

Van Buren County Government



Personnel Policy Manual

Revised May 28, 2024


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Section 01: Adoption and Administration of Policies

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|  | VAN BUREN COUNTY POLICIES AND PROCEDURES | | |
| | Purpose and Intent of Personnel Policy Manual | | |
| | Policy #: VBC.01.0001 | Date Adopted: 03/27/2019 | Date Revised: 11/28/2023 |

The purpose of the Personnel Policy Manual is to act as a guideline for informational purposes as to the policies of Van Buren County (the “County”). The policies and/or benefits outlined in this document may be added to, expanded, modified or deleted/discontinued, and any such changes shall be solely within the discretion of the Board of Commissioners. It is the intent of the County as an employer to provide appropriate notice of changes and modification to the Personnel Policy Manual. The interpretation and operation of the benefits noted herein are within the sole discretion of the Board of Commissioners. Where a conflict exists between a provision of these Personnel Policies and an express provision of an applicable collective bargaining unit agreement, the collective bargaining agreement controls. All rights and powers vested in the County or any County Elected Official shall not be, in any way whatsoever, reduced by these policies.

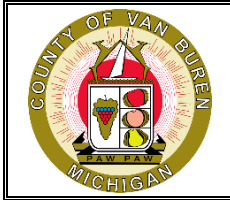
Section 02: Organizational Policies

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|---|---|---------------------------------|
|  | VAN BUREN COUNTY POLICIES AND PROCEDURES | |
| | At-Will Employment Policy | |
| | Policy #: VBC.02.0001 | Date Adopted: 03/27/2019 |

No person/representative of the Employer has any authority to enter into any agreement for employment for any specified period, or to make any agreement contrary to the provisions contained herein. Both the Employer and Employee have the right to terminate the employment relationship at any time, with or without cause, and with or without notice (i.e. “at-will”).

The only exceptions are as follows:

The Board of Commissioners, through formal action, can modify County policies. The Board, through formal action, can also enter into other than “at-will” relationships with County administrators and represented employees/bargaining units.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Equal Employment Opportunity Policy

Policy #: VBC.02.0002

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

It is the policy of Van Buren County to provide equal employment opportunities to qualified persons without regard to race (including traits historically associated with race such as hair texture and protective hairstyles), color, sex, age, religion, national origin, marital status, sexual orientation, gender identity or expression, pregnancy, height, weight, veteran status, disability, genetic information, citizenship or any other status or characteristic protected by law, contract or local ordinance.

It is the policy of the County to comply with all federal, state and local EEO laws.

As such, the County will reasonably accommodate qualified individuals with disabilities and employees with temporary physical or mental limitations due to pregnancy, childbirth or related conditions when such a need for accommodation is identified and the accommodation does not cause the County an undue hardship. Employees may request an accommodation by submitting a written request to the Human Resources Department. Under Michigan law, an employee must notify the County in writing of the need for accommodation due to a disability within one hundred and eighty-two (182) days of the date the individual knows or should know that an accommodation is needed. Failure to properly notify the County may preclude any claim that the County failed to accommodate the individual. The County treats all medical information and records as confidential.

The Human Resources Director shall act as the Equal Employment Compliance Officer.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Anti-Harassment, Discrimination, Retaliation and Bullying Policy

Policy #: VBC.02.0003

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Van Buren County is committed to providing a work environment where all employees are treated with dignity and respect. Discrimination and harassment in the workplace based upon race (including traits historically associated with race such as hair texture and protective hairstyles), color, sex, age, religion, national origin, marital status, sexual orientation, gender identity or expression, pregnancy, height, weight, veteran status, disability, genetic information, citizenship or any other protected status will not be tolerated, whether committed by or directed toward co-workers, supervisors, vendors/consultants, or those persons receiving services from the County. Discrimination and harassment of others in the workplace is destructive to a good working relationship and is counterproductive to the County's goal of providing outstanding services to the public. Therefore, it is every employee's responsibility to ensure that Van Buren County maintains a fair and effective work environment that is free from harassment. If an employee has questions concerning this policy, please contact the Human Resources Department.

A. Sexual Harassment

The County's Equal Employment Opportunity Policy against discrimination and harassment prohibited by law includes a prohibition against sexual harassment. The law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when either:

1. Submission to or rejection of such conduct or communication is made explicitly or implicitly a term or a condition of an individual's employment; OR
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in employment decisions affecting the individual; OR

Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile or offensive environment.

This policy requires that each individual exhibit, in their conduct and communications, sound judgment and respect for the feelings and sensibilities of each employee. The prohibited conduct may be in the form of a sexual advance but may also be in the form of less direct verbal or non-verbal behavior. Behavior may be unwelcome even if it is not intended by the person engaged in it.

Conduct prohibited by the County's sexual harassment policy includes, but is not limited to: derogatory or vulgar comments regarding a person's gender, sexual orientation or gender identity or expression, sexually suggestive language, remarks about a person's sexual anatomy, threats of physical harm, touching another person in a sexually suggestive way or in a gender/sexual location, and distribution of written, electronic or graphic sexual materials, including nude pictures, inappropriate memes, and sexually oriented magazines, posters, pictures or videos.

B. Other Discriminatory Harassment

Other forms of harassment and bullying are also prohibited. Verbal or non-verbal conduct that exhibits hostility or disrespect toward an individual or group because of race (including traits historically associated with race), color, sex, age, religion, national origin, marital status, sexual orientation, gender identity or expression, height, weight, veteran status, disability, genetic

information, citizenship or any other protected status will not be tolerated. As with sexual harassment, behavior of this kind may take several forms including but not limited to oral or written communications, the display of electronic, printed or graphic material, slurs, gestures, jokes and physical acts.

C. Off-Duty Incidents

Conduct that occurs outside of the workplace may create a hostile environment when it negatively impacts our working environment. If so, such conduct should be reported.

D. How to Report Incidents of Harassment and Discrimination

An employee may, but is not required to, speak with the offending individual directly and inform the offending individual that the behavior in question is unwelcome and must be stopped. Any employee who believes they have been subjected to discrimination or harassment prohibited by law or this policy, or who believes they have observed discrimination or harassment prohibited by law or this policy, must report that fact immediately in writing to:

1. The individual's department head/elected official/court administrator; or
2. If the individual does not feel comfortable with their department head/elected official/court administrator or is not satisfied after having complained to their department head/elected official/court administrator, the individual should file a written complaint with the Human Resources Director.

If an employee has any question regarding this policy or the reporting of such matters, they should contact the Human Resources Department.

Supervisors must report, in writing, any observed or reported incident of harassment or discrimination involving another employee immediately to the employee's department head, elected official, court administrator or the Human Resources Department.

E. How Complaints of Harassment & Discrimination Will Be Handled

- a. **Investigation** – The County will promptly conduct an appropriate, impartial and thorough investigation of any complaint or report of harassment and discrimination. At times, the County may use outside resources to assist with the investigation.
- b. **Confidentiality** – To the extent possible, the County's investigation will be conducted in a manner calculated to protect the privacy of the involved individuals, and the confidentiality of the complainant. However, it is usually necessary to reveal the identity of the complainant and the nature of the allegations to the parties involved in order to complete a thorough investigation.
- c. **Disciplinary Action** – If the investigation reveals that harassment or discrimination has occurred, disciplinary action up to and including discharge will be taken. The nature of the discipline will depend upon the circumstances of each case.

F. Protection Against Retaliation—If a report of discrimination or harassment is made in good faith, the County will protect the reporting individual and those who participate in the investigation process as witnesses from retaliation or any other detrimental impact on their employment. If an employee believes they have been subjected to retaliation based upon a protected report or

participation in an investigation, the employee must immediately report that fact to the employee's department head/elected official/court administrator, or in the alternative, to the Human Resources Department. Disciplinary action, up to and including discharge, will be taken against anyone who is found to have engaged in such retaliation.

- G. Knowingly False Accusations** - Allegations made by an employee that are knowingly false and made in bad faith will subject the employee to disciplinary action by the County and can also result in legal action by the accused.
- H. Supervisor/Subordinate Relationships**—Supervisors are prohibited from dating or otherwise pursuing or engaging in a romantic or intimate relationship with a subordinate employee. Employees found to have violated this policy will be disciplined for such conduct, up to and including discharge.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Fraud and Abuse Policy

Policy #: VBC.02.0004

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Van Buren County maintains the highest standards of conduct and ethics. All County employees are entrusted with the responsibility to protect and ensure proper use of County funds, resources and property.

The County will investigate any suspected fraudulent or dishonest use of resources, funds or property by any employee.

Fraudulent or Dishonest Conduct includes, but is not limited to:

- Forgery or alteration of documents
- Illegal activity during the course of employment
- Unauthorized alteration of computer or other electronic files
- Misuse of confidential and protected information
- Deceptive or false financial reporting, or the pursuit of personal gain in conflict with the interests of the County
- Misappropriation of resources, funds or property
- Authorizing or receiving compensation for goods not received or services not performed
- Misrepresentation of business expenses
- Intentional damage to County property
- Any illegal activity involving County resources, funds or property

Employee Responsibility

All employees have a responsibility to report any suspected illegal activity, fraud or dishonest use of County funds, resources or property.

Suspected inappropriate actions shall be reported in writing to the reporting employee's department head/court administrator/elected official, who will in turn report the allegation to the Human Resources Director. If the allegation is against the department head/court administrator/elected official, the employee shall report the allegation directly to the Human Resources Director. If the allegation is against the Human Resources Director, the employee shall report the allegation directly to the County Administrator. If the allegation is against the County Administrator, the employee shall report the allegation directly to the Board Chair.

An employee will fully cooperate with any internal investigation and/or law enforcement agency performing the investigation.

Confidentiality

Reports of suspected fraud and abuse will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Reports will only be shared with those who have a need to know so that the County can conduct an effective investigation and determine the appropriate action to take, if any.

Knowingly False Accusations

Allegations made by an employee that are knowingly false and made in bad faith will subject the employee to disciplinary action by the County and can also result in legal action by the accused.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Whistleblowers' Protection Act Policy

Policy #: VBC.02.0005

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Any employee who, during employment, believes that they have been requested or required to engage in an illegal act or suspects a violation of federal, state or local laws or regulations should report that fact immediately, in writing, to their department head/elected official/court administrator. If the department head/elected official/court administrator is involved, the employee should notify the Human Resources Director. The County will undertake an appropriate, thorough and prompt investigation of the allegations and, where appropriate, undertake remedial action. The County strictly prohibits retaliation against any person who makes a report of an actual or suspected violation of the law pursuant to this policy.

The employee must exercise sound judgment to avoid baseless allegations. An employee who files a report of wrongdoing in bad faith will be subject to discipline up to and including termination.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Political Activity Policy

Policy #: VBC.02.0006

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

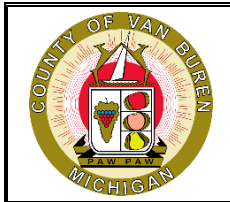
Van Buren County recognizes that County employees have the same fundamental civic responsibilities and privileges as other citizens, but when acting in their official capacity, or in situations where their actions could reasonably be perceived as part of their official duties, employees must exhibit neutrality in their interactions with the public.

Every employee has the right to freely express their views (during non-working hours; employees should always be impartial while at work) and to cast a vote as they may wish. Coercion for political purposes is strictly prohibited.

No employee shall use County equipment to engage in political activity or engage in any partisan political activity or campaigning for a nonpartisan elective office during working hours, while on duty, or while off duty wearing a uniform or other identifying insignia of County office or employment. Employees must use annual leave time or compensatory time when participating in all political activities, events, fundraisers, i.e. golf outings or luncheons. Elected officials are not employees.

No employee may be required to engage in a campaign or provide support to a campaign for the election of any candidate or ballot initiative.

- A. All appointed department heads/court administrators (and their staff) are encouraged to exercise extreme caution regarding any public endorsement or expression of opposition to a candidate for public office or ballot initiative that is made in their private capacity. As stated above, County employees may not endorse candidates for public office or ballot initiatives, or express opposition thereto, in their official capacity.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Standards of Conduct Policy

Policy #: VBC.02.0007

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

The purpose of these Standards is to provide guidance on the types of rules and principles that apply to and govern Van Buren County employees in the performance of their public duties.

Van Buren County is committed to the highest standards of professional and ethical conduct by and among its employees and County officials in the performance of their public duties. Van Buren County believes that individual and collective adherence to high professional and ethical standards by public employees and officials is central to the maintenance of public trust and confidence in government.

Van Buren County believes that these Standards of Conduct serve as a valuable reference guide for all those in whom the public has placed its trust.

Conflicts of Interest

An employee should not engage in any behavior or transaction which creates the appearance of impropriety or may be reasonably interpreted as conflicting with the proper discharge of the employee's duties, or which may be perceived as not being in the public's interest. This includes, but is not limited to:

1. **Gifts to Employees.** A County employee must not solicit nor accept any gift, whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form, under circumstances which could reasonably be inferred or expected that the gift was intended to influence the employee in the discharge of their official duties.
2. **Financial Gain.** A County employee must not engage in any business transaction or private arrangement for financial gain for himself/herself or a close relative, which accrues from or is based on the employee's official position or on confidential information which the employee gained by reason of their position. "Close relative" is defined as any of the following: spouse, romantic partner, parent or parent-in-law, grandparent, child (including biological, adoptive, step or foster), son-in-law, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, and first cousins and significant others in a co-habitation relationship.
3. **Financial Interest.** A County employee or close relative must not have any substantial interest in any business or industry wherein the employee directly, in a decision-making capacity, participates on behalf of the County in the regulation, enforcement, auditing or purchasing of any goods or services.
4. **Favoritism.** A County employee must not grant or make available to any person any preferential consideration, treatment, advantage, or factor beyond that which is the general practice to grant or make available to others under similar circumstances, nor use the employee's position to secure a special privilege, benefit, or exemption for the employee or any other person.
5. **Representing Private Interests.** A County employee must not represent or act as agent for any private interest(s), whether for compensation or otherwise, in any transaction in which the County has a direct and substantial interest.
6. **Employment.** A County employee must not engage in or accept employment or render services for a

private or public interest when that employment or service is incompatible or in conflict with the discharge of the employee's official duties, or when the employment or services may tend to impair their independence of judgment or action in the performance of official duties or create the appearance of a conflict of interest).

7. **Personal Opinions.** A County employee must not represent their personal opinion as that of the County, courts, or elected officials.

County Employees Shall:

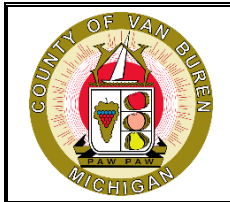
1. **Appearance in Public.** Employees must always conduct themselves in a manner that will not create an appearance of impropriety. An employee must not engage in activities that could harm the public's trust and confidence in their position with the County or Van Buren County itself.
2. **Workplace Professionalism.** Employees must perform their duties in a professional and respectful manner. Personal insults and degradations are not acceptable. This includes the duty to provide impartial and non-discriminatory treatment to all persons interacting with Van Buren County.
3. **Report Violations.** Employees must promptly report to Human Resources any conduct or activity that the employee believes to be in violation of this policy.
4. **Professionalism and Customer Service.** Employees must treat all customers/citizens, clients, coworkers, supervisors, department heads/elected officials/court administrators, etc., in a courteous and professional manner. Employees shall conduct all Van Buren County business in a fair, impartial and honest manner, and must effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interests of Van Buren County.
5. **County and Taxpayer Resources.** Employees must use the resources, property, and funds of Van Buren County judiciously and solely in accordance with prescribed laws, grant requirements, and/or County procedures.
6. **Honesty.** Employees must perform their duties with honesty and integrity.
7. **Privacy.** Employees shall use care and discretion and comply with all applicable laws, policies and regulations when handling confidential information which is received or maintained by Van Buren County.

Disclosure of Interest

The County requires that all employees make advanced written disclosure of any financial interests of the employee or the employee's close relatives which may violate this policy, create a conflict or the appearance of a conflict of interest, or otherwise reasonably appear to impact or conflict with the performance of the employee's official duties.

Disciplinary Action

This policy has been formalized in order to protect the County and its employees from undue criticism, harm, or the possibility of involvement in a conflict of interest. Violations of this policy shall be subject to disciplinary action.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Social Security Number Privacy Policy

Policy #: VBC.02.0008

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

A. Policy

Pursuant to Michigan law, the County will protect the confidentiality of employee Social Security numbers ("SSN"). No person shall knowingly acquire, disclose, transfer, or unlawfully use the SSN of any employee or other individual unless in accordance with applicable state and federal law and the procedures and rules established by this policy.

B. Administrative Procedures/Rules

SSN Defined

As used in this policy, the term SSN includes both the entire nine-digit number and more than four (4) sequential digits of the number.

Public Display of SSNs

SSNs shall not be placed on identification cards or badges, membership cards, permits, licenses, time cards, employee rosters, bulletin boards, or any other materials or documents that are publicly displayed. Documents, materials, or computer screens that display SSNs or other sensitive information shall always be kept out of public view.

Access to SSNs

Only persons authorized by the responsible department or other administrative unit head shall have access to information or documents that contain SSNs.

Mailed or Transmitted Documents

To the greatest extent possible, employees should avoid mailing SSNs or transmitting SSNs electronically. If sending an SSN may not be avoided, the SSN shall only include its last four digits unless use of the full SSN is required. Documents containing SSNs that are mailed or otherwise sent to an individual shall not reveal the number through the envelope window, nor shall the number be otherwise visible from outside the envelope or package.

SSNs shall not be sent over the internet or a computer system or network (e.g. through e-mail) unless the connection is secure, or the transmission is encrypted. No individual shall be required to use or transmit his or her SSN over the internet or a computer system, or to gain access to an internet website, computer system, or network (e.g. through e-mail) unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification number or other authentication device is also required to gain access to the internet website or computer system or network.

Because of inherent lack of security, a document containing an SSN shall not be transmitted using a facsimile ("fax") device or fax software.

Documents containing SSNs shall only be mailed or transmitted in the following circumstances:

- a) Where state or federal law, rule, regulation, or court order or rule authorizes, permits, or requires that an SSN appear in the document.
- b) The document is sent as part of an application or enrollment process initiated by the individual whose SSN is contained in the document.
- c) The document is sent to establish, confirm the status of, service, amend, or terminate an account, contract, policy, or employee or health insurance benefit or to confirm the accuracy of an SSN of an individual who has an account, contract, policy, or employee or health insurance benefit.
- d) The document or information is a copy of a vital record recorded as provided by law and is mailed to a person entitled to receive that record.
- e) The document or information is mailed by or at the request of an individual whose SSN appears in the document or information or his or her parent or legal guardian.

Storage and Disposal

All documents or files that contain SSNs shall be stored in a physically secure manner. SSNs shall not be stored on computers or other electronic devices that are not secured against unauthorized access. Documents or other materials containing SSNs shall not be thrown away in the trash; they shall be discarded or destroyed only in a manner that protects their confidentiality, such as shredding.

Information Collected

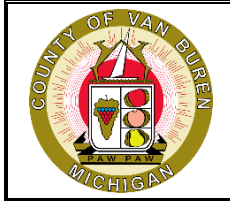
SSNs should only be collected where required by federal and/or state law or as otherwise permitted under the Michigan SSN Privacy Act. If a unique identifier is needed, a substitute for the SSN shall be used.

Accountability

An employee who fails to comply with this policy shall be subject to discipline up to and including discharge. Additionally, certain violations of the Michigan SSN Privacy Act carry criminal and/or civil sanctions. The County will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains, uses or discloses SSNs through the County for unlawful purposes.

Policy Guidance

For policy clarification and guidance regarding SSN privacy and security, contact the Human Resources Department for paper documents or the Information Technology Department for digital documents and images.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Anti-Nepotism Policy

Policy #: VBC.02.0009

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Purpose

This policy is intended to eliminate any conflicts of interest or potential conflicts of interest and reduce the appearance of favoritism.

Application: This policy shall apply to all Board members, County Administrator, Elected Officials, Department Heads and all employees.

Policy

Close relatives or members of the same household are not permitted to be in positions that have a reporting responsibility to each other less than three (3) supervisory levels apart. A “close relative” is defined as: husband, wife, romantic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, child (including biological, adoptive, step or foster), son-in-law, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, and first cousins, and significant others in a co-habitation relationship.

Policy Enforcement

Individuals will not be hired, promoted, demoted, or transferred into a position that would create a conflict with County policy. If employees become close relatives or members of the same household, and the employees have a reporting responsibility to each other less than three (3) supervisory levels apart, the supervisory employee is required to inform management and the Human Resources Department of the relationship.

The employees will have sixty (60) days to resolve the problem (e.g. voluntary transfer, resignation, etc.). If the situation has not been addressed and resolved in sixty (60) days, then the employees’ supervisors will work with Human Resources to determine the most appropriate action for the specific situation. This may include involuntary transfer or, if necessary, termination of one of the employees.

If there is a situation where an action of the County, such as reduction in force, results in an involuntary circumstance where two close relatives have a reporting responsibility to each other less than three (3) supervisory levels apart, one of the employees will be reassigned within sixty (60) days (provided there is a vacant position into which the employee can be reassigned). During those sixty (60) days, the supervisory employee will not have involvement or direct input in the employment decisions relating to the other employee.

Any exceptions to this policy will be made on a case-by-case basis, will not be considered as precedents for establishing practice, and must be approved in writing by the department head, elected official or the Human Resources Director. Written justification for the exception must be submitted to Human Resources prior to any employment decisions. In any case where an exception is made, the higher-ranking employee in the reporting relationship must recuse themselves from performance and discipline issues related to the other employee and be replaced by one of their peers.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Employee Background Checks & Disclosing Criminal Information Policy

Policy #: VBC.02.0010

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

All employees must fully disclose to their supervisor any criminal charges (misdemeanor or felony) filed against them no later than two business days after the charges are filed.

Employees must also disclose any criminal convictions (misdemeanor or felony) within one business day after the conviction is entered.

The Sheriff's Office and/or other departments/positions where required by state or federal law or grant requirement, may also require reporting of arrests. Sheriff's Office employees are required to report any interactions with any law enforcement personnel to their supervisor.

As required by federal regulation, employees working with minors or who have access to records of minors must also disclose any arrests or charges related to child sexual abuse, child abuse, or child neglect and the disposition of such arrest or charges. The employee may also be required to certify that no allegation of child abuse or neglect has been substantiated against them.

The County will evaluate all charges and convictions and determine, based on all available evidence, whether any steps need to be taken with regards to the employee's employment while the charges remain pending or as a result of the conviction.

The County may, at its cost, conduct a criminal history search periodically on any employee to ensure compliance with laws, regulations, grants, licensing requirements, this policy, or performance standards



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Personnel Records Policy

Policy #: VBC.02.0011

Date Adopted: 03/27/2019


Date Revised: 11/28/2023

The County will maintain personnel records for every employee as well as a medical file. The medical file will be treated as confidential and will be maintained in a secure place separate from the personnel records. It is the employee's responsibility to notify the Human Resources Department of changes in their personal/professional life (e.g. marital status, birth of a child, dependent status, change of address, contact information, etc.; Section 4.02) so that their personnel records can be kept up-to-date.

Upon written request to the Human Resources Department, an employee will be allowed – upon reasonable intervals (generally not more than 2 times a year) - to review their personnel records. The Human Resources Department will schedule a time with the employee to review the records (possibly in the presence of an Human Resources representative). The employee must not remove, amend or adulterate any personnel records. Upon request, however, the employee may be allowed to provide Human Resources with additional written information to clarify their record in accordance with Michigan law. The employee may also request that Human Resources provide copies of anything within the personnel record, though the County may charge a reasonable copy fee.

For purposes of employment references and employment verifications, the Human Resources Department shall serve as the main source of personnel records

Section 03: Workplace Environment

| | | | |
|---|---|---------------------------------|---------------------------------|
|  | VAN BUREN COUNTY POLICIES AND PROCEDURES | | |
| | Tobacco and Smoke Free Workplace Policy | | |
| | Policy #: VBC.03.0001 | Date Adopted: 03/27/2019 | Date Revised: 11/28/2023 |

All County property and County vehicles are tobacco-free and smoke-free for the health, safety and well-being of all County employees and visitors.

No tobacco, smoking or use of e-cigarettes or other electronic nicotine delivery systems (i.e., vaporizers) will be allowed anywhere in any County owned/leased buildings or County owned/leased vehicle. Smoking or use of e- cigarettes and other electronic nicotine delivery systems will be prohibited within thirty (30) feet of any building entrances, windows and ventilation systems to any enclosed areas.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Drug and Alcohol-Free Workplace Policy

Policy #: VBC.03.0002

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Van Buren County is committed to providing a Drug and Alcohol-Free Workplace. No employee may possess, distribute, offer to distribute, use, be impaired by, be under the influence of, or have alcohol or illegal drugs in their system during working hours, including rest and meal periods, while on County property, or when driving a County vehicle or using County. Using a prescribed drug for purposes other than those for which the drug was prescribed or not in the prescribed manner while on County time or property or when driving a County vehicle or using County equipment is also prohibited. Employees who are using prescription and/or over-the-counter drugs/medications that may affect their ability to safely perform their job must report such use to their supervisor (or their designee) prior to starting their shift.

For purposes of this policy, “illegal drug” means any drug or controlled substance, the possession or use of which is unlawful, pursuant to any state, federal or local law or regulation in the United States. Examples include street drugs such as cocaine, opiates (heroin, etc.), marijuana, and phencyclidine and controlled substances such as amphetamines, methamphetamines, and barbiturates. Drugs and controlled substances that are not legally obtainable, or that are legally obtainable but have not been legally obtained, are also considered to be “illegal drugs.” **Medical marijuana is also an illegal drug under federal law and is strictly prohibited under this policy regardless of whether an employee has a medical marijuana registration card.**

Van Buren County also has a drug/alcohol testing and search policy as two means of enforcing this drug and alcohol-free workplace policy.

A. Drug Testing Policy

Van Buren County reserves the right to require employees submit to an appropriate test for the presence of illegal and/or alcohol under the following circumstances:

When the employee is reasonably suspected of violating this Drug and Alcohol-Free Workplace Policy. “Reasonable suspicion” will be based on personal observations of conduct that is generally associated with drug or alcohol use, including the employee’s appearance, behavior, smell or speech.

If the employee is involved in either a job-related accident or job-related incident which results in personal injury which or causes property damage, if the County reasonably suspects that drugs and/or alcohol may have played a role in the accident or incident.

Employees required to take drug and/or alcohol tests will be paid for time away from work necessary to complete the sample collection and testing process.

To ensure the safety of all employees, the County reserves the right to send an employee home after a drug and/or alcohol test until the results are known. Time spent at home during regular working hours will not be paid unless the test result comes back negative.

The County will treat all test results as confidential records, to be shared only with those individuals who have a legitimate “need to know.”

B. Penalties

Refusing to submit to a test will be considered insubordination, will be deemed a positive test, and will result in immediate discharge. The following actions constitute a refusal to submit to a drug/alcohol test:

1. failing to appear or remain at a collection/testing site when directed to report;
2. failing to provide a sufficient specimen;
3. failing to permit a monitored or observed urine collection or otherwise refusing to follow instructions during the monitored or observed collection/testing process;
4. failing or declining to take an additional drug test the County or the collector/tester has directed;
5. failing to cooperate with any part of the collection/testing process;
6. possessing or wearing a prosthetic or other device that could interfere with the collection/testing process; and having an adulterated or substituted specimen.

An employee who tests positive or who otherwise violates this Drug and Alcohol-Free Workplace Policy will be subject to appropriate disciplinary action up to and including termination. In lieu of termination, the County may require the employee to enter into a written Last Chance Agreement under which the County may require the employee to undergo treatment and to be subject to close monitoring and re-testing.

NOTICE: Any employee who possesses, sells, attempts to sell, or in any other way distributes illicit drugs on County property or during work hours will be discharged. Law enforcement officials will be informed of such conduct.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Search Policy

Policy #: VBC.03.0003

Date Adopted: 11/28/2023

Date Revised:

Although the County respects employees' legitimate privacy concerns, such concerns are subservient to safety and security concerns. Therefore, when the County has reason to believe an employee has brought prohibited substances onto County property (including weapons), or has otherwise violated County policy (e.g. theft), the County has the right to conduct an appropriate search of County property or of items brought onto County property (e.g. lockers, desks, briefcases, backpacks, purses, vehicles, etc.). Such searches, when possible, will be conducted in the employee's presence.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Information Technology and Equipment Usage Policy

Policy #: VBC.03.0004

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

The County provides computers and other electronic devices, facsimile transmission (fax machines), computer files, printers, copy machines, voice mail, electronic mail and on-line services to assist an employee in completing job duties as quickly and efficiently as possible. These systems are intended to be used for business purposes only. Unless authorized in writing by the County's Information Services Department, employees are prohibited from downloading any software, unauthorized e-mails, attachments, content, etc., onto the County's network or system.

All system hardware and software are County property, as well as all messages composed, sent or received on or using the County's hardware, software, network and/or systems. They are not the private property of any employee. While the County does not intend to review these records on a regular basis, employees have no right or expectation of privacy when using the County's hardware, software, network and/or systems. The County reserves the right to enter, search and monitor all computer files, voice mail, electronic mail, and internet files of any employee which are prepared on and/or transmitted via the County's hardware, software, network and/or systems, without notice. Except as specifically authorized by the County, Employees are not authorized to retrieve or read messages that are not sent to them; employees shall not attempt to gain access to another employee's messages and employees shall not access a file or retrieve any stored information. Any exception to this policy must receive prior approval by the employee's department administrator. County records are subject to disclosure to law enforcement, government officials or other third parties through subpoena, Freedom of Information Act requests, or as otherwise required by law. Consequently, employees should always ensure that the information contained in these messages is accurate, appropriate, lawful, and that proper etiquette is maintained on all systems.

The County's hardware, software, network and systems must never be used to produce/prepare or convey messages having language or images that may reasonably be considered offensive, demeaning or disruptive to any employee/citizen or which creates a discriminatory, hostile or abusive work environment. Such content includes, but is not limited to: sexually explicit or racially derogatory comments or images, sexual or racial epithets or slurs, or any comments or images that would offend someone based on their race, color, sex, religion, national origin, age, weight, height, disability, status as a veteran, sexual orientation, gender identity or expression, or any other status protected by law, ordinance or County policy. Threatening, abusive and profane language is prohibited. If any threatening, abusive, or profane message is received, from within or outside the County, the employee's department supervisor should be immediately notified.

All employees accessing the internet and the County email system are representing the County. All communications should therefore be professional and for legitimate business purposes only. Limited, occasional use of these systems for personal, non-business purposes is permitted, but this permission may be withheld in situations where the County has identified or suspects abuse. Employees must demonstrate responsible judgment in this use. Every employee has a responsibility to maintain and enhance the County's public image, and to use the internet and the County's systems and equipment in an appropriate and professional manner.

The County licenses the use of computer software from a variety of third parties. The software is copyrighted and unless authorized, no employee has a right to make copies of any software, or to give software to anyone.

It is the policy of the County to respect all copyrights and to adhere to the terms of all software and other intellectual property licenses to which the County is a party.

Upon termination, an employee's computer access will be revoked. The employee's voice mail box, e-mail box,

computer files, and internet transmissions will be reviewed, and if appropriate, removed, archived, or turned over to the proper authorities. Retention of records will be done in accordance with state regulations.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Building Closures Policy

Policy #: VBC.03.0005

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

There are occasions where it is in the best interest of both the County and its employees to close some/all buildings or curtail some/all services as a result of snowstorms, tornados, or other emergencies.

Employees who were scheduled to work on days when their offices or buildings are closed due to inclement weather or emergency will receive their regular straight time pay for that day up to seven and a half (7.5) hours for an employee regularly scheduled thirty-seven and a half (37.5) hours a week or up to eight (8.0) hours for an employee regularly scheduled forty (40.0) hours a week. This straight time pay will cap at a maximum of thirty-seven and a half (37.5) hours or forty (40.0) hours depending on the employee's weekly work schedule and cannot be applied for purposes of accumulating compensatory or overtime hours.

Those employees scheduled to work who are sent home due to an official closing will receive their regular straight time pay for the remainder of their scheduled shift up to seven and a half (7.5) hours for an employee regularly scheduled thirty-seven and a half (37.5) hours a week or up to eight (8.0) hours for an employee regularly scheduled forty (40.0) hours a week. This straight time pay will cap at a maximum of thirty-seven and a half (37.5) hours or forty (40.0) hours depending on the employee's weekly work schedule and cannot be applied for purposes of accumulating compensatory or overtime hours.

Essential employees required to work their regularly scheduled hours on days when the County closes some/most other operations will receive their regular pay. If an employee is working at a position or building which is in operation and other buildings are closed, they are to remain at work.

Part-time employees working or scheduled to work will receive regular pay for the hours scheduled to work on that day. Part-time employees will not receive regular pay if they were not scheduled to work on that day.

Employees who are off on scheduled leave time when an emergency causes a building closing will remain on leave; the employee will not receive any additional compensation or leave credit.

During closure days, employees are on call (during their regularly scheduled working hours) and may be called in to work at any time during their regularly scheduled hours. If contacted, the employee will be expected to report to work immediately (within one (1) hour).

Employees who are unable to report to work on days when County offices and buildings are officially open, and/or the employee is scheduled to work, must utilize accrued PTO or compensatory time.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Remote Work Policy

Policy #: VBC.03.0006

Date Adopted: 07/12/2022

Date Revised:

DEFINITIONS

- **County Data** – all hardcopy and electronically stored information containing information related to County business, which may include Confidential and Restricted Information.
- **Confidential Information** – non-public County Data that is designated “Confidential” or “Restricted” or that should be reasonably understood as confidential or restricted by the nature of the information, County finances, hardware and software configurations, legal advice, work product, internal processes, personally identifying information (“PII”) (e.g., name, email address, address, phone number, Social Security Number, financial account numbers, credit/debit card numbers, health records), and other sensitive or regulated information. Confidential Information also includes information that may at some point be disclosed as part of a lawful request for production (e.g., a FOIA request, subpoena, or other legal order).
- **Equipment** – The technologies – both hardware and software – required by an employee to perform work. Remote work equipment may include workstations, laptops, tablets, phones, printers, fax machines, network devices, scanners, VPNs, soft phones, office software suites, online technologies, VDI/VDA connections, and more.
- **Primary office** – The primary workplace where an employee would report to if not working remotely.
- **Remote location** – A location which is not owned by the County and which is not physically attached to the County’s internal network.
- **Remote work/Remote working** – Performing work for the county at a remote location, such as an employee’s residence, which may primarily be conducted using mobile technology. Common synonyms include virtual office worker, work from home (WFH), telecommuting, and telework.
- **Remote worker** – An approved employee who performs remote work.
- **Restricted Information** - information that is designated “Restricted,” or that should be reasonably understood as restricted by the nature of the information, information that only certain County employees may access to as part of their job responsibilities, information that is password protected and/or encrypted, and information stored in a secure location. Restricted Information also includes information that may at some point be disclosed as part of a lawful request for production (e.g., a FOIA request, subpoena, or other legal order).
- **Security** – Precautions and tools utilized to protect County Data and Confidential and Restricted Information and work product including digital communication to reduce the probability of unauthorized access and dissemination of sensitive information.
- **Supplies** – Non-technical and often disposable office equipment such as paper, staples, scissors, pens, markers, etc.
- **Virtual Desktop Infrastructure/Virtual Delivery Agent (VDI/VDA)** – The Citrix software used by the county to facilitate many remote connections.
- **Virtual Private Network (VPN)** – A secure remote connectivity software package used to connect County-owned mobile devices to the County network.
- **Work Hours** – The agreed-upon, uninterrupted set of hours during the day when the remote worker is expected to be working for the County and when others can always communicate with the remote worker.

PURPOSE

Van Buren County allows remote work to advance the goals, mission, and values of the County. The purpose of this policy is to set clear guidelines and expectations for the eligible employees while performing remote work. This policy is not an exception to any other County policy and the remote worker must comply with all County policies at all times, including when performing work remotely.

BACKGROUND

Remote work is a management option for an alternative work arrangement, allowing the County to offer flexibility to employees when and where appropriate. Remote work is not a right or a benefit and is not appropriate for all employees or positions.

POLICY

A. Requirements

To ensure an effective remote work program:

1. The County shall
 - a. Provide, maintain, and repair County-owned equipment and supplies.

2. Department Head shall:

- a. Identify suitable positions that may be eligible for remote work. Suitable positions will include only those for which the position's essential functions can be performed remotely.
- b. Identify Confidential and Restricted Information and make employee aware that it is their responsibility to keep it confidential even from their family and those who live or work in the remote location. Establish how remote workers will maintain regular contact with customers, office, co-workers, supervisors, etc.
- c. Ensure that customer service is not adversely affected by the remote work arrangement.
- d. Establish a consistent work schedule with the employee.
- e. Define, communicate, and monitor remote worker responsibilities and expectations.
- f. Communicate any performance concerns in a timely manner and instigate changes and/or discipline where appropriate.
- g. Treat all remote workers and non-remote workers similarly in acts involving managerial discretion, including distribution of assignments, performance expectations, informal and formal feedback, employee review, performance coaching, learning and development, reassignment, promotions, retention, and discipline.
- h. When possible, provide advance notice to remote worker regarding requests to report to the primary office location.
- i. Approve the remote location in advance of any work being performed and ensure that it meets all requirements set forth in Section A(3)(a) below.

3. Remote Worker shall:

- a. Ensure that the remote location where work will be performed is approved in advance by the department head and that it meets all of the following standards:
 - 1) Has sufficient upload and download internet speed to efficiently perform job responsibilities.
 - 2) Has a dedicated area specifically for remote work activity.
 - 3) Is away from noise, distractions, and allows for focused work and productivity.
 - 4) Capable of storing all equipment and supplies needed to perform job duties.
 - 5) Has a safe or lockable location for any confidential or restricted information when not in use.
 - 6) Is accessible during all remote workdays and times expected of the remote worker.
- b. Design their workplace with ergonomic principles in mind. If not set up based on ergonomic principles, the county is not responsible for any injuries that may occur as a result of this failure.
- c. Have child and/or other dependent care arrangements to permit concentration on work assignments while remote working.
- d. Maintain physical safety at levels in the remote location that are equivalent to those expected at any County office, free from hazards and other dangers to the employee, equipment, and any persons at or near the work area. The County is not responsible for any injury or loss that is the result of a failure to maintain the work location in a safe condition.
- e. Always maintain and protect the confidentiality and security County Data and follow all County privacy and data security policies and procedures, including all the provisions in the Security section below.
- f. Be responsible for maintenance, cost, and repair of employee-owned equipment and supplies.
- g. Provide office furniture at remote worker's expense.
- h. Safeguard County-owned equipment and supplies taken to remote locations from damage, theft, and unauthorized access.
- i. Maintain or exceed established performance expectations.
- j. Be available at all times during working hours to communicate with their department head or others as needed and in the format directed by the department head (e.g., phone, video conferencing [with or without camera on as instructed by the department head], text messaging, etc.).
- k. Maintain agreed upon work hours. If they have a need to deviate hours, including for PTO and/or sick leave, they must communicate the need for the deviation promptly and in compliance with all applicable policies or contractual requirements.

- l. Maintain flexible and responsive communication and collaboration to meet the needs of the County.
- m. Report to the primary office location when requested by the department head.
- n. During scheduled work hours, remote worker must be properly groomed and dressed for work and ready to come into the office if required and requested.
- o. Accurately report work time in Timestar (<https://time.vanburencountymi.gov>)
- p. Maintain a high level of customer service at all times.
- q. Not allow clients, customers, vendors, citizens, coworkers, or other persons to come to the remote location to conduct County business.
- r. Come into the office to work or make other accommodations as agreed upon with the department head if a remote location loses the ability to allow remote work, such as a disruption to power or internet services.
- s. Immediately report any incident, accident, or injury occurring while performing approved remote work at the remote location to their department head. The approved remote location is an extension of the County's workspace only when used for work. The County has a right to investigate any incident, accident or injury occurring while working and it will need to be investigated, which includes but is not limited to inspecting the location of the injury, interviewing anyone present during the incident and any other actions necessary for the investigation.
- t. Acknowledge the County is not responsible for any injury, loss or damage to the remote worker's real property, including any structures attached thereto, any personal property, or property of others in the care, custody, or control of the remote worker or any of the remote worker's family members, guests, visitors or others at the remote location.
- u. Reimburse the County for the cost to repair or replace any County-provided Equipment that is lost, damaged or otherwise not returned by the remote worker. The remote worker also authorizes the County to deduct any amounts owed for such repairs/replacement from their paycheck(s) up to the maximum extent allowed by law.
- v. Comply with all policies and ask for clarification if there seems to be ambiguity between this policy and others.

B. Eligibility

Not all jobs or employees will be eligible to participate in the Remote Work program. Remote work is not an employee right and whether remote work is allowed is within the sole discretion of the County. Remote work must not begin until the Remote Worker Agreement at the end of this policy is fully executed by the remote worker and their department head.

1. **Job eligibility:** Generally, a job having measurable quantitative or qualitative result-oriented standards of performance that is structured to be performed independently of others and with minimal need for support and supervision may be eligible for remote work. In addition, a job is only eligible for remote work if all essential functions of the job can be performed remotely. Eligible positions may change depending on circumstances. Factors that impact the eligibility may include work schedules, expected interaction with the public or other employees, need to access special materials or equipment, and clear work objectives. The department head will evaluate all jobs in the department to determine if the job could be performed remotely by determining if the job:
 - a. can be performed independently.
 - b. has a minimal need for support.
 - c. requires additional services and resources that may not be available if performed remotely.
 - d. involves physically handling Confidential Information on a regular basis.
 - e. involves meeting with the public frequently.
 - f. involves meeting with other staff frequently.
 - g. requires being at a certain location to perform the essential functions of the job.
 - h. creates a hardship or burden on non-remote workers (additional work, more hours, slower response times, etc.) or impacts the productivity of other employees.
 - i. impedes managerial responsibilities.
 - j. can be securely converted to a paperless process.
2. **Employee eligibility:** To be eligible to work as a remote worker, the employee must meet and follow these requirements:

- a. Is in good standing and does not have a record of discipline or performance problems within the preceding two years, unless approved by the county manager.
- b. Has demonstrated conscientiousness about work time and productivity.
- c. Is self-motivated, self-sufficient and has demonstrated self-management.
- d. Has a history of good service to customers and communication with co-workers and supervisors, and maintains or exceeds that standard while working remotely.
- e. Can designate a secure and productive work area that meets or exceeds the standards set forth in section A.3.
- f. Adheres to all County policies.

C. Termination of Remote Work

A remote worker's ability to work remotely will terminate upon any of the following events:

1. The remote worker's employment ends for any reason;
2. A department head terminates it for any reason; or
3. The remote worker changes positions (not counting steps within a position).
4. Before remote work termination date, the remote worker shall make arrangements with the necessary departments to return County-owned equipment and supplies. Missing equipment or supplies shall be reported to human resources by the department.

D. Security


The remote worker is responsible for maintaining confidentiality and security of County Data at the remote location, as the remote worker would at the primary office. The employee must protect the security and integrity of County Data, information, paper files, and access to the County network and digital services. The remote worker must safeguard County Data from disclosure or access by unauthorized individuals and must comply with all confidentiality and privacy laws, rules, regulations, and policies applicable to their position and handling.

Remote work must never be justification to lower Security and related practices. County networks have several security practices to safeguard county equipment and County Data that may not be available to remote workers, therefore remote workers must be extra vigilant and more aware of security responsibilities, such as:

1. Remote workers must use official communication channels while conducting County work, e.g., use County email account (not personal) to send County-related emails.
2. Employees must practice safe security practices, e.g., secure WiFi setup, firewalls, virus protection, etc.
3. Extra vigilance must be practiced to safeguard county assets outside the county. For example, laptops should use a locking cable or be locked in a drawer or safe when not in use.
4. All Confidential and Restricted Information, in hardcopy or electronic form is secure in their work area at the end of the day and/or when remote workers are expected to be away from their work area for an extended period.
5. Computer workstations must be locked when the workspace is unoccupied and require a password to unlock.
6. Confidential and Restricted Information displayed on a workstation's monitor should be minimized before allowing others to view or share the display.
7. Workstations that access Confidential and/or Restricted Information should be positioned in such a way that the monitors are not visible to unauthorized individuals.
8. File cabinets containing Confidential or Restricted Information must be kept closed and locked when not in use.
9. All passwords and other forms of authentication should not be shared, written, printed, or left accessible while unattended.
10. Mass storage devices such as CDROMs, DVDs, or USB drives should be assumed to contain Confidential and Restricted Information and should be secured in a locked drawer or safe.
11. Due to network security and county liability, remote work must NOT be directly performed on personal computers. Exceptions to this is work that is directly done on the County network and accessed remotely through the Citrix VDI/VDA solution.
12. VPN and VDI/VDA solutions must utilize 2-Factor Authentication.

13. Software licensed to you personally must not be utilized to conduct County business. All software must be purchased, licensed, and maintained by the County's technology division.
14. County-owned software must never be installed on a personal computer.
15. County Information Technology staff must never access personally owned computers remotely for any reason.
16. County data, meaning data used to conduct County business, must remain on county-owned devices and must NEVER be stored on a personal computer.

Section 04: Wage and Salary Administration

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|---|---|---------------------------------|---------------------------------|
|  | VAN BUREN COUNTY POLICIES AND PROCEDURES | | |
| | Employment Status Policy | | |
| | Policy #: VBC.04.0001 | Date Adopted: 03/27/2019 | Date Revised: 11/28/2023 |

Regular Full-Time Status

Full-time means an employee who is regularly scheduled to work thirty (30) or more hours per workweek. A full-time employee who is placed on a short-term, temporary hour reduction from full-time to part-time (less than thirty (30) calendar days) will continue to be eligible for benefits.

Regular Part-Time Status

Part-time means an employee who is regularly scheduled to work less than thirty (30) hours per workweek. Part-time employees may be occasionally required to work more than 30 or more hours per week and it will not convert them to full-time status unless designed as a full-time employee by the County.

Non-Exempt Status

Non-exempt employees, as defined by the Fair Labor Standards Act, are paid on an hourly basis and are entitled to overtime pay (at 1.5 times the employee's regular base hourly rate) for all authorized hours worked in excess of 40 hours in a workweek.

Exempt Status

Exempt employees, as defined by the Fair Labor Standards Act (professional, administrative, executive, etc., employees), are paid on a salary basis in exchange for performing a job, regardless of the hours it takes to perform that job. Salaried exempt employees are not legally entitled to overtime. Such employees will be treated as "Regular Full-Time" for benefits purposes.

Temporary Status

This term identifies the duration of employment as temporary and/or for a specific limited duration (e.g. seasonal or temporary help, to temporarily replace a regular employee on leave, project work, interns, etc.). Temporary employees receive statutorily mandated benefits only; they are not entitled to any other benefits set forth in this policy manual.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Payroll and Reporting Policy

Policy #: VBC.04.0002

Date Adopted: 03/27/2019

Date Revised: 05/28/2024

Van Buren County observes a bi-weekly payroll period, with each pay week starting Saturday and ending Friday. Information regarding the employee's address, deductions, and tax exemptions are maintained by the Human Resources Department. Employee hours of work or paid time off are reported through the time collection system. Paychecks are processed and distributed by the Finance Department. This policy aims to ensure consistent and transparent practices while handling payroll and compensation-related matters.

A. Pay Period Structure:

1. Van Buren County follows a bi-weekly pay schedule, which consists of 26 pay periods per year.
2. Pay periods start on Saturday and end on Friday.
3. Employees are paid on Friday of the bi-weekly pay schedule.

B. Employee Information: Employees are responsible for ensuring that accurate information is contained within their personnel file for purposes of payroll, government reporting and benefits records. Any changes can be made by contacting the Human Resources Department or by completing the necessary forms and submitting them to the Human Resources Department. Changes that will affect the employee's payroll or deductions must be received in the Human Resources Department no later than the Wednesday prior to the pay period end date to be effective on that pay period.

C. Reporting Hours or Paid Time Off: All hourly paid non-exempt employees are required to utilize the time collection system for the purpose of accurate reporting of work hours for payroll processing. Salaried exempt employees may be required to report hours worked in order to track productivity, time allocation, etc. Employees must review and approve their time sheets by 10:00 am the first business day following the bi-weekly pay period. Bi-weekly payroll reports need to be approved by the direct supervisor by 12:00 pm the first business day following the bi-weekly pay period. After the 12:00 pm deadline for timesheet approval, there will be no changes made to timesheets. To remain in compliance with all labor laws, no adjustments will be made that were already approved by the employee and their supervisor. Each employee and supervisor are responsible for submitting accurate timesheets. If there is an inaccurate submission, appropriate documentation will be required to make adjustments to reflect in the following payroll. We acknowledge that exceptional circumstances may arise. In such cases, approval from the Administrator or Finance Director can be allowed with proper documentation.

All reimbursement and mileage payment requests to be processed through payroll are encouraged to be submitted within the month the activity occurred; For fiscal year end reimbursement requests, we ask that you turn them in with enough time to process them to reflect in the proper fiscal year for reporting purposes.

Fraudulent reporting of hours, per diem, mileage processed through payroll, and/or leave time will be subject to employee discipline up to and including termination and potential legal penalties. Supervisory approval for hours and/or leave time entered into the payroll system is required prior to the processing of payroll.

Van Buren County will adhere to all applicable labor laws, regulations, and taxation requirements in processing payroll and compensating employees.

D. Wage Increases: A Personnel Action Form (PAF) is required to process any pay increase. The PAF is to be signed by the applicable department head, court administrator, elected official or designee. The County Administrator or Human Resources Director are also required to sign the PAF.

E. Corrections: Any employee who believes he/she has been paid the incorrect amount, or has not been paid for all hours worked, or that the County has made an improper deduction from the employee's pay, etc., should report the matter immediately to Payroll. Payroll will conduct a prompt and appropriate investigation and will make all appropriate corrections to the employee's pay.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Hours of Work Policy

Policy #: VBC.04.0003

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Most employee work schedules will mirror the County's office hours, consisting of seven and one half (7.5) hours, Monday through Friday, which will total thirty-seven and a half hours (37.5) per week. However, nothing contained herein shall be construed as a guarantee of hours per day or per week.

A court administrator, department head or elected official may change an employee's daily or weekly hours worked and/or work schedule as deemed appropriate to best serve the public and/or meet the County's needs.

Office hours, and therefore the normal work day for most employees, shall be from 8:30 a.m. to 5:00 p.m. with a one-hour unpaid lunch period scheduled near the middle of the work shift. Employees will generally receive a paid rest or break period not to exceed fifteen (15) minutes in duration at or near the midpoint of the first half of their shift, and a second paid rest or break period not to exceed fifteen (15) minutes at or near the midpoint of the second half of their shift. It is understood that the timing of the break period may vary depending upon the nature of the work being performed by the employee at the time, and that under certain conditions it may be impossible or impracticable for the employee to take a break, or the break may need to be delayed until the urgent or critical aspect of the job then being performed is completed.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Overtime Policy

Policy #: VBC.04.0004

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Department heads, elected officials and court administrators are responsible for authorizing overtime worked by non-exempt employees of their office or department. An employee must not work overtime without prior approval of the employee's department head/elected official or court administrator.

All overtime shall be paid and awarded in accordance with the Fair Labor Standards Act.


Employees in exempt positions, as defined by the Fair Labor Standards Act, are not eligible for overtime.

Method of Compensation

Hours worked up to 40 Hours per week. Non-exempt employees who work up to forty (40) hours a week shall receive their regular straight time pay.

Hours worked over 40.0 Hours per week. Non-exempt employees working over forty (40) authorized hours in the workweek shall be paid at the rate of one and a half times the employee's base or regular straight-time hourly rate.

Section 05: Employee Leave

| | | | |
|---|---|---------------------------------|---------------------------------|
|  | VAN BUREN COUNTY POLICIES AND PROCEDURES | | |
| | Holidays Policy | | |
| | Policy #: VBC.05.0001 | Date Adopted: 03/27/2019 | Date Revised: 11/28/2023 |

The following are Van Buren County's recognized holidays. Regular full-time employees will receive holiday pay (salaried exempt employees will receive their regular salary) on each recognized holiday.

| | |
|-----------------------------------|--|
| New Year's Day | January 1st |
| Martin Luther King Jr. Day | Third Monday in January |
| President's Day | Third Monday in January |
| Memorial Day | Last Monday in May |
| Juneteenth | June 19th |
| Independence Day | July 4th |
| Labor Day | First Monday in September |
| Veterans Day | November 11th |
| Thanksgiving Day | Fourth Thursday in November |
| Day after Thanksgiving | Friday after Thanksgiving |
| Christmas Eve | December 24th |
| Christmas Day | December 25th |
| New Year's Eve | December 31st |

When New Year's Day, Independence Day, Veterans' Day, or Christmas Day falls on Saturday, the preceding Friday shall be the holiday. When New Year's Day, Independence Day, Veterans' Day, or Christmas Day falls on Sunday, the following Monday shall be a holiday.

When Christmas Eve or New Year's Eve falls on Friday, then the preceding Thursday shall be a holiday. When Christmas Eve or New Year's Eve falls on a Saturday or Sunday, then the preceding Friday shall be the holiday.

To qualify for pay on the holiday, as listed above, all non-exempt employees must have worked the last scheduled work day before and the next scheduled work day following such holiday, except in cases where the absence on such day or days occurred during their authorized time off.

All regular part-time employees will be given six (6) days holiday pay prorated to their average work day hours based on a five (5) day work week. These holidays are Thanksgiving, day after Thanksgiving, Christmas, Christmas Eve, New Year's Eve and New Year's Day.

Temporary employees (seasonal, interns, project, etc.) are not eligible to receive holiday pay.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Regular Full-Time Paid Time Off Policy

Policy #: VBC.05.0002

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Except as stated below, all paid leave (vacation, sick and personal) is combined into Paid Time Off (PTO).

Regular full-time employees who work thirty hours or more per week will accrue PTO according to the rate schedule below. An employee's last date of hire shall be used in determining PTO.

Paid Time Off shall accrue according to the following schedules:

A. Sheriff's Department Employees (non-bargaining unit positions):

| Years of Service | PTO Accrual per Pay Period |
|------------------|----------------------------|
| 0-1 | 3.08 hours |
| 2-3 | 3.71 hours |
| 4-8 | 5.04 hours |
| 9-12 | 6.15 hours |
| 13+ | 7.22 hours |

Non-bargaining unit personnel in the Sheriff's Office also receive 24 hours of personal time and 56 hours of sick time. Both personal time and sick time will be front loaded January 1st of each year. Unused personal and sick time will not carry over each year.

B. Public Transit Employees (non-bargaining unit positions):

| Years of Service | PTO Accrual per Pay Period |
|------------------|----------------------------|
| Start | 5.22 hours |
| 1-3 | 6.77 hours |
| 4-8 | 8.31 hours |
| 9+ | 9.84 hours |

C. All other non-bargaining unit employees:

| Years of Service | PTO Accrual per Pay Period |
|------------------|----------------------------|
| 0-2 | 5.51 hours |
| 3-4 | 6.12 hours |
| 5-9 | 7.37 hours |
| 10-14 | 8.39 hours |
| 15+ | 9.37 hours |

PTO Rules for All Employees:

Effective January 1, 2020, a regular full-time employee hired on or before December 31, 2019, cannot accrue over a maximum of one-thousand (1,000) hours. PTO accrual will restart when an employee's PTO balance falls below the maximum one thousand (1,000) hour accrual cap. A regular full-time employee hired on or after January 1, 2020, cannot accrue over a maximum of three hundred and twenty (320) hours. PTO accrual will restart when an employee's PTO balance falls below the maximum three hundred and twenty (320) hour accrual cap.

Planned PTO must be scheduled with the employee's supervisor as far in advance as possible (generally at least two (2) calendar weeks). Planned PTO will be granted at such times during the year as requested by the employee and approved by the Employer, considering the operational needs of the County, workload, number of other PTO requests, etc.

Unplanned PTO can be used for any unscheduled reason (illness, emergency, etc.). PTO can also be used for the reasons/purposes and family members set forth in the Michigan Paid Medical Leave Act (*See*, bulletin board poster). When using unplanned PTO the employee must contact their supervisor prior to their shift-start time, and must provide an explanation for their absence. When appropriate, the employee's supervisor may require documentation proving the nature of the absence.

PTO can be taken in quarter (1/4) hour increments.

If a recognized holiday falls during an approved planned PTO, the employee will receive holiday pay for that day and will not be required to use PTO.

The use of PTO shall not be allowed in advance of the PTO being earned. An employee having insufficient PTO leave to cover a period of absence, and unless the employee has timely made arrangements to be on approved unpaid leave (e.g. FMLA, medical leave, etc.), shall be considered an absence without leave and subject to disciplinary action.

Employees will be paid their current rate of pay based on their regular scheduled workday while on PTO and will receive credit for benefits.

Annual Payout

Annually, up to fifty-two and a half hours of PTO will be reimbursed by the County if the employee so elects. The employee cannot elect this payout if the employee's PTO balance would fall below one hundred fifty (150) hours of PTO as of September 1. The payment will be in October of each year at the employee's current hourly rate of pay. The employee must make their written election for this payment in September of each year.

Separation/Resignation

A regular full-time employee hired on or before December 31, 2019 who terminates from employment will receive their accrued and unused PTO up to a maximum of one thousand (1,000) hours. A regular full-time employee hired on or after January 1, 2020 who resigns/separates from employment will receive their accrued and unused PTO up to a maximum of three hundred and twenty (320) hours. Employees shall have the option of being paid out via check or direct deposit, having the PTO payout deposited in the employee's tax deferred 457 plan, or having the PTO payout placed in the employee's tax-free MERS HCSP, or any combination of the above.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Regular Part-Time Paid Time Off Policy

Policy #: VBC.05.0003

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Regular part-time employees who work less than thirty (30) hours per week will accrue one hour of PTO for every 35 worked hours (.0286 per hour).

A regular part-time employee cannot accrue over a maximum of eighty (80) hours. PTO accrual will restart when an employee's PTO balance falls below the maximum eighty (80) hour accrual cap.

Planned PTO must be scheduled with the employee's supervisor as far in advance as possible (generally at least two (2) calendar weeks). Planned PTO will be granted at such times during the year as requested by the employee and approved by the Employer, considering the operational needs of the County, workload, number of other PTO requests, etc.

Unplanned PTO can be used for any unscheduled reason (illness, emergency, etc.). PTO can also be used for the reasons/purposes and family members set forth in the Michigan Paid Medical Leave Act (*See*, bulletin board poster). When using unplanned PTO the employee must contact their supervisor prior to their shift-start time, and must provide an explanation for their absence. When appropriate, the employee's supervisor may require documentation proving the nature of the absence.

PTO can be taken in quarter (1/4) hour increments.

A regular part-time employee who terminates from employment, will not receive their accrued and unused PTO.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Bereavement Policy

Policy #: VBC.05.0004

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Regular Full-Time Employees

A regular full-time employee may request up to five (5) consecutive work days, with pay, to grieve, arrange services, attend services or settle the estate after the death of a member of their immediate family. Immediate family shall be defined as an employee's current spouse, parent, stepparent, parent-in-law, sibling, grandchild, and child of the employee or the employee's spouse.

A regular full-time employee may request up to three (3) consecutive work days, with pay, to grieve, arrange services, attend services or settle the estate after the death of a member of an employee's household, niece, nephew, aunt, uncle or grandparent of the employee or the employee's spouse.

A regular full-time employee may request up to two (2) additional consecutive paid bereavement days should the deceased family member's funeral be more than three hundred (300) miles from Van Buren County and provided the employee attends the funeral.

Bereavement days will not be granted on occasions where an employee was not scheduled to work. Bereavement days will not count as time worked for purposes of overtime.

Regular Part-Time Employees

A regular part-time employee shall receive pay for a day (prorated to their average work day hours based on a five (5) day work week) necessarily lost during their normal scheduled work week, not to exceed two (2) work days, to grieve, arrange services, attend services or settle the estate after the death of a member of their immediate family. Immediate family shall be defined as an employee's current spouse, parent, stepparent, parent-in-law, grandchild, or child of the employee or the employee's spouse.

A regular part-time employee shall receive pay for one (1) day (prorated to their average work day hours based on a five (5) day work week) necessarily lost during their normal scheduled work week to grieve, arrange services, attend services or settle the estate after the death of a member of an employee's household, sibling, niece, nephew, aunt, uncle or grandparent of the employee or the employee's spouse.

Bereavement days will not be granted on occasions where an employee was not scheduled to work. Bereavement days will not count as time worked for purposes of overtime.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Jury Duty Policy

Policy #: VBC.05.0005

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Employees who are subpoenaed for jury duty will, upon presentation of proof of such duty, be released from work. Written notice of the summons must be provided to the Finance Department as soon as it is available. An employee must return to work each day within one (1) hour of being released by the court, unless two (2) hours or less remains in the employee's shift/daily work schedule. Employees who are summoned/subpoenaed for jury duty will, upon submitting their jury duty pay to the Finance Department, be paid their normal wages/salary for up to ten (10) days per calendar year. Employees will not be required to submit mileage and parking expense pay to the County.



VAN BUREN COUNTY POLICIES AND PROCEDURES

Medical Leave of Absence ("MLOA") Policy

Policy #: VBC.05.0006

Date Adopted: 11/28/2023

Date Revised:

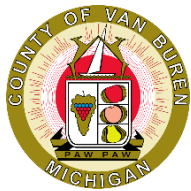
An unpaid medical leave of absence ("MLOA") may be requested if the employee has a serious health condition that necessitates time away from work and the employee does not qualify for FMLA leave (e.g. not yet worked 12 months, not worked 1250 hours, exhausted all FMLA, etc.).

- a. Procedure.** A written request for MLOA must be submitted to Human Resources as early as possible (preferably at least 30 calendar days prior to the desired time off, if possible). In the request you should specify dates, requested length, and other useful information.

You should also include with your written request a physician's supporting written statement explaining (in detail) your restrictions and why they believe you need a leave of absence (i.e. why you cannot perform your current job). If pertinent, your physician's written statement should specify whether you are "disabled" and, if so, are you "totally disabled" and therefore unable to perform any work, or are you simply unable to perform some type of work. If you are "totally disabled" we will look to an appropriate medical leave of absence. If not "totally disabled," and depending on your restrictions (and depending on whether you instead elect to use other paid time off, if eligible), we may attempt to reasonably accommodate your condition, thereby allowing you to continue working in either your regular or an alternate vacant position.

The County may also, at our expense, require a second physician's opinion. If the second opinion is contrary to your physician's opinion, the parties will pick a mutually agreeable third physician to review your condition (at the County's expense). In such cases the parties agree that they will abide by the third parties' physician's opinion. If the doctors reach a consensus that the employee is "totally disabled," or place restrictions on the employee which the County cannot "reasonably accommodate," the period of medical leave shall be deemed to have commenced on the date of the employee's doctor's diagnosis.

- b. Length.** A MLOA will be limited to the period of actual disability and/or inability to work, but in all cases, may not exceed the period in which the County can reasonably accommodate the leave of absence without incurring an undue hardship. The employee will typically be required to exhaust all available paid time off as part of their MLOA. The MLOA will otherwise be unpaid, unless you qualify for workers' compensation or short-term disability benefits.
- c. Continuation of Health Benefits.** During a MLOA the County will maintain an employee's health benefits at the same level as if they had continued working and will continue to pay its portion of the cost of the health care premiums for a maximum of twelve (12) weeks. Employees will be required to pay the active employee portion of the insurance premiums, if applicable. If an employee's health care premium is more than 15 days late, the County will notify them in writing. The employee's health care insurance coverage will be cancelled if the premium payment is more than 30 days late. Thereafter, employees may have the opportunity to continue health insurance at their own cost under the COBRA law, if applicable. Your responsibilities regarding payment of your portion of plan premiums will be explained to you at the time your leave is granted.
- d. Compliance and Return** An employee who fails to comply with the conditions accompanying the leave (e.g. periodically reporting in, providing additional medical information and physician's statements, etc.) or who fails to return to work at the designated time will be separated from employment. An employee who satisfactorily complies with the conditions accompanying the leave and who returns at the time designated by the County will be returned to work in the same or substantially equivalent position. If an employee is unable to return to work at the time designated by the County, but is subsequently released by their physician to return to work, they will have to reapply as a new hire.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Family and Medical Leave Act Policy

Policy #: VBC.05.0007

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

This policy provides employees with a general description of their Family and Medical Leave Act (FMLA) rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights provided by law. Nothing in this policy, however, gives the employee greater rights to continued employment than the employee would have had if the employee had not taken FMLA leave. The FMLA and its implementing regulations are very detailed. Specific questions regarding this policy should be directed to the Human Resources Department.

A. Eligibility

An employee may be eligible for leave under the FMLA if the employee meets each of the following requirements:

1. The employee completed twelve (12) months of employment with the County. The twelve (12) months does not need to be continuous. If there is a break in service of seven (7) years or more between earlier employment and the employee's current tenure with the County, however, the earlier employment will not count except in limited circumstances. In addition, individuals on leave for active military service may be entitled to credit (as time worked) for their time on military leave under certain circumstances; and
2. The employee worked at least one thousand two hundred and fifty (1,250) hours in the twelve (12) months prior to the leave commencing. Generally, only time worked counts toward this requirement. Individuals on leave for active military service may be entitled to credit (as time worked) for their time on military leave under certain circumstances.

An employee who does not meet each of these requirements may be entitled to take time off under other policies. The employee will not, however, be entitled to FMLA leave.

B. Qualifying Reasons for FMLA Leave

An eligible employee may take FMLA leave for any of the following reasons:

- A serious health condition of the employee that makes the employee unable to perform an essential function of their position (which may include incapacity due to pregnancy, prenatal medical care, or child birth).
- In order to care for the employee's spouse, child, or parent if the person being cared for has a serious health condition.
- Birth of a child, and to care for the child (under the age of 18, unless incapable of self-care) within twelve (12) months of the child's birth.
- Placement of a child with the employee for adoption or foster care, and to care for the child within twelve (12) months of the child's placement.
- Because of any qualifying exigency arising out of the fact that a parent, spouse, or child is on active duty or has been notified of an impending call or order to active duty in the Armed Forces, including National Guard or Reserve.
- To care for a covered service member of the Armed Forces, including National Guard or Reserve, who has or is being treated for a serious injury or illness if the employee is the spouse, child, parent, or next of kin of the covered service member.

C. Definitions

3. "Serious Health Condition". A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either any period of incapacity or treatment connected with an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment. If an employee is not sure whether the employee's condition qualifies for FMLA leave, the employee may apply for such leave and, after review of appropriate medical documentation, the County will advise the employee whether the leave is covered under this provision.

4. "Qualifying Exigency". Qualifying exigencies related to being on active military duty or to a call to active military duty may include addressing issues arising out of a short notice deployment, attending certain military events, arranging for alternative child care, addressing certain financial and legal arrangements, attending certain counseling sessions, spending time with a covered service member who is on short-term temporary rest and recuperation leave, and attending post-deployment reintegration briefings.
5. "Covered Active Duty". "Covered active duty" for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. "Covered active duty" for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code.
6. "Serious Injury or Illness". For a current member of the Armed Forces a "serious injury or illness" was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and renders the member medically unfit to perform the duties of the member's office, grade, rank, or rating. For a veteran, a "serious injury or illness" is a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.
7. "Covered Service Member". A "covered service member" is a current member of the Armed Forces (including National Guard and Reserves) who is (a) on the temporary disability retired list; (b) undergoing medical treatment, recuperation, or therapy for the serious injury or illness; or (c) assigned to a military medical treatment facility as an outpatient or otherwise be receiving

outpatient care at a unit established for members of the Armed Forces. This provision also applies to veterans (including a member of the National Guard or Reserves) undergoing medical treatment, recuperation, or therapy for a serious injury or illness incurred or aggravated in the line of duty so long as the veteran was an active service member at any time during the five (5) years preceding the treatment, recuperation, or therapy.

D. Benefits and Protections of FMLA Leave

Generally, the FMLA allows eligible employees to take an unpaid leave of absence for a period not to exceed twelve (12) weeks in any rolling twelve (12) month period (i.e., measured backward from the date the employee's requested FMLA leave begins). Leave for the birth or adoption of a child must be taken within one year of the qualifying event. The length of time allowed for leave for qualifying exigencies will depend on the type of qualifying event. Where leave is necessary for the care of a covered service member with a serious injury or illness, leave may be taken for up to twenty-six (26) weeks during a single twelve (12) month period beginning with the first date of leave.

Although the law indicates an employee is entitled to twelve (12) or twenty-six (26) weeks of unpaid leave of absence, the County has the right to require, and shall require, its employees to use their accumulated paid time off as part of, and to cover, their leave. Thereafter, unless the employee qualifies for workers compensation or disability benefits, the leave will be unpaid. However, this does not extend the leave beyond the twelve (12) or twenty-six (26) weeks where applicable. An employee may be required to provide additional information in accordance with the County's normal paid leave policies in order to receive pay during this time.

Leave for the birth or placement of the employee's child, or to care for the child within twelve (12) months of the child's birth or placement, may not be taken intermittently or on a reduced leave schedule. If medically necessary, however, leave for the employee's own serious health condition or to care for a seriously ill spouse, child, or parent, may be taken intermittently or on a reduced leave schedule. In addition, leave for "qualified exigencies" may also be taken on an intermittent or reduced leave schedule basis. Whenever possible, an employee must schedule intermittent leave or reduced schedule leave in a way that will create the least disruption to the County's operations. In addition, under certain circumstances the County may temporarily transfer an employee to another position or shift (with equal pay and benefits) while on intermittent leave.

Total time off for a leave taken as a reduced leave schedule or intermittent leave may not exceed twelve (12) weeks (or twenty-six (26) weeks where applicable) in the applicable twelve (12) month period.

A married couple where both spouses are employed by the County may be limited to a combined total of twelve (12) weeks of leave during the applicable twelve (12) month period if the leave is taken for birth of the employee's child or to care for the child after birth, or for placement of a child with the employee for adoption or foster care or to care for the child after placement. Similarly, a married couple where both spouses are employed by the County may be limited to a combined total of twenty-six (26) weeks of leave during the applicable twelve (12) month period to care for a covered service-member with a serious injury or illness.

During the FMLA leave, the County will maintain an employee's health insurance benefits at the

same level as if they had continued working. The County shall continue to pay its portion of the cost of the health insurance premiums for an eligible employee during the period the employee is on qualified leave. Employees will be required to pay the active employee portion of the insurance premiums on a monthly basis, if applicable. If an employee's health insurance premium is more than fifteen (15) days late, the County will notify them in writing. The employee's health insurance coverage will be cancelled if the premium payment is more than thirty (30) days late. Thereafter, employees may have the opportunity to continue health insurance at their own cost under the COBRA law, if applicable. The employee's responsibilities regarding payment of their portion of plan premiums will be explained to the employee at the time his or her leave is granted.

The County may recover its share of premiums paid to maintain an employee's health insurance benefits during FMLA leave if the employee fails to return to work after the FMLA leave expires for a reason other than the continuance, recurrence, or onset of a serious health condition, or for other circumstances outside the control of the employee.

Upon return from an FMLA-qualifying leave, the employee will be returned to their former position or to a position equivalent in pay, benefits, and other terms and conditions of employment.

A medical provider statement of release to work (i.e., "fitness-for-duty") must be provided by the employee to the County prior to the employee returning to work after FMLA-qualifying leave. The employee is to report to their Supervisor before beginning work.

E. Notice of Need for FMLA Leave

If an employee wishes to take FMLA leave, an employee must do the following:

Foreseeable Absence

In the case of a foreseeable absence (such as, when leave is taken for the birth of a child, to care for the child within twelve (12) months, or for planned medical treatment(s)), the employee must provide not less than thirty (30) days' notice before the leave is to begin. If thirty (30) days' notice is not practicable, then an employee must provide notice as soon as is practicable. If the dates of the leave change, the employee must advise the County of such a change as soon as practicable. Notice of/requests for FMLA leave should be in writing when circumstances permit and be directed to the Human Resources Department. In the notice/request, an employee must provide the County with sufficient information to understand why the employee is requesting FMLA leave (calling in "sick" does not suffice).

If an employee is seeking FMLA leave because of scheduled or planned medical treatment, the employee must consult with the Human Resources Department to schedule the treatment so as not to unduly disrupt the County's operations.

Unforeseeable Absence

Where the absence cannot be foreseen, an employee must provide the necessary notice described above as soon as practicable upon learning of the need for leave. While such notice can be provided verbally, it must include the same information necessary for the County to understand that the request is for FMLA leave. **An employee will be expected to follow and comply with the County's normal call-in procedures and notice requirements.** Calling in "sick"

will not be sufficient notice to trigger FMLA benefits or protections.

Certification Establishing Need for FMLA Leave

- a. Once an employee requests FMLA leave and/or it appears the employee may be eligible for FMLA leave, the employee will be advised of their eligibility for such leave (Form WH-381). An employee may also be required to provide certain information, such as medical certification, to determine whether the employee has a qualifying reason for FMLA leave (Form WH-380). At the time an employee requests leave, the employee will be provided additional information regarding FMLA rights and responsibilities. The employee will be advised in writing regarding whether the request for FMLA has been granted and, if it has been denied, the reasons for the denial (Form WH-382).
- b. This certification (Form WH-380) must be provided to the Human Resources Department within fifteen (15) days after it is requested and must include the date the condition began, its probable duration, appropriate medical facts within the knowledge of the health care provider regarding the condition, and a statement that the employee is unable to perform their job function or is needed to care for a sick family member for a specified time. An employee must obtain the appropriate certification form(s) from the Human Resources Department.

FAILURE TO PROVIDE THE NECESSARY NOTICE OF THE NEED FOR FMLA LEAVE OR TO PROVIDE THE NECESSARY DOCUMENTATION SUPPORTING THE LEAVE WITHIN THE TIME REQUIRED MAY RESULT IN THE FMLA LEAVE BEING DELAYED OR DENIED ALTOGETHER.

- c. The County may require, at its own expense, a second medical opinion from a health care provider designated by the County, but not employed on a regular basis by the County. In the event of a dispute concerning the second certification, the County may require, at its own expense, a third opinion from a health care provider. The employee and the County must agree on the selection of the third health care provider whose opinion is binding on both parties.
- d. When appropriate, the County may require the employee to obtain re-certification and/or a new certification.

F. Miscellaneous Provisions

Employees will be required to use PTO for FMLA-qualifying time off. After PTO is exhausted, and unless the employee qualifies for another form of pay (e.g. Workers Compensation, Disability, etc.), FMLA is unpaid.

Approved time off/leave during which the employee receives Workers Compensation benefits or Short Term Disability benefits will also – if qualifying – be counted as FMLA.

During the time an employee is off work on FMLA leave, they shall have no other employment. Thus, an employee on FMLA leave or any other medical leave is not allowed to work for another employer, including self-employment, during the leave of absence.

Employees who knowingly misrepresent facts in order to be granted FMLA leave will be subject to discipline, up to and including termination. Such actions constitute fraud and a violation of the County's Standards of Conduct.

Absent extraordinary circumstances or other reasons protected by law or by contract, an employee who fails to return to work on the first business day after the expiration of the FMLA leave period will be considered a voluntary quit.

If an employee returns from an absence which, though qualifying, was never designated as FMLA because the employee did not provide the County with sufficient information as to the nature of their absence (e.g. an employee provided insufficient notice when first calling in, took PTO time without sufficient explanation, etc.) an employee must notify Human Resources – in writing – within two (2) business days of returning to work of the true reason for the absence and must request that the time be retroactively designated as FMLA. An employee who fails to timely do so may be unable to subsequently assert FMLA protection for the absence. The County also has the right and obligation to retroactively designate time off as FMLA leave if it becomes aware that the time off was FMLA-qualifying.



VAN BUREN COUNTY POLICIES AND PROCEDURES

Military Leave Policy

Policy #: VBC.05.0008

Date Adopted: 11/28/2023

Date Revised:

It is the policy of the County to provide eligible employees who meet the requirements specified in the Uniform Services Employment and Reemployment Rights Act (USERRA) with military leaves of absence. The use of the term “military” encompasses members of the US Armed Forces, as well as the National Guard and Reserves.

- I. Employees are eligible to take military leaves of absence if they volunteer for, or are ordered to serve in, the uniformed services of the United States, which includes active duty, active duty for training, inactive duty for training, National Guard duty, and time for examination to determine fitness to perform any such duty in the uniformed services.
- II. The “uniformed services” consist of:
 - a. Army, Navy, Marine Corps, Air Force and Coast Guard;
 - b. Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve and Coast Guard Reserve;
 - c. Army National Guard and Air National Guard;
 - d. Commissioned Corps of the Public Health Service; and
 - e. Any other category of persons designated by the President in time of war or emergency
- III. Employees must submit a written request for military leave along with copies of their military orders to Human Resources as soon as possible, but no later than 30 days in advance of the leave unless such advanced notice is not possible.
- IV. Employees may elect to use Paid Time Off during the military leave, but it is not required.
- V. Employees may be eligible to continue their benefits with the County while on leave depending on the length of the leave. Human Resources will provide more information regarding continuation of benefits upon receipt of a request for a military leave of absence.
- VI. The County will re-employ an employee as required by law when the employee returns from a military leave of absence, provided that the employee notifies the County of their intent to return to work and reports to work in a “timely manner.” For purpose of this policy, “timely manner” is based on an employee’s duration of military service necessitating the leave:
 - a. Service of 30 days or less:
 - i. The employee must report to work by the beginning of the first regularly scheduled work period that begins on the next calendar day following completion of service, after allowance for safe travel home from the military duty location and an 8-hour rest period.
 - b. Service of 31 to 180 days:
 - i. An application for reemployment must be submitted to the County no later than 14 days after completion of service. If submission of a timely application is impossible or unreasonable through no fault of the employee, the application must be submitted as soon as possible on the next day when submitting the application becomes possible.

c. Service of 180 or More Days:

- i. An application for reemployment must be submitted to the County no later than 90 days after completion of the military service.

If employee fails to timely report or reapply, they are subject to the County's customary conduct and attendance rules.

- VII. Employees seeking to return to work from leave may be required to produce, as soon as they are available, military discharge papers showing evidence of satisfactory service (honorable discharge).
- VIII. Eligible employees returning from military leave will be placed in their same position, in the position they would have attained if continuously employed, assuming they are qualified for that position (or can become qualified after reasonable efforts by the County), or in some cases to a position of like length of service, status, pay, and benefits.

Any questions regarding this policy should be directed to Human Resources.



VAN BUREN COUNTY POLICIES AND PROCEDURES

Transfer of PTO Hours Policy

Policy #: VBC.05.0009

Date Adopted: 03/27/2019

Date Revised: 05/28/2024


POLICY: PTO may be transferred from one regular full-time employee's accumulated, unused balance to another regular full-time employee's PTO balance where it is anticipated that the employee receiving the transfer will require an extended time off due to a Family and Medical Leave Act approved event.

The following rules and procedures will apply to such transfers:

PROCEDURES:

- A. Employees desiring to transfer PTO hours shall place the request in writing on the "Request of Transfer Hours" form. The form shall then be forwarded to the appropriate elected official/department head and County Administrator. The elected official/department head and the County Administrator shall have the discretion to approve or disapprove the request and both elected official/department head and the County Administrator must approve said request. The elected official/department head will consider the past attendance record of both grantor and recipient of the transfer of time and other pertinent factors. If approved by the elected official/department head and County Administrator, the request shall be forwarded to payroll and the hours will be transferred from the PTO balance of the employee gifting the hours to the accumulated PTO balance of the employee receiving the hours.
- B. Each employee may voluntarily transfer PTO hours in a thirty-seven and a half (37.5) hour block to a recipient's PTO bank, up to a maximum of seventy-five (75) hours per gifting employee per year. For Sheriff's Office and Public Transit employees, the amount is forty (40) and eighty (80) hours respectively.
- C. An employee is eligible to receive such transferred time only when the employee's PTO time has been exhausted.
- D. The recipient of the transferred time may use it only for purposes authorized by the Family and Medical Leave Act. Where an employee is eligible and approved for Family and Medical Leave, use of such transferred time shall be counted against Family and Medical Leave Act time off.
- E. The transfer of PTO is on an hour-for-hour basis, regardless of the salary or hourly pay rate of the involved employees. Transfer of hours can take place inter or intra-departmentally. Once hours are gifted, they cannot be recovered/retrieved.
- F. No employee shall be eligible to receive more than three (3) months of transferred PTO for each qualifying event.

Section 06: Benefits

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|  | VAN BUREN COUNTY POLICIES AND PROCEDURES | | |
| | Insurance Benefits Policy | | |
| | Policy #: VBC.06.0001 | Date Adopted: 03/27/2019 | Date Revised: 11/28/2023 |

Van Buren County provides access to comprehensive, flexible group health insurance plans – on a premium co-share basis – for regular full-time employees after a short qualifying period (contact the Human Resources Department for information about current premium co-shares and waiting/qualifying periods). Full-time eligibility is according to the Affordable Care Act, based upon a one (1) year look-back period.

An employee can make their plan elections during the open enrollment period or after participating in a new employee benefits overview conducted by the Human Resources Department shortly after hire. Plan elections will remain unchanged throughout the benefit plan year, except in limited circumstances as defined by law. New plan elections can then be made at the next open-enrollment period/opportunity. Plan offerings include health, dental, vision, disability and life insurance coverages.

An opt-out payment will be available to employees eligible for County insurance coverages who waive the health, dental and vision coverages because the employee has alternate coverages (e.g. from a spouse, parent, etc.). The County will require proof of alternate coverage for any employee waiving County coverage. The opt-out payment will be treated as taxable income to the employee.

The Board of Commissioners may periodically adjust the plan as resources and the law allow. The Board of Commissioners reserve the right to increase premium co-pays, eliminate co-pays, or modify, alter or terminate these arrangements at any time for any reason it deems appropriate. In the event any conflict between this policy and the plan documents exist, the plan documents control.

Under certain circumstances an employee, or their qualifying beneficiary, may be eligible to continue health insurance coverage when faced with a situation in which the health insurance coverage would otherwise normally end (i.e. COBRA continuation coverage). Employees should contact the Human Resources Department with any questions regarding their COBRA rights.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Retirement Benefits Policy

Policy #: VBC.06.0002

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Defined Benefit

All employees currently participate in the Municipal Employees' Retirement System of Michigan (MERS) Defined Benefit Plan. Future retirement benefits are paid largely by contributions made by the County and a contribution made by employees.

MERS is an independent, professional retirement services company created to administer the retirement plans for Michigan's local units of government on a not-for-profit basis.

Details regarding the County's Defined Benefit Plan can be obtained from the Human Resources Department. An introduction to the defined benefit plan is also provided in the employee's new hire benefits overview and through on-site educational programs.

An employee can monitor their account and run personalized benefit estimates by logging into their MERS account at mersofmich.com.

457(b) Plan

All County employees are eligible to participate in a voluntary 457(b) plan to provide additional income for retirement. Employees can participate through payroll deduction up to annual IRS dollar limits. This is an employee-funded defined contribution plan so there is no vesting or matches. The County does not contribute, and gains/losses are the employee's responsibility. An introduction to the 457(b) plan is provided during the new hire benefits overview.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Flexible Spending Accounts Policy

Policy #: VBC.06.0003

Date Adopted: 03/27/2019

Date Revised: 11/28/2023

Regular full-time employees are eligible to participate in the County's Section 125 Flexible Benefit Plan. Participation permits an employee to set aside a pre-determined portion of the employee's pre-tax wages/salary. These pre-tax dollars can then be used to pay all or part of the employee's insurance premium co-payments, out-of-pocket medical expenses, dependent care, etc. The employee benefits by using pre-tax dollars to pay these amounts thereby increasing spendable income and reducing taxes. However, participants should be aware that any dollars set aside in a flexible spending account will be forfeited should they not be used in the benefit year. An employee should contact the Human Resources Department with any questions about the Section 125 Plan.



**VAN BUREN COUNTY
POLICIES AND PROCEDURES**

Workers' Compensation Policy

Policy #: VBC.06.0004

Date Adopted: 03/27/2019

Date Revised: 05/28/2024

The County pays to provide employees with workers' compensation insurance. County employees who suffer a work-related injury or illness are covered by Michigan Workers' Compensation Law. Any incidents or accidents must be immediately reported to the Human Resources Department. Failure to report such incidents promptly may result in disciplinary action. Workers' compensation benefits (partial income replacement) may, upon request, be supplemented by an employee's accrued leave, up to 100% straight pay/salary replacement.