



# City of Gaylord **Human Resources Policy**

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Revised March, 2022

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## **MISSION STATEMENT CITY OF GAYLORD**

*The mission of the City of Gaylord is  
to provide the most efficient service to the citizens and community of Gaylord.*

*In order to meet this primary mission,  
we strive to work toward the following goals and standards  
to fulfill both the organization and the individuals who are a part of this organization:*

- ◆ *To try to attain customer satisfaction for all those whom we affect by understanding their concerns.*
- ◆ *To take pride in our work, self, and in our relationship with each other.*
- ◆ *To recognize the importance of the individual and to understand that each person is a valued member of the organization.*
- ◆ *To uphold a level of professionalism with each other.*
- ◆ *To work together as a team to accomplish our daily tasks both departmentally and interdepartmentally, obeying the bylaws and tenants as set out by the City of Gaylord and the State of Michigan.*

## **INTRODUCTION**

This handbook is a compilation of human resource policies applicable to employees of the City of Gaylord ("the City"). It is designed to acquaint you with the City and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the City to benefit employees. In the event that any policy described in this document is directly in conflict with any policy established per contract, the contract policy will be controlling.

No employee handbook can anticipate every circumstance or question about policy. As the City continues to grow, the need may arise to revise, supplement, or rescind policies or a portion of the handbook. While the City of Gaylord believes wholeheartedly in the plans, policies and procedures described in this handbook, it reserves the right to alter, modify, amend, or terminate these policies and benefits in any manner which it believes to be in its best interest. The only policy that will not change is our employment-at-will policy permitting you or the City to end our relationship for any reason at any time. Employees will, of course, be notified of changes to the handbook as they occur.

## **NATURE OF EMPLOYMENT**

This handbook is intended to provide employees with a general understanding of our personnel policies. Employees are encouraged to familiarize themselves with the contents of this handbook, for it will answer many common questions concerning employment with the City.

However, this handbook cannot anticipate every situation nor answer every question about employment. The language used in this handbook is not intended to create nor is it to be construed to constitute, a contract between the City and any of its employees for either employment or the providing of any benefit. It is not an employment contract and is not intended to create contractual obligations of any kind. Neither the employee nor the City is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time in accordance with state or federal law.

In order to retain necessary flexibility in the administration of policies and procedures, the City reserves the right to change, revise or eliminate any of the policies and/or benefits described in this handbook, except for its policy of employment-at-will. The only recognized deviations from the stated policies are those authorized and signed by the City Manager.

**EMPLOYEE ACKNOWLEDGMENT**

The employee handbook describes important information about the City, and I understand that I should consult the department supervisor regarding any questions not answered in the handbook. I also understand that in the event any policy described in this document is in direct conflict with any policy established per contract, then the contract policy will be controlling. I have entered into my employment relationship with the City voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the City or I can terminate the relationship at will, with or without cause, at any time so long as there is no violation of applicable federal or state law.

Since the information, policies and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the City’s policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. The City Manager has the ability to make revisions to the policies in this handbook. However, all revisions must have Mayoral and City Council concurrence.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE’S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

EMPLOYEE’S NAME: \_\_\_\_\_  
(Typed or printed)

-- Employer’s Copy --





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This employee handbook is not intended to supersede any provision in a Union contract. Union members should consult their contract for specific details. Policies set forth in this Human Resources Policy fully apply to Union members if not covered in a Union contract. Union members will be compensated according to their contract.

In order to retain necessary flexibility in the administration of policies and procedures, the City reserves the right to change, revise or eliminate any of the policies and/or benefits described in this handbook, except for its policy of employment-at-will. The only recognized deviations from the stated policies are those authorized and signed by the City Manager.

# **1. EMPLOYMENT**

## ***A. EMPLOYMENT POLICY***

It is the policy of the City of Gaylord to affirmatively implement equal opportunity to all qualified employees and applicants for employment without regard to race, color, sex, religion, national origin, age, marital or veteran status, or handicap.

The City's objective is to obtain individuals qualified and/or trainable for the position by virtue of job-related standards of education, training, performance, experience, and personal qualifications.

The City will make reasonable accommodations for eligible individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of his or her immediate supervisor or the City Manager. Investigation of any alleged discriminatory behavior will take place and a report of the investigatory findings will also be prepared. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## ***B. RESIDENCY REQUIREMENT (Revised 7/2000)***

All non-elected employees of the City shall reside within a distance of twenty (20) miles from the nearest boundary of the City of Gaylord. Provided, however, that this requirement shall not apply if the employee is married and both of the following conditions are met:

- 1) The employee's spouse is employed by another public employer as defined by MCL 15.601(a); and
- 2) The employee's spouse is subject to a condition of employment or promotion that, if not for the provisions of MCL 15.602, would require the spouse to reside a distance of less than twenty (20) miles from the nearest boundary of the public employer.

The City Council may, by the affirmative vote of five (5) council members, grant an exemption from the above residency requirements for good and sufficient cause shown. Such exemption, if granted, shall be effective for a period of one (1) year and may be renewed for successive periods of one (1) year upon the affirmative vote of five (5) council members.

## ***C. EMPLOYEE MEDICAL EXAMINATIONS***

To help ensure that employees are able to perform their duties safely, psychological and/or medical examinations including drug testing may be required.

Prior to an offer being made to an applicant, a drug test may be performed at the City's expense by a health professional of the City's choice. Also prior to an offer, the City may require that an

applicant undergo a psychological examination to be performed at the City's expense by a professional so assigned by the City. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know. No information will be officially released without a consent form signed by the employee.

#### ***D. IMMIGRATION LAW COMPLIANCE***

The City is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the City within the past three (3) years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact City Office.

#### ***E. CONFLICTS OF INTEREST***

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact your department supervisor or the City Manager if you have questions or for more information about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a City's business decision that may result in a personal gain for that employee or for a relative. For the purposes of this policy, a relative is any person who is related by blood or marriage.

No presumption of guilt is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of the City as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the City does business, but also when an employee or relative receives any kickback, bribe, or substantial gift, as a result of any transaction or business dealings involving the City.

#### ***F. OUTSIDE EMPLOYMENT***

Outside employment includes all engagements to perform services of any kind for compensation,

including the operation of a business if it produces a product for sale or provides a service for compensation.

The City expects each employee to faithfully and competently perform the job responsibilities of his or her position. Outside employment is permitted only to the extent that it does not interfere with such performance of the employee's duties or create a conflict with the City's interests.

All employees must provide written notification and must receive prior authorization for:

1. any such outside employment or business, and
2. for any change in such outside employment or business.

The City's "Outside Employment Application/Authorization" form shall be used to provide such written notification and shall be submitted for approval at least ten (10) days prior to beginning or changing outside employment. Employees, with the exclusion of the City Manager, shall submit their "Outside Employment Application/Authorization" forms to the City Manager. The City Manager shall submit his or her "Outside Employment Application/Authorization" form to the City Council.

If it is determined by the City Manager or the City Council that an employee's outside employment conflicts with either the performance of his or her assigned duties or the interests of the City, then authorization for outside employment will be denied.

## **2. EMPLOYMENT STATUS AND RECORDS**

### ***A. EMPLOYMENT CATEGORIES***

It is the intent of the City to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the at-will employment relationship at any time is retained by both the employee and the City.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by the City Manager.

