employee on a case-by-case basis. Leave may be granted by the Executive Director for:
- The purposes of settling an estate of a member of the immediate family, as defined in sub section f below
 - Educational purposes when such education will be for the systematic improvement of knowledge or skills required for the employee's job
 - Other special reasons beneficial to the employee or the SWMPC.
 - Accumulated annual leave shall be used as part of any personal leave.
 - After depletion of accumulated annual leave, there shall be no compensation for personal leave.
- d. Military Leave for Active Duty shall be granted to a full-time employee who enters the military service of the United States by draft or enlistment. The employee shall be reinstated upon expiration of the leave of absence, in both instances, in accordance with applicable rules and regulations of the Selective Service Training Act and any other applicable laws currently in effect.

Break Time for Nursing Mothers

The federal Fair Labor Standards Act (FLSA) allows employees to take reasonable, unpaid break time to express breast milk as needed for up to one (1) year after the birth of a child. SWMPC will provide a place for the employee to express breast milk, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public. Employees will not be discharged or in any other manner discriminated against in exercising their rights under this policy.

Military Service Leave

Employees serving in the uniformed services, including the Army, Navy, Marine Corps, Air Force, Coast Guard and Public Health Service commissioned corps, as well as the reserve components of each of these services, may take unpaid military leave, as needed, to enable them to fulfill their obligations as servicemembers. Servicemembers must provide advance written or verbal notice to SWMPC for all military duty, unless giving notice is impossible, unreasonable, or precluded by military necessity. Employees should provide notice as far in advance as is reasonable under the circumstances. In addition, employees may, but are not required to, use accrued vacation or personal leave while performing military duty. The employee shall be reinstated upon expiration of the leave of absence, in accordance with applicable rules and regulations of the Selective Service Training Act and any other applicable laws currently in effect.

- e. Temporary Military Leave for Reserve Duty shall be granted to a full-time employee who is called for emergency duty by an Armed Forces Reserve Training Unit or by the Michigan National Guard. The employee shall be paid the difference between his/her regular SWMPC salary and Armed Forces salary for a period not to exceed ten working days.

Temporary Leave for Reserve Duty shall be granted to a full-time employee who is called for emergency duty by an Armed Forces Reserve Training Unit or by the Michigan National Guard. The Employee shall be paid the difference between his/her regular SWMPC salary and Armed Forces salary for a period not to exceed ten working days.

- f. Death in the Family. Should a death occur in the immediate family, full-time employees only shall be entitled to three days with pay. Five days with pay shall be allowed, upon the death of a present spouse or children, or if the employee is the guardian of a member of the immediate family.

Immediate family is defined as:
present spouse, children, parents, present parents in-law, sister, brother, sister/brother in-law, grandparents, grandchild, half-brother, half-sister, stepparent, stepchild, stepbrother, and stepsister.

Employees will receive up to five (5) days with pay upon the death of a present spouse or child, or if the employee is the guardian of a member of the immediate family. Three (3) days of paid time off, shall be allowed, in the event of the death of a member of their immediate family. Immediate family includes; domestic partners, parents, parents-in-law, brothers or sisters, brothers/sisters-in-law, grandparents, grandchild, half-brother/sister, stepparent, stepchild, and stepbrother/sister.

Jury Duty

SWMPC encourages employees to fulfill their civic duties. To that end, employees will be allowed leave to serve on a jury, if summoned. We request that you give us a copy of your summons notice as soon as you receive it, so that we may keep it on file.

Jury duty can last from a portion of a single day to several months or more. During this time, you will be considered on a leave of absence and will be entitled to continue to participate in insurance and other benefits as if you were working.

While serving on jury duty, you are expected to call in to the Executive Director periodically to keep him or her apprised of your status.

SWMPC will compensate full-time employees for the first five (5) days of jury service. If additional time is required, it will be granted, but without pay, or you may choose to use accrued leave. Jury duty compensation received must be turned in to the Office Manager to process through payroll.

Appearance as a Witness

An employee called to appear as a witness will be permitted time off to appear, but without pay. Employees will be permitted to use accrued leave when appearing as witnesses.

Voting

SWMPC encourages all employees to vote. Most polling facilities for elections for public office have hours that are scheduled to accommodate working voters. SWMPC, therefore, requests that employees schedule their voting for before or after their work shifts. An employee who expects a conflict, however, should notify the Executive Director, in advance, so that schedules can be adjusted if necessary.

Employee Contributions

SWMPC's benefit package is contributory, you are responsible for a 2% portion of the premium for your benefits and HSA. Your contributory cost is deducted from your paycheck on a pre-tax basis.

Special Enrollment

Special enrollment allows individuals who previously declined coverage to enroll in the plan upon loss of eligibility for other coverage and upon certain life events, such as marriage and the birth, adoption, or placement for adoption of a child. Employees must request enrollment within 30 days of the loss of coverage or life event triggering the special enrollment.

Continuation of Health Coverage

At this time, SWMPC does not qualify to offer COBRA Insurance. *Federal law generally requires employers with 20 or more employees to offer COBRA.*

Dental Insurance

SWMPC offers a dental plan for eligible employees and their families.

4. Disability Payments

Employees are eligible for work loss benefits in case of a work-incapacitating injury, illness, or other health conditions if the events or conditions are covered by the Commission's Disability Insurance.

The application of disability benefits must be in compliance with the Michigan Workman's Compensation Law. The employee shall use accumulated annual leave to the extent available for the first seven days of disability.

During periods covered by the Commission's disability benefits, annual leave will not accrue.

Short-Term Disability Plan (STD)

A short-term disability plan is provided for eligible full-time employees. During periods covered by SWMPC's disability benefits, annual leave will not accrue.

Long-Term Disability Plan (LTD)

Long-term disability coverage is provided for eligible full-time employees. During periods covered by SWMPC's disability benefits, annual leave will not accrue.

5. Health Insurance

- a. The SWMPC may provide an insurance program for employees including hospital expense benefits, medical expense benefits, major medical benefits, short and long-term disability benefits, and such other related benefits as may, at SWMPC discretion be described in the insurance policy(ies) provided by the carrier(s) as Attachment C.

In accordance with Part II, B, §6, Part Time Employment insurance will be provided on the same proportional basis within the limitations of the policy, at the employee's discretion, with the employee providing a co-pay for the remainder of the monthly premium(s), if applicable.

Employees shall be responsible to pay two percent of the annual premium costs for health insurance. The SWMPC may periodically review the insurance program to assure the quality and integrity of the program and benefits provided. Employees shall also be eligible to apply for dependent group health coverage at no cost. The SWMPC reserves the right to change or alter coverage as it determines is required.

Medical Insurance

SWMPC offers medical, dental and vision coverage for eligible employees and their eligible dependents. These programs are administered by the Buursma Agency. These plans are subject to change at SWMPC's discretion. Additionally, the amount that you may be required to contribute towards the premiums for any of these plans may be changed at SWMPC's discretion.

Health Savings Account (HSA)

SWMPC contributes to the employees' Health Savings Account (HSA) account on a quarterly basis, (the first year is prorated) to cover the medical insurance deductible. Employees may also make pre-tax contributions to their HSA account through payroll deduction. These funds may be used for approved expenses. Contribution limits and approved expenses change annually. There are websites that focus on HSA's, and are a good resource for finding up to date information.

- b. The SWMPC may offer group health coverage to retirees, at the retiree's expense, on a limited basis as defined in Attachment D.

B. Life Insurance

The SWMPC shall provide a life insurance policy to employees on the same proportional basis as specified in Part II, B, §6, Part Time Employment, at the employee's discretion, with the employee providing a co-pay for the remainder of the monthly premium, if applicable. The face amount of such life insurance policy shall be equal to the amount of the employee's annual salary and double in the event of accidental death, as described in the health insurance policy provided by the carrier. The Commission shall review the life insurance program periodically, as recommended by the Executive Director, to assure the quality and integrity of benefits provided.

Life Insurance

Term Group Life insurance is provided for eligible full-time employees. The face value of this benefit is equal to one times the employee's annual salary.

Accidental Death

Term Group Accidental Death insurance is provided for eligible full-time employees. The face value of this benefit is equal to one times the employee's annual salary.

Workers' Compensation Insurance

To provide for payment of your medical expenses and for partial salary continuation in the event of a work-related accident or illness, you are covered by workers' compensation insurance, provided by SWMPC and based on state regulations. The amount of benefits payable, as well as the duration of payments, depends upon the nature of your injury or illness.

C. Retirement Program

The SWMPC shall provide a 401(a) Defined Contribution Plan to all employees working at least 1,000 hours per year in accordance with federal law. New employees shall be enrolled in the retirement program on the annual enrollment date of January 1 provided they have completed six months of full-time employment. The retirement program, general provisions of which are described in Attachment E, is subject to the following supplemental provisions:

- a. The SWMPC's contribution into the 401(a) Defined Contribution Plan on behalf of each enrolled employee shall be in the amount of 6.5% of the employee's annual salary or wage.
- b. Employee contributions shall not be mandatory; however, employees may, at their option, contribute a percentage of their annual salary or wage into the 457 Deferred Compensation Plan on their own behalf, in accordance with the terms of the plan.
- c. For employees enrolled in the 401(a) Defined Contribution Plan, benefits of the plan shall be vested on behalf of the employee at a rate of 20% for each full year of vesting eligibility. Upon termination of employment, the employee shall receive 20% of the accumulated funds for each year of vesting.
Upon termination of employment, the employee shall receive 100% of his own contributions into the 457 Deferred Compensation, plus accumulated earnings.
- d. Upon termination of employment, the employee's participation in the pension plan is likewise terminated and he/she make arrangements to cash in his/her assets in the plan or make arrangements between the carrier and himself/herself to continue purchase of plan benefits in accordance with the Internal Revenue Service regulations

401 and 457 Retirement plans

SWMPC shall provide a 401(a) Defined Contribution Plan to all employees working at least 1,000 hours per year in accordance with federal law. New employees shall be enrolled in the retirement program on the annual enrollment date of January 1, provided they have completed six month of full-time employment. The retirement program, general provisions of which have described in the appendix, is subject to the following supplemental provisions.

401(a) Defined Contribution Plan

SWMPC's contribution into the 401(a) Defined Contribution Plan on behalf of each enrolled employee shall be in the amount of 6.5% of the employee's annual salary or wage. For employees enrolled in the 401(a) Defined Contribution Plan, benefits of the plan shall be vested on behalf of the employee at a rate of 20% for each full year of vesting eligibility. Employees shall be automatically vested at age 60. Upon termination of employment, the employee shall receive 20% of the accumulated funds for each year of vesting. Upon termination of employment, the employee's participation in the pension plan is likewise terminated and he/she make arrangements to cash in his/her assets in the plan or make arrangements with the carrier to continue purchase of plan benefits in accordance with the Internal Revenue Service regulations

457 Deferred Compensation Plans

Employee contributions shall not be mandatory; however, employees may, at their option, contribute a percentage of their annual salary or wage into the 457 Deferred Compensation Plan on their own behalf, in accordance with the terms of the plan. Upon termination of employment, the employee shall receive 100% of his own contributions into the 457 Deferred Compensation, plus accumulated earnings.

PART IV PERSONNEL FILES AND PERFORMANCE EVALUATION

A. Personnel File

The Executive Director shall be responsible for the establishment and maintenance of a confidential personnel file for each SWMPC employee subject to the following provisions:

1. Contents

Contents of each employee's personnel file shall include the employee's application and/or resume submitted when applying for employment; results of inquiry into references and employment history; results of competitive interview evaluation as well as any other employment-related tests or evaluations; record of employment history with the SWMPC to include reassignments, promotions, salary changes, and disciplinary actions; results of periodic performance evaluations; records or certificates of job-related educational or training achievement; and employee verifications relating to personnel policies, and similar SWMPC policies and procedures. It shall be the responsibility of both the individual employees and the Executive Director to maintain this information in an up-to-date fashion.

It is important that SWMPC maintain accurate personnel records at all times. You are responsible for notifying the Office Manager of any change in name, home address, telephone number, immigration status, or any other pertinent information. By promptly notifying SWMPC of such changes, you will avoid compromise of your benefit eligibility, the return of W-2 forms, or similar inconvenience.

2. Access and Review

The Executive Director shall have and control access to all personnel files. Each employee shall be entitled to review his/her personnel file in the presence of the Executive Director upon request. If an employee is in disagreement with any information, report, etc. contained in his/her personnel file, he/she may submit a written, signed statement making such clarification or explanation as he/she deems appropriate and such statement shall become a part of the personnel file for such period of time as that information or report to which the statement responds is a part of the file.

Employee's personnel records are confidential. Personnel information may be viewed by the Executive Director, Administrative Services Manager, and the employee's supervisor. An employee's personnel information will be released to others only upon the written authorization of the employee.

3. Retention

The SWMPC shall retain each employee's personnel file for a minimum period of three years following the employee's termination.

B. Performance Evaluations

1. The performance of each employee shall be evaluated by the Executive Director annually. The Executive Director shall conduct performance evaluations in a fair and impartial manner and evaluations shall become a part of the employee's personnel file. The employee shall receive a true copy of each of his/her performance evaluations and shall acknowledge that he/she has received the evaluation and has been provided a copy.
2. The Executive Director shall be evaluated annually in September by the Administration Committee to be approved by the Full Commission in October. It shall be the responsibility of the Vice Chair to disseminate, collect and tabulate review materials from the members of the Administration Committee and the staff. The record of such evaluation shall become a part of the Executive Director's personnel file.

The performance of each employee shall be evaluated by the Executive Director annually. The Executive Director shall conduct performance evaluation in a fair and impartial manner and evaluations shall become a part of the employee's personnel file. The employee shall receive a true copy of each of his/her performance evaluations and shall acknowledge that he/she has received the evaluation and has been provided a copy. Factors considered in your review include the quality of your job performance, your attendance, meeting the requirements of your job description, dependability and cooperation, compliance with SWMPC's employment policies, any disciplinary actions, and year-to-year improvement in overall performance. Compensation increases are given by the SWMPC at its discretion in consideration of various factors, including your performance review.

The Executive Committee, to be approved by the Commission in October, shall evaluate the Executive Director annually in September. It shall be the responsibility of the Vice Chair to disseminate, collect and tabulate review materials from the members of the Executive Committee and the staff. The record of such evaluation shall become a part of the Executive Director's personnel file.

C. Staff Salary and Wage Review

By October each year, and upon promotion or reassignment, the Executive Director shall review the salary or wage status of each employee and shall make appropriate recommendations to the Commission for necessary salary or wage adjustments to assure that employee compensation is commensurate with assigned duties and responsibilities as well as with results of performance evaluations.

Staff Salary and Wage Review

By October each year, and upon promotion or reassignment, the Executive Director shall review the salary or wage status of each employee and shall make appropriate recommendations to the Commission for necessary salary or wage adjustments to assure that employee compensation is commensurate with assigned duties and responsibilities, as well as, with results of performance evaluations.

PART V

POLICY ENFORCEMENT AND APPEAL

A. Policy Enforcement

It shall be the responsibility of the Executive Director to enforce all SWMPC policies including personnel policies.

B. Types of Disciplinary Action

The Executive Director will determine, depending upon the severity of the offense, the type of disciplinary action to be taken. If the employee being disciplined is not satisfied with the action taken or procedure used, the employee may submit an appeal in accordance with the appeal procedure.

1. Oral Reprimand

- a. The Executive Director will review the facts in the case with the employee involved.
- b. The employee will be told what action will be taken if another violation occurs.
- c. The Executive Director will keep a record of the verbal reprimand by having a written report of the incident placed in the employee's personnel file.

2. Written Reprimand

- a. The Executive Director will review the facts in the case with the employee involved.
- b. The employee will be told what action may be taken if another violation occurs.
- c. A record of the meeting, stating the facts, which were reviewed with the employee, will be prepared by the Executive Director. The Executive Director will then review the warning memo with the employee and give a copy to the employee. Another copy shall be placed in the employee's personnel file. Signature of Executive Director must appear on each copy. Employee will be offered the opportunity to sign.

3. Suspension

- a. The Executive Director will review the facts in the case with the employee involved.
- b. A record of the meeting, stating the facts, which were reviewed with the employee and the action to be taken, will be prepared by the Executive Director. The Executive Director will review the suspension memo with the employee and give a copy to the employee. Another copy shall be placed in the employee's personnel file. Signature of Executive Director must appear on each copy. Employee will be offered the opportunity to sign.

4. Termination

- a. The Executive Director will review the facts in the case with the employee involved.
- b. A record of the meeting, stating the facts, which were reviewed with the employee and the action to be taken, will be prepared by the Executive Director. The Executive

Director will review the termination memo with the employee and give a copy to the employee. Another copy shall be placed in the employee's personnel file. Signature of Executive Director must appear on each copy. Employee will be offered the opportunity to sign.

- c. The employee will be terminated.
- d. Any terminated employee may appeal his/her termination to the Executive Committee within five working days of the termination date for a final and binding decision. Failure to appeal within five days indicates acceptance of the termination.
- e. The Executive Committee will meet within five working days after such a request is received by the Executive Director to resolve the dispute. The Executive Committee will consider statements concerning the termination from the terminated employee and the Executive Director. The Executive Committee may request additional information from other persons with knowledge of the case. The Committee will reach a decision immediately after hearing the case.

C. Appeals

If an employee is in disagreement with the Executive Director's interpretation of any SWMPC policy, or if exception is taken to any determination, action, disciplinary memo, or directive of the Executive Director, an employee may appeal for reconsideration of the issue in accordance with the following provisions:

- 1. If a disciplinary memorandum is unsatisfactory to the employee, the employee must, within ten days of the delivery of the disciplinary memorandum, place his/her concerns and requests in writing addressed to the Executive Director with a copy provided to the Commission chairman. The Executive Director shall, likewise make his/her response to the employee within ten days after receipt of the employee's letter.
- 2. If step 1, above, fails to produce resolution of the issue, the employee may request and be granted a conference with the Administration Committee at its next regularly scheduled meeting. The Administration Committee shall hear and decide the appeal issue and its decision shall be deemed final; provided however that the employee may seek further recourse through applicable legal procedures pursuant to Michigan law.