In addition to the above categories, each employee will belong to one other employment category:

- ◆ REGULAR FULL-TIME employees are those scheduled to work at least 37.5 hours per week throughout the entire calendar year. Generally, they are eligible for the City's benefit package, subject to the terms, conditions, and limitations of each benefit program.
- ◆ PART-TIME employees are those scheduled to work less than a consistent 37.5 hours per week throughout the entire calendar year. While they do receive all legally mandated benefits (such as social security and worker's compensation insurance) as well as holiday pay subject to certain conditions, they are ineligible for the City's other benefit programs.
- ◆ SEASONAL employees are those who are annually assigned to tasks for a specific job or function each year, and may or may not be regularly scheduled. They do receive all legally mandated benefits (such as social security and worker's compensation insurance) as well as holiday pay subject to certain conditions, but are ineligible for the City's other benefit programs.
- ◆ TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as social security and worker's compensation insurance), they are ineligible for the City's other benefit programs.
- ◆ ELECTED OFFICIALS are technically not employees, but do receive compensation. Such officials will abide by the same rules which may be applicable to them as detailed in this Employee Handbook.

### ***B. EMPLOYMENT APPLICATIONS***

The City relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data

may result in the City's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Any decisions on misrepresentation and/or termination will be made by a review panel. The panel will consist of the City Manager, the appropriate department supervisor, the Mayor, and two (2) members of the City Council appointed by the Mayor.

### ***C. HIRING RATES***

The classification and salary rate of a newly hired employee is to be determined by the City Manager and/or City Council.

### ***D. PERFORMANCE REVIEWS***

Supervisors and employees are strongly encouraged to discuss job performance and goals on a periodic informal basis. Additional reviews may be conducted to allow supervisors and employees an opportunity to discuss problems and documented reprimands.

Salary adjustments or promotions may be reviewed on an annual basis by the supervisors, but there is no guarantee of a salary increase. The decision to increase an employee's salary will be solely left up to the discretion of the City.

### ***E. ACCESS TO PERSONNEL FILES***

The City maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, résumé, records of training, documentation of performance appraisals and salary increases, and other employment records.

Even though they are public information, personnel files are the property of the City and access to the information they contain is restricted. Generally, only supervisors and management personnel of the City who have a legitimate reason to review information in a file are allowed to do so. Any valid request under the Freedom of Information Act will be honored. An employee will be notified when any person requests access to his or her personnel file.

Personnel files will be maintained and kept in the Human Resource Manager's Office. Employees are encouraged to review their own personnel file on an annual basis. Anyone who wishes to review his or her file should contact the Human Resources Manager. With reasonable advance notice, employees may review their own personnel file in the City Office and in the presence of an individual appointed by the City to maintain the files.

### ***F. PERSONNEL DATA CHANGES***

It is the responsibility of each employee to promptly notify the City of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Human Resources Manager.



### **3. EMPLOYEE BENEFIT PROGRAMS**

#### ***A. VACATION LEAVE (Revised 10/2013)***

**Employees hired after October 1, 2013:** Each regular full-time employee will be eligible for vacation leave after six months of employment. Employees are credited with vacation leave for each month of active employment. Employees earn vacation leave on a monthly basis according to the following schedule:

Service Credit	Monthly Vacation Leave Hours Earned
6 months through 4 years	8
More than 4 years through 8 years	10
More than 8 years through 13 years	12
More than 13 years through 18 years	14
Over 18 years	16

Vacation leave is paid at the employee's rate of pay at the time of vacation.

Vacation leave shall be approved in advance by the City Manager or appropriate department supervisor.

A vacation leave day shall be construed as a day worked for computation of all benefits.

Employees shall be required to take a minimum of five (5) days vacation leave per year.

Employees may accumulate vacation leave hours up to a maximum of 240.0 hours. Any vacation leave hours earned above the maximum accrual cannot be credited and the hours are lost.

Upon retirement from City of Gaylord employment, the employee will receive payment, computed at his or her rate of pay at the time employment ceases, for his or her accumulated vacation leave hours.

In the event that an employee, during a regular scheduled vacation leave, becomes ill or experiences the death of a family member, which would normally be associated with medical-disability or bereavement leave, the City may grant the replacement of the specific time associated with the vacation leave and allow it to be replaced with medical-disability or bereavement leave. Medical-disability leave will replace vacation leave in the event of an illness on a scheduled vacation only on the condition that a written statement from a physician attests to the fact that medical care and attention was sought and received.

#### ***B. HOLIDAYS***

The following days shall be considered paid holidays and as such shall be observed by providing the employee's full wage or salary for time that would otherwise have been worked:

New Year's Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Day After Thanksgiving, Christmas Eve Day, Christmas Day, New Year's Eve Day

Regular, full-time employees will be entitled to days off with pay on recognized holidays after their completion of thirty (30) workdays.

Eligible part-time employees, who would have otherwise been scheduled to work, will be entitled to pro-rated pay on recognized holidays.

Eligible seasonal employees, who would have otherwise been scheduled to work, will be entitled to pay on recognized holidays.

In order to receive holiday pay, an employee must work all scheduled hours of both the day before and the day after the holiday.

Should a holiday fall on Saturday, the preceding Friday shall be considered the holiday. Should a holiday fall on Sunday, the following Monday shall be considered the holiday.

### ***C. MEDICAL-DISABILITY LEAVE (Revised 10/2013)***

Upon completion of thirty (30) workdays by the employee, medical-disability leave benefits are available to all eligible regular, full-time employees absent due to illness or disability.

An employee must notify the City whenever the employee finds it necessary to be absent for any reason, unless an emergency prevents such contact. The City Manager may request medical verification from a physician for an employee absence due to illness which exceeds three days.

Medical-disability leave may be used in one-half (1/2) hour increments for the following purposes:

- Personal illness.
- Illness in the employee's immediate household (i.e., mother, father, spouse and children of employees).
- For the purpose of doctor or dental appointments.
- Extension of Worker's Compensation benefits for job-related illness or injury.

Medical-disability leave shall be earned at the rate of eight (8) hours per month in which an employee works a minimum of 120 hours. The maximum accumulation of medical-disability leave allowed is 520 hours.

#### **For employees hired on or before August 9, 1993:**

- Upon retirement, resignation, or death, the employee or his or her beneficiary is entitled to payment of 100% of the accumulated medical-disability leave up to a maximum of 520 hours, computed at the employee's rate of pay at the time employment ceases.
- The employee who is discharged will be paid no portion of his or her accumulated medical-disability leave.
- Medical-disability leave taken shall be construed as time worked for computation of all benefits.

#### **For employees hired after October 1, 2013:**

- Any sick leave hours earned above the maximum accrual cannot be credited and the hours are lost.
- Medical-disability leave taken shall be construed as time worked for computation of all benefits.

***D. BEREAVEMENT LEAVE (Revised 7/2004)***

After completion of thirty (30) work days by the employee, all regular, full-time employees will be granted a paid leave of up to three (3) regularly scheduled working days in the event of a death in their immediate family.

"Immediate family" is defined as follows: 1) mother, father; 2) mother-in-law, father-in-law; 3) stepparent; 4) brother, sister; 5) stepbrother, stepsister; 6) brother-in-law, sister-in-law; 7) wife, husband; 8) son, daughter; 9) stepchild; 10) grandparents, great-grandparents; 11) spouse's grandparents, great-grandparents; 12) grandchild; 13) a dependent, including foster child, in the employee's household.

A paid holiday will be counted as an additional day off when such holiday occurs on the day of the funeral.

Additional days off without pay may be approved by the City Manager.

***E. JURY DUTY***

After completion of thirty (30) work days by the employee, when an employee is required to serve on a jury, the City will compensate the employee for the difference between the jury duty pay and the employee's rate of pay for an eight (8) -hour day or forty (40) -hour week or such portion of salary as is applicable.

***F. WITNESS DUTY***

Employees who have been subpoenaed or otherwise requested to testify as witnesses as a result of their employment by the City will receive paid time off for the entire period of witness duty.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than the City. To receive compensation for this period of absence, either medical/disability leave or vacation leave benefits may be used at the option of the employee.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

Employees receiving paid time off to appear as a witness must endorse any compensation received to the general fund of the City.

## **G. EMPLOYEE INSURANCE BENEFITS**

### *1. Medical and Hospitalization (Revised 10/2013)*

The City shall make available a group hospitalization benefit program covering certain hospitalization, surgical and medical expenses approved by the City.

Participation requires properly signed application forms by each employee. The effective date of coverage for new employees will be in accordance with the insurer's provisions.

For a medical leave of absence due to illness or injury covered by worker's compensation, the injured employee will receive paid health insurance benefits for up to a maximum period of six (6) months.

Upon involuntary termination of employment, medical and hospitalization insurance coverage will be terminated effective the last day of the current coverage period (subject to COBRA requirements).

Those employees who are eligible to participate in the City's health insurance program and who elect not to participate shall receive pay-in-lieu of health insurance equal to \$350 per month. Pay-in-lieu of health insurance amounts will be distributed on or about December 1, April 1, July 1, and October 1 of each year.

### *2. Life Insurance*

The City agrees to provide regular, full-time employees with Life and Accidental Death and Dismemberment Insurance.

The effective date of coverage for new employees will be the first of the month following completion of thirty (30) workdays by the employee.

Upon termination of employment, life insurance coverage will be terminated effective the last day of the current coverage period.

### *3. Long Term Disability Insurance*

The City agrees to provide regular, full-time employees with Long Term Disability Insurance.

The effective date of coverage for new employees will be the first of the month following the completion of thirty (30) workdays by the employee.

Upon termination of employment, long term disability insurance coverage will be terminated effective the last day of the current coverage period.

## **H. WORKERS' COMPENSATION**

The City shall provide worker's disability compensation insurance coverage for all employees. In addition thereto, for loss of time due to an injury incurred in the course of employment, an employee shall receive an amount of money sufficient to make up the difference between worker's compensation payments and the injured employee's regular base pay for a period of up to one (1) calendar year from the insurance carrier's listed date of injury. The date of injury shall be that as determined by the worker's compensation insurance carrier.

The City is required to maintain records of each recordable occupational injury and illness that occurs. An occupational injury is an injury such as a cut, fracture, sprain, etc., which results from a work accident or from exposure in the work environment. An occupational illness is any abnormal condition or disorder incurred by exposure to environmental factors associated with a person's employment and includes acute and chronic illness incurred by inhalation, absorption, ingestion, or direct contact.

Should a job-related injury or illness occur, report the injury or illness immediately to your supervisor. A "Report of Occupational Injury/Illness" form should be completed as soon as possible and then forwarded to the Human Resources Manager. Failure to report injuries in a timely manner may jeopardize your right to benefits.

If emergency treatment is necessary, the injured employee should be transported to the Otsego Memorial Hospital Emergency Room. Notify the doctor/hospital staff that this will be a worker's compensation claim. Should follow-up treatment be required, an appointment with a physician should be arranged. The physician must be informed, though, that your treatment will be covered by worker's compensation.

If emergency treatment is not warranted, an appointment with a City designated physician should be arranged after consultation with either the City Manager or the Human Resources Manager. Again, the physician must be informed that your treatment will be covered by worker's compensation.

Neither the City nor the insurance carrier will be liable for the payment of worker's compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City.

If the employee is unable to return to regular work twelve (12) months post-onset/injury, then all fringe benefits shall cease and the City shall be entitled to replace the disabled employee according to business necessity in the City's sole judgment, and the employee's employment shall cease. In that event, the employee shall receive cash reimbursement for 50% of the remaining medical-disability leave benefits to which employee might otherwise be entitled if he or she had been continued as an employee. The employee will remain on worker's disability compensation until the same is no longer payable according to law.

***I. RETIREMENT AND RETIREMENT INCOME (Revised 02/2014)***

The City is a member of the Municipal Employees' Retirement System (MERS) and regular, full-time employees will become members of this retirement plan.

MERS Benefits are as follows:

Employee Group	MERS Retirement Benefit
Division 01: General Non-Union; Employees hired prior to July 1, 2010	Benefit B-4 (80% max) Benefit FAC-3; 8-year vesting

Division 02: Police; Employees hired prior to July 1, 2010	3.0% multiplier (80% max) Benefit FAC-3; 8-year vesting
Division 10: General Public Works; Employees hired prior to July 1, 2010	Benefit B-4 (80% max) Benefit FAC-3; 8-year vesting
Division 21: Police; Employees hired after July 1, 2010	Benefit B-4 (80% max) Benefit FAC-3; 8-year vesting
Division HA: General Non-Union; Employees hired after July 1, 2010	<p>Defined Benefit: 1.0% multiplier; Benefit FAC-3; 6-year vesting</p> <p>Defined Contribution:</p> <ul style="list-style-type: none"> <li>• Vesting: <ul style="list-style-type: none"> <li>○ 15% after two (2) years of service</li> <li>○ 25% after three (3) years of service</li> <li>○ 50% after four (4) years of service</li> <li>○ 75% after five (5) years of service</li> <li>○ 100% after six (6) years of service</li> </ul> </li> <li>• Required contribution: 1% of Eligible earnings</li> <li>• If an employee contributes 2% of eligible earnings for the plan year, the Employer will contribute 2% of eligible earnings for the plan year on behalf of the employee (subject to the limitations of sections 415(c) and (e) of the Internal Revenue Code.)</li> <li>• If an employee contributes 3% of eligible earnings for the plan year, the Employer will contribute 3% of eligible earnings for the plan year on behalf of the employee (subject to the limitations of sections 415(c) and (e) of the Internal Revenue Code.)</li> <li>• Final average compensation shall not include more than a total of 240 hours of paid leave.</li> </ul>
Division HB: General Public Works; Employees hired after July 1, 2010	<p>Defined Benefit: 1.0% multiplier; Benefit FAC-3; 6-year vesting</p> <p>Defined Contribution:</p> <ul style="list-style-type: none"> <li>• Vesting: <ul style="list-style-type: none"> <li>○ 15% after two (2) years of service</li> <li>○ 25% after three (3) years of service</li> <li>○ 50% after four (4) years of service</li> <li>○ 75% after five (5) years of service</li> <li>○ 100% after six (6) years of service</li> </ul> </li> <li>• Required contribution: 1% of Eligible earnings</li> <li>• If an employee contributes 2% of eligible earnings for the plan year, the Employer will contribute 2% of eligible earnings for the plan year on behalf of the employee (subject to the limitations of sections 415(c) and (e) of the Internal Revenue Code.)</li> <li>• If an employee contributes 3% of eligible earnings for the plan year, the Employer will contribute 3% of eligible earnings for the plan year on behalf of the employee (subject to the limitations of sections 415(c) and (e) of the Internal Revenue Code.)</li> <li>• Final average compensation shall not include more than a total of 240 hours of paid leave.</li> </ul>

The City will provide a deferred compensation program for employees who wish to contribute to same. The City reserves the right to modify and/or terminate such program at its discretion. For eligible full-time employees, each payday the City will contribute \$42.31 to the employee's deferred compensation account.

The City's contribution to the deferred compensation account is intended to be utilized by the employee to offset retirement health care costs.

It is the declared policy of the City of Gaylord to encourage City employees to retire at the earliest date they can qualify for Social Security benefits and this regulation shall be liberally construed so as to avoid hardships in achieving that end.

### **Policy on Purchasing MERS Retirement Service Credits (approved 02/24/2014)**

The City of Gaylord permits employees to purchase additional yearly retirement service credits when the employee has become fully vested in the retirement plan that is applicable to their employee group. The employee groups vesting schedule is found below:

- General non-union employees – 6 year vesting
- General public works employees – 6 year vesting
- Police employees – 8 year vesting

For purposes of this policy any employee must first have satisfied a minimum of 12,480 hours worked per general public works and general non-union employee groups and further will not be eligible until six (6) years from their hire date. Both conditions must be met before a general public works or general non-union employee can request the Council to allow such service credit purchase.

Employees in the police employee group must first satisfy 16,640 hours worked minimum and further will not be eligible until eight (8) years from their hire date. Both conditions must be met before a police employee can request the Council to allow such service credit purchase.

Once these conditions have been met the City Council will consider the allowance of the purchasing of such retirement service credit. All costs of the MERS actuarial and payment of fees to MERS will be borne entirely by the employee.

The City agrees to honor such purchases up to a maximum of no more than five (5) years. Employees will be allowed to make no more than two (2) such requests during their employment career. No requests greater than (5) years total will be granted and no more than (2) requests will be allowed. Also such maximum allowable purchases must not violate provisions for purchase from the MERS retirement program. The City agrees to honor such requests as long as they determine it is not detrimental to the wellbeing of the City as a whole.

This policy will be effective immediately and applies to all of its current and future employees.

### ***J. COBRA***

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an

employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City's group rate plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employee's rights and obligations.



## **4. TIMEKEEPING/PAYROLL**

### ***A. TIMEKEEPING***

Accurately recording time worked is the responsibility of every employee. Federal and state laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt Employees: Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period, unless meal periods are paid. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work should be approved before it is performed, when a supervisor is available.

Exempt Employees: Exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons.

Exempt employees are paid their salary over the course of 26 pay periods during the calendar year (in years where there are 27 pays in a year, 27 will be used in the calculation). Gross pay each pay period is calculated by taking the salary amount divided by 26. Gross pay is not calculated based on pay period dates or hours worked.

During the week an exempt employee begins work for the City or during the last week of employment, the employee will only be paid for actual hours worked. In addition, an employee may be paid only for hours worked during a period when the employee is using unpaid leave under the Family and Medical Leave Act (FMLA).

Falsifying, or tampering with time records may result in disciplinary action, up to and including termination of employment.

### ***B. PAYDAY***

Every other Thursday each employee will be given a paycheck which will compensate him/her for the hours worked in the previous two-week pay period. Employees also will receive an earnings statement which shows all items that result in their net earnings.

Payroll deductions include:

1. **Withholding Taxes.** An amount, fixed by law and dependent on the employee's declared number of exemptions, that is deducted from an employee's pay each pay period and forwarded to the appropriate taxing authorities.
2. **FICA Taxes.** A deduction amount, also fixed by law, which is taken from each pay for FICA Taxes. The City is required to contribute an equal amount. While the FICA tax is commonly referred to as the Social Security tax, it actually consists of both a Social Security tax (for

retirement, disability, and survivors insurance) and a Medicare tax (for hospital insurance).

3. Voluntary Deductions. Employees may authorize the Payroll Clerk to deduct specific amounts from their pay for transfers to savings or checking accounts, deferred compensation accounts, or other authorized accounts.

Employees with questions concerning why payroll deductions are made or how they were calculated, may direct their concerns to the Human Resources Manager.

### ***C. ADMINISTRATIVE PAY CORRECTIONS***

In the unlikely event that there is an error in the amount of pay received, the employee should promptly bring the discrepancy to the attention of the Human Resources Manager so that corrections can be made as quickly as possible.

In the event an overpayment or underpayment is made, the correction will be made on the employee's next paycheck. If an underpayment is creating a hardship for the employee, payment will be made as soon as possible. In the event the accrued overpayment is large or over a period of time, the employee may request that a reasonable amount be deducted over a mutually agreed upon period of time.

### ***D. EMPLOYMENT TERMINATION***

Termination of employment is an inevitable part of personnel activity within any organization, and many reasons for termination are routine. Since the employment relationship is at-will, either the employee or employer can initiate a termination of the relationship without cause and without notice at any time. Below are examples of some of the most common circumstances under which employment is terminated:

1. RESIGNATION - Voluntary employment termination initiated by an employee.
2. DISCHARGE - Involuntary employment termination initiated by the City.
3. LAYOFF - Involuntary employment termination initiated by the City for non-disciplinary reasons.
4. RETIREMENT - Voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the City.

The City will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, and conversion privileges.

Employee benefits will be affected by employment termination in the following manner:

1. Accrued and vested benefits which are otherwise due and payable at termination pursuant to these policies will be paid within thirty (30) days of termination.
2. Employee insurance benefits will be terminated effective the last day of the current coverage period.

## **5. WORK CONDITIONS & HOURS**

### ***A. SAFETY***

To assist in providing a safe and healthful work environment for employees, customers, and visitors, the City has established a workplace safety program. The Safety Committee has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

The City provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications. A Safety Committee, composed of representatives from throughout the organization, has been established to help monitor the City's safety program and to facilitate effective communication between employees and management about workplace safety and health issues.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards, safe work practices, and procedures to eliminate or minimize hazards.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to discuss them with their supervisor, or with another supervisor or manager, or bring them to the attention of a member of the Safety Committee. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes.

Each employee is expected to obey safety rules and to exercise caution in all work activities. All employees are requested to immediately report to their supervisor all potential hazards and should attempt to do everything reasonable to keep the City a safe place to work. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and worker's compensation benefits procedures.

### ***B. WORK SCHEDULES***

Work schedules for employees vary throughout our organization. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flextime scheduling is available in some cases to allow employees to vary their starting and ending times each day within established limits. Employees should consult their supervisor for the details of this program.

### ***C. CALL-IN TIME, OVERTIME, COMPENSATORY-TIME***

All employees will be required to perform assigned work in the event of an emergency, and may be required to work more than their regularly scheduled workweek.

Regular, full-time employees, except those classified as exempt under the Fair Labor Standards Act, will be paid time and one-half at their regular hourly rate for each hour worked in excess of forty (40) hours. Overtime compensation for nonexempt employees may be granted in the form of either overtime pay or compensatory time off with the approval of the appropriate department supervisor.

To the extent feasible, overtime work will be equally distributed subject to ability to perform work.

### ***D. USE OF PHONE AND MAIL SYSTEMS***

Circumstances occasionally require an employee to make or receive personal telephone calls during business hours but they should be limited in both length and frequency. Employees will be required to reimburse the City for any charges resulting from their personal use of the telephone.

To ensure effective telephone communications, employees should always use an approved greeting (which includes identifying the department reached) and speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so.

The mail system is reserved for business purposes only. Employees should refrain from sending or receiving personal mail at the workplace.

### ***E. CELL PHONE USAGE POLICY (Added 10/2013)***

The purpose of this policy is to promote a safe and productive work environment and increase public safety. This policy applies to both incoming and outgoing cellular calls.

Personal Cellular Phones. While at work, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of company phones. Personal calls and text messaging during the work day, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are expected to make personal calls or engage in text messaging during non-work time and to ensure that friends and family members are aware of the City Cell Phone Usage policy. Excessive personal calls and text messaging is strictly prohibited.

City-Provided Cellular Phones. Where job or business needs demand immediate access to an employee the City may issue a business cell phone to an employee for work-related communications.

Employees in possession of City issued cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection.

Safety Issues for Cellular Phone Usage. All employees are expected to follow applicable state or federal laws or regulations regarding the use of cell phones. Employees whose job

responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to refrain from using their assigned phone while driving – use of a cell phone while driving is not required by the City. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are required to pull off to the side of the road and safely stop the vehicle before placing or accepting a call.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Failure to follow this policy may result disciplinary action up to and including termination.

***F. ELECTRONIC MAIL/INTERNET SYSTEM (Added 10/2013)***

The purpose of the City's electronic mail (e-mail)/Internet system is to assist the City in conducting day-to-day business activities. This section sets forth the policies regarding the use of the e-mail/Internet system. The City reserves the right to change or amend these policies at any time with or without notice.

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

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

Only City employees who have an e-mail account and password are permitted to use the e-mail system. Upon termination of employment, that user's e-mail account and privileges will be revoked.

Certain uses of the City's e-mail system are not allowed. Prohibited uses include, but are not limited to:

- Using e-mail for any purpose which violates State and Federal laws.
- Using e-mail in a way that violates copyright laws.
- Using e-mail to circumvent the Open Meetings Act.
- Misrepresenting one's identity to compose or intercept messages.
- Revealing your e-mail access code or password to another employee.
- Using e-mail for commercial purposes other than the business of the DDA.
- Using e-mail for purposes of lobbying.
- Creating offensive or malicious messages. These would include, but not be limited to messages that contain profanity, sexually explicit content, race, natural origin or gender specific comments, threats or harassment.
- Using e-mail for religious or political purposes.
- Using the e-mail system for gambling, betting pools or investment clubs.
- Using e-mail for chain letters.
- Engaging in any e-mail activity that would create liability for the City.

- Engaging in any e-mail activity that is not in compliance with City policy.

Additional guidelines directing the use and purpose of City Email and Information Systems include:

1. Transmission of electronic messages and information on communications media provided for Employees of the City shall be treated with the same degree of propriety, professionalism and confidentiality as official written correspondence or public records.
2. The City encourages authorized and trained personnel with access to City Information Systems to utilize these devices whenever necessary. However, all Information Systems are the property of the City and use of any of these Information Systems is a privilege that is subject to revocation. Information Systems are intended for use in conducting official City business with limited exceptions noted in this policy.
3. Employees are advised that they do not maintain any right to privacy or ownership in Information Systems equipment or its contents or to include or install personally owned software.
4. The City administration reserves the right to access any of the records within the Information Systems at any time and to retain or dispose of those records as it deems necessary and appropriate, and may require members to provide passwords to files that have been encrypted or password protected.
5. The City reserves the right to access, for quality control purposes and/or for violations of this policy, data, electronic and voice transmissions of Employees conducting business in the City.
6. Spending unnecessary amounts of time on City Information Systems to access social media sites for personal and/or private use is prohibited.
7. Accessing or transmitting materials from City Information Systems that involve the use of obscene language, images, jokes, sexually explicit materials, or messages that disparage or threaten the City, any person, group, or classification of individuals is prohibited regardless of whether the recipient has consented to or requested such materials.  
Exception: Employees involved in criminal investigations, during the performance of their official duties, may be requested to receive, copy, download or transmit sexually explicit or other materials normally not allowed. Anyone requiring such authorization will request, in writing, permission from the Employee's supervisor prior to beginning to receive, copy, download or transmit this material.
8. Confidential, proprietary or sensitive information may be disseminated or made available through shared directories or networked systems only to individuals with a need and a right to know and when there is sufficient assurance that appropriate security of such information will be maintained. The dissemination of confidential, proprietary or sensitive information, including photographs, on social media sites or personal web pages is prohibited.
9. No Employee shall access or allow others to access any file or database of the City unless that person has a need and right to such information. Personal identification and access codes shall not be revealed to any unauthorized source.
10. Employees are not to open email messages unless they are certain of the trustworthiness of the source.
11. Employees may not utilize email messages as a secure and confidential means of communication since subsequent direction of the message cannot be controlled.
12. Employees may not knowingly accept messages with inappropriate content as described

in the policy and will immediately report it to supervisor and then completely delete any such message inadvertently received when directed to do so.

13. Creating a web site or social media page that has any appearance of officially representing the City is prohibited without the express written approval of the Chief of Police. Any information added to the official City web page(s) or site(s) must have the written approval of the Chief of Police or designee prior to being accessible by the general public.

14. Using images of any official City logo, patch, badge or sign on personal web pages is prohibited without the express written approval of the Chief of Police or designee.

15. Employees shall not utilize Information Systems to spoof, masquerade or assume any identity or credentials of another individual except for legitimate law enforcement purposes.

### ***G. POLICY: SOCIAL MEDIA***

The City allows the use of social media, where appropriate, to further the goals and missions of the City. However, the City has an overriding interest and expectation in deciding what is “spoken” on behalf of the City through social media. This policy establishes guidelines for the use of social media by City Employees. As used in this policy, “social media” refers to blogs, forums, and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, Instagram, and Snapchat, among others.

This policy applies to all City Employees and approved volunteers, consultants, service providers and contractors performing business on behalf of the City (“Employees”).

It is the policy of the City that all individuals identified in paragraph II abide by the policy set forth herein when using City information systems, which are defined as: computers and the services of both internal and external databases and information exchange networks, the internet, email, voice mail, mobile data terminals, facsimile machines, mobile telephones, lap top computers and social media/social media messaging.

Communications sent by email may be subject to disclosure under the Freedom of Information Act or in litigation. No Employee shall have any expectation of privacy with regard to any information transmitted or stored on the City’s Information Systems.

**Off-duty use of social media.** Employees may maintain personal websites or weblogs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, the City considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas. In addition, employees may not post on a personal blog or webpage or participate on a social networking platform for personal purposes during work time or at any time with City equipment or property.

**On-duty use of social media.** Employees may engage in social media activity during work time provided it is directly related to their work and approved by their supervisor and does not identify or reference City residents or vendors without express permission.

**Respect.** All employees are expected to demonstrate respect for the dignity of the City, its employees, its residents, and its vendors. A social media site is a public place, and employees should avoid inappropriate comments. For example, employees should not divulge confidential City information. Similarly, employees should not engage in harassing or discriminatory behavior

that targets other employees or individuals because of their protected class status or make defamatory comments or engage in other behavior that violates the City's policies.

Employees should not post on their personal social media sites any photograph and or dialogue of their co-workers or any member of the general public which was obtained during the course of their workday.

**Post disclaimers.** It is recommended that employees who identify themselves as City employees or discuss matters related to the City on a social media site include a disclaimer on the front page stating that it does not express the views of the City and that the employees are expressing only personal views—for example: “The views expressed on this website/Weblog are mine alone and do not necessarily reflect the views of my employer.” Place the disclaimer in a prominent position, and repeat it for each posting expressing an opinion related to the City or the City's business. Employees must keep in mind that if they post information on a social media site that is in violation of City policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

**Confidentiality.** Do not identify or reference confidential City information without express permission. Employees may write about their jobs in general but may not disclose any confidential or proprietary information. When in doubt, ask before publishing.

**Legal.** Employees are expected to comply with all applicable laws, including, but not limited to, Federal Trade Commission (FTC) guidelines and copyright, trademark, and harassment laws.

Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the NLRA to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits. Employees have the right to engage in or refrain from such activities.

**Discipline:** Any violation of this policy may result in disciplinary action up to and including termination.

#### ***H. USE OF EQUIPMENT AND VEHICLES***

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, laws, safety standards, and guidelines.

Please notify the appropriate supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The department supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.



Any employee involved in a motor vehicle accident with a City owned or leased vehicle will immediately notify their supervisor and the law enforcement agency having jurisdiction.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

### ***I. EMERGENCY CLOSINGS***

Emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt City operations. In extreme cases, these circumstances may require the closing of a work facility.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be unpaid. However, with supervisory approval, employees may use available paid leave time, such as unused vacation benefits. Employees in essential operations will be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

### ***J. TELECOMMUTING POLICY***

Telecommuting allows employees to work at home, on the road, or in a satellite location for all or part of their workweek. The City considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. If it is deemed mutually beneficial to the City and the employee, and approved by the City Manager, the City of Gaylord may approve the option to work remotely. Telecommuting is not an entitlement, it is not a city-wide benefit, and it in no way changes the terms and conditions of employment with the City of Gaylord. In the event of an emergency such as a weather disaster or pandemic, the City may require employees to temporarily work from home to comply with executive orders and/or ensure business continuity.

The full telecommuting policy in the appendix of this HR Policy outlines the specific requirements of employees and the expectations of the City if an employee is approved to work remotely.

### ***K. BUSINESS TRAVEL EXPENSES***

When travel is completed, employees should submit a completed travel expense report within fourteen (14) days. Reports should be accompanied by receipts for all individual expenses. All reports must be signed by the employee and their supervisor.

Abuse of this business travel expense policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

## **6. LEAVES OF ABSENCE**

### ***A. FAMILY MEDICAL LEAVE***

The City provides family medical leaves of absence without pay to eligible regular full-time or part-time employees who wish to take time off from work duties due to disability or to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

Eligible employees may request family medical leave only after having completed twelve (12) months of service and one thousand two-hundred fifty (1,250) hours of service in the twelve (12) months before the medical leave starts. Eligible employees should make requests for family medical leave to their supervisors at least thirty (30) days in advance of foreseeable events or as soon as possible for unforeseeable events.

Employees requesting family medical leave related to the serious health condition of a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for a family medical leave to provide care, its beginning and expected ending dates, and the estimated time required.

Eligible employees may request up to a maximum of twelve (12) weeks of family medical leave within any twelve (12) -month period. Employees will be required to first use any accrued paid leave time, such as vacation or sick leave, before taking unpaid family medical leave. Married employees of the City are restricted to a combined total of twelve (12) weeks of leave time within any twelve (12) -month period for childbirth, adoption, or placement of a foster child; or to care for a parent with a serious health condition.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by the City to eligible employees until the end of the twelve (12) - week period. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue.

Benefit accruals, such as vacation, medical disability leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on family medical leave is requested to provide the City with at least two (2) weeks advance notice of the date the employee intends to return to work.

If an employee fails to return to work on the agreed upon return date, the City will assume that the employee has resigned.

### ***B. MILITARY LEAVE***

A military leave of absence will be granted to employees, except those occupying temporary positions, to attend scheduled drills or training, or if called to active duty with the United States armed services. The individual must meet eligibility conditions as established by the Uniformed Services Employment and Reemployment Rights Act.

The leave will be unpaid. However, employees may use any available paid vacation and/or medical-disability leave for the absence.

An employee has the right to elect continued health insurance coverage, for himself or herself and his or her dependents, during periods of military service. For periods of up to thirty (30) days of training or service, the employee is required to pay the normal employee share, if any, of the cost of such coverage. For longer tours, the employee is required to pay 100% of the entire premium. If the employee elects coverage, the right to that coverage ends on the day after the deadline for him or her to apply for reemployment or eighteen (18) months after the absence from the civilian job began, whichever comes first.

Upon the employee's return to active employment, he or she will be entitled to accrue seniority, as if continuously employed. This applies to rights and benefits determined by seniority as well. This includes status, rate of pay, pension vesting, and credit for the period for pension benefit computations.

Employees on two (2) -week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with all applicable state and federal laws.

Reasonable effort will be made to return eligible employees to their previous position or a comparable one.

## **7. EMPLOYEE CONDUCT & DISCIPLINARY ACTION**

### ***A. DISCIPLINE AND DISCHARGE***

Because of the nature of our work, each employee is expected to maintain good standards of personal conduct and work performance as determined by the City. Every City employee is expected to conduct himself or herself in such a manner that will reflect only credit upon the City governmental organization of which he or she is a part. If an employee fails to measure up to City standards, he or she will be disciplined, up to and including termination.

The following is a general statement of prohibited conduct. It is not all-inclusive. In view of the existing at-will relationship, the City reserves the right to take the action it deems appropriate in the circumstances, including the termination of services. Examples of prohibited conduct include, but shall not be limited to, the following:

1. Falsifying City records, including application for employment.
2. Dishonesty.
3. Revealing confidential information of any kind.
4. Theft, fraud, or embezzlement.
5. Abusing, destroying, or wasting City property or equipment.
6. Violating criminal laws.
7. Working under the influence of drugs or alcohol or bringing unauthorized drugs or alcohol into the workplace.
8. Willful or repeated violation of safety rules.
9. Refusal to obey instructions.
10. Negligence.
11. Malicious or intentional actions of an employee which are intended to demean others.
12. Absence without leave or failure to give proper notice of absence.
13. Excessive absenteeism or tardiness.
14. Performance that does not meet the requirements of the position.
15. Incompetence or unwillingness to render satisfactory service.
16. Insubordination or other serious breaches of discipline involving improper behavior toward supervision.
17. Bringing discredit upon the City or its employees.
18. Becoming involved in a "conflict of interest" situation.
19. Handling public relations in a manner which arouses justifiable criticism.

Problems, questions, or complaints regarding disciplinary action shall be handled according to the steps described in Section 7 (K), Resolving Employee Complaints.

### ***B. DISCIPLINARY PROCEDURE***

The City expects employees to comply with the City's standards of behavior and performance and to correct any noncompliance with these standards.

Under normal circumstances, the City endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit. This policy does not modify the status of employees as employees at will or in any way restrict the City's right to bypass the disciplinary procedures suggested. The City reserves the right to terminate an employee at any time for any reason with or without prior disciplinary counseling or notice. Prior warning is not a requirement for termination.

The following steps are suggested in the discipline procedure. All steps should be documented in the employee's personnel file.

**Step 1: Informal Discussion.** When a performance problem is first identified, the nature of the problem and the action necessary to correct it should be thoroughly discussed with the employee.

**Step 2: Counseling.** If a private informal discussion with the employee has not resulted in corrective action, following a thorough investigation, the supervisor should meet with the employee and (a) review the problem, (b) permit the employee to present information regarding the problem, (c) advise the employee that the problem must be corrected, (d) inform the employee that failure to correct the problem will result in further disciplinary action that may include discharge, and (e) issue a counseling notice to the employee.

**Step 3: Reprimand.** If satisfactory performance and corrective action are not achieved under Steps 1 and 2, the supervisor and HR Manager may meet with the employee in private and proceed via (a) through (d) above and may issue a reprimand notice to the employee.

**Step 4: Suspension.** The City Manager has the authority to temporarily remove employees from the workplace, with or without pay, and may consult with HR so that this is documented in the employee's personnel file. An exempt employee generally should not be suspended without pay for less than a full day, and the suspension may be related to written workplace conduct rules applicable to all employees, such as a written policy prohibiting sexual harassment or workplace violence.

**Step 5: Failure to improve.** Failure to improve performance or behavior after the written warning or suspension may result in termination.

The progressive disciplinary procedures described above also may be applied to an employee who is experiencing a series of unrelated problems involving job performance or behavior.

### ***C. DISCRIMINATION AND SEXUAL HARASSMENT***

The purpose of this policy is to state the City's position on discrimination and sexual harassment, providing guidelines to employees for reporting, investigating, and appropriate actions to be taken when violations occur. The policy is applicable to all employees of the City of Gaylord.

The City will not tolerate discrimination of any kind in the work place. All personnel shall

conduct themselves in a professional manner when dealing with other employees.

Both Title VII of the Civil Rights Act and the Michigan Elliott-Larsen Civil Rights Act require an employer to maintain an atmosphere free of discrimination, intimidation and insult, based on race, color, religion, sex, age, national origin, height, weight, marital status, handicap, disabled veteran status, or Vietnam veteran status.

Supervisors shall take prompt action to eliminate any such discrimination or harassment of employees of the City.

Sexual harassment can be any unwelcome sexual advance, request for sexual favor and other verbal or physical conduct of a sexual nature. According to Equal Employment Opportunity Commission (EEOC) guidelines, unwelcome sexual advances and verbal or physical conduct of a sexual nature will be considered sexual harassment when:

Submission to such conduct is, explicitly or implicitly, a condition of employment;

Submission to or rejection of such conduct is used as a basis for an employment decision affecting the individual;

Such conduct unreasonably interferes with an individual's performance or creates an intimidating, hostile or offensive work environment.

If an individual is found responsible for discriminatory conduct or sexual harassment, that individual may be subject to discipline up to and including termination of employment.

Any employee who feels he or she is a victim of discrimination or sexual harassment may report such conduct to his or her immediate supervisor or the City Manager in writing so that corrective measures may be taken. The City will not tolerate reprisals against any person(s) who make sexual harassment complaints. However, the City will not lightly treat false or malicious accusations of sexual harassment or discrimination against any person.

Supervisors and employees who disregard or treat sexual harassment complaints lightly may be potentially subjecting themselves to disciplinary action, up to and including termination.

Consensual and voluntary relationships, dialogue and actions between employees that are acceptable to both parties are not considered to be sexual harassment.

#### ***D. SMOKING***

Smoking is restricted to designated areas. This policy is intended to protect and enhance indoor air quality and contribute to the health and well being of all employees.

#### ***E. DRUG-FREE AND ALCOHOL-FREE WORKPLACE***

It is the City's desire to provide a drug and alcohol free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on City premises and while conducting business-related activities off City premises, no employee may use, possess, manufacture, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the work place.

Violations of this policy may lead to disciplinary action, up to and including termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program.

Employees with drug or alcohol problems which have not resulted in disciplinary action by the City, may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the City's health insurance benefit coverage, or Family Medical Leave, as desired. Leave may be granted at the City's sole discretion, depending upon the circumstances. All such leave shall be counted as Family Medical Leave under Section 6 (A), above.

Employees voluntarily requesting individual counseling, referral to a local substance abuse agency or information concerning treatment may contact the City Manager. However, a request for individual counseling will not be a defense to discipline as determined in the sole discretion of the City for violation of this Section 7(D), Substance Abuse, or any other City policy or rule.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should discuss their concerns with their supervisor or the City Manager.

#### ***F. DRUG TESTING***

The City is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, job applicants may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol.

Random and mandatory drug and alcohol testing is required of all employees who are required to hold a Commercial Driver's License (CDL). Specific testing can be requested by a supervisor with the City Manager's or Mayor's consent if the use of alcohol or an illegal substance during working hours is suspected of an employee.

Per the Federal Motor Carrier Safety Administration (FMCSA) regulations, employers of CDL drivers must conduct a query in the Clearinghouse at least once per year for each CDL driver they employ to determine whether drug or alcohol violation information about the driver exists. CDL drivers are required to sign a consent before the annual queries are conducted by the City of Gaylord.

#### ***G. ATTENDANCE AND PUNCTUALITY***

To maintain a safe and productive work environment, the City expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the City. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment. Absence for three (3) consecutive workdays without notifying the supervisor is considered a voluntary resignation.

#### ***H. PERSONAL APPEARANCE***

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the City presents to the community.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

Consult your supervisor if you have questions as to what constitutes appropriate attire.

#### ***I. RETURN OF PROPERTY***

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all City property immediately upon request or upon termination of employment. Where permitted by applicable laws, the City may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The City may also take all action deemed appropriate to recover or protect its property.

#### ***J. RESIGNATION***

Resignation is a voluntary act initiated by the employee to terminate employment with the City. Although advance notice is not required, the City requests at least two (2) weeks written resignation notice from all employees.

#### ***K. SECURITY INSPECTIONS***

The City wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the City prohibits the possession, transfer, sale, or use of such materials on its premises. The City requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the City. Accordingly, they, as well as any articles found with them, can be inspected by any agent or representative of the City at any time, either with or without prior notice.

#### ***L. RESOLVING EMPLOYEE COMPLAINTS***

An employee should discuss job-related problems, questions, or complaints with his or her supervisor.

If the discussion with the employee's supervisor does not answer his or her question or resolve the matter to the employee's satisfaction within three (3) days, the employee may then present his or her case to the Human Resources Manager.

If the matter is still not resolved satisfactorily, the employee may present his or her case in writing to the City Manager, who will then investigate it and make a decision in conformity with these policies.

If the matter is still not resolved satisfactorily, the employee may present his or her case in



writing to the City Council, who will then investigate it and make a decision in conformity with these policies, which decision is final and binding.

## **8. MISCELLANEOUS**

### ***A. LIFE-THREATENING ILLNESSES IN THE WORKPLACE***

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. The City supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, the City will attempt to make reasonable accommodations in accordance with all legal requirements, to strive to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. The City will attempt to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

### ***B. SOCIAL SECURITY NUMBER PRIVACY POLICY (Revised 4/2006)***

Pursuant to Michigan state law, it is the policy of the City of Gaylord (the "City") to protect the confidentiality of social security numbers. No person shall knowingly acquire, disclose, transfer, or unlawfully use the social security number of any employee or other individual unless in accordance with applicable state and federal law and the procedures and rules established by this policy.

#### **1. Administrative Procedures/Rules**

- a) Social Security Number Defined. As used in this policy, the term "social security number" includes both the entire nine-digit number and more than four (4) sequential digits of the number.
- b) Public Display. Social security numbers 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 social security numbers or other sensitive information shall be kept out of public view at all times.
- c) Access to Social Security Numbers. Only persons authorized by the responsible department or other administrative unit head shall have access to information or documents that contain social security numbers.
- d) Mailed or Transmitted Documents. Documents containing social security numbers shall only be mailed or transmitted in the following circumstances.
  - (1) State or federal law, rule, regulation, or court order or rule authorizes, permits, or requires that a social security number appear in the document.
  - (2) The document is sent as part of an application or enrollment process initiated by the individual whose social security number is contained in the

document.

(3) 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 a social security number of an individual who has an account, contract, policy, or employee or health insurance benefit.

(4) The document or information is a copy of a public record file or recorded with the county clerk or register of deeds office and is mailed by that office to a person entitled to receive that record.

(5) 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.

(6) The document or information is mailed by or at the request of an individual whose social security number appears in the document or information or his or her parent or legal guardian.

Documents containing social security numbers 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. Social security numbers shall not be sent over the Internet or a computer system or network (e.g. through email) unless the connection is secure or the transmission is encrypted. No individual shall be required to use or transmit his or her social security number 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.

#### e) Storage and Disposal

All documents or files that contain social security numbers shall be stored in a physically secure manner. Social security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access.

Documents or other materials containing social security numbers 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.

#### f) Information Collected

Social security numbers should only be collected where required by federal and state law or as otherwise permitted under the Michigan Social Security Number Privacy Act. If a unique identifier is needed, a substitute for the social security number shall be used.

#### g) Accountability

Any person who fails to comply with this policy shall be subject to discipline up to and including discharge.

#### h) Policy Guidance

If any questions regarding social security number privacy and security should arise, contact the Human Resources Manager for policy clarification and guidance.



**CITY OF GAYLORD**  
**OUTSIDE EMPLOYMENT APPLICATION/AUTHORIZATION**

- INITIAL APPLICATION - Submit at least 10 days prior to beginning outside employment.  
 CHANGE IN EMPLOYMENT - Submit at least 10 days prior to changing outside employment.

Name of Applicant

Name of Prospective Employer

Telephone No.

Address (Street, City, State, ZIP)

Principal Business of Employer

Outside Employment Duties (In Detail)

No. of Hours To Be Worked

Date Employment to Begin

**SUPERVISORY EVALUATION**

Are you satisfied that the employee's outside employment will not:

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| 1. Conflict with the employee's work hours with the City of Gaylord.  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Conflict with the satisfactory performance of the employee's duties and responsibilities with the City of Gaylord. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. In any way produce a conflict of interest situation.   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Remarks:

The applicant's request for outside employment has been  approved  disapproved.

Authorized Signature

Date

CITY OF GAYLORD  
**BUSINESS TRAVEL EXPENSE REPORT**

Date:						
Name & Location of Function:						
Persons Attending: <div style="text-align: right; margin-right: 50px;"> <hr style="width: 80%;"/> <hr style="width: 80%;"/> </div>						
Expenses: (Meal Allowances: Breakfast-\$9.00, Lunch-\$15.00, Dinner-\$20.00. <b><i>Please note, however, that the maximum amount allowed for three meals in one day is \$38.00.</i></b> )						
Date	Gas/Oil	Lodging	Meals	Registration	Misc (Specify)	Total
Personal Auto: _____ miles @ \$ _____ per mile						
TOTAL EXPENSES						
Amount Advanced:						
Total Expenses:						
Balance Due Employee:						
Refund to City:						
Employee Signature:						
Approved:						



## City of Gaylord Telecommuting Policy

### **Purpose:**

Telecommuting allows employees to work at home, on the road, or in a satellite location for all or part of their workweek. The City considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting is not an entitlement, it is not a city-wide benefit, and it in no way changes the terms and conditions of employment with the City of Gaylord.

In the event of an emergency such as a weather disaster or pandemic, the City may require employees to temporarily work from home to comply with executive orders and/or ensure business continuity.

### **Scope:**

This policy applies to all City of Gaylord employees whose position with the City has job responsibilities that are appropriate for a telecommuting arrangement and can be performed from a home office environment. Telecommuting may be appropriate for some employees and jobs but not for others.

Telecommuting is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands.

### **Procedure:**

When it is mutually beneficial to the City and the employee, and approved by the City Manager, the City of Gaylord may approve the option to work remotely. Preparations should be made by employees and managers in advance to allow for remote work in emergency circumstances. This may include appropriate equipment needs, such as hardware, software, phone, and data lines. Equipment supplied by the City will be maintained by the City. Equipment supplied by the employee, if deemed appropriate by the City, will be maintained by the employee. The City accepts no responsibility for damage or repairs to employee-owned equipment. The City will determine the equipment needs for each employee on a case-by-case basis. Equipment supplied by the City is to be used for City employment purposes only.

The employee's manager, Human Resources, and IT Coordinator are available to review equipment needs with the employee and to provide support to employees in advance of telework situations.

The employee will establish an appropriate, designated work environment within his or her home for work purposes. The City will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture, or lighting, nor

for repairs or modifications to the home office space.

**Security:**

Consistent with the City's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary city and customer information assessable from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

**Safety:**

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties may be covered by the city's workers' compensation policy.

Telecommuting employees are responsible for notifying the employer of such injuries as soon as possible. The employee is liable for any injuries sustained by visitors to his or her home worksite. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

**Time Worked:**

All telecommuting employees will be required to accurately record all hours worked using the City's time-keeping system. For non-exempt personnel, hours worked in excess of those scheduled per day and per workweek require the advance approval of the employee's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.

While telecommuting, employees shall:

- Remain accessible at any time during their work schedule.
- Check in with their supervisor to discuss status and open issues
- Be available for teleconferences, phone calls, and meetings as scheduled
- Be available to come in to the office if a business need arises
- Request supervisor approval to use vacation, sick, or other leave in the same manner as when working at the employee's regular work location
- Employee's duties, obligations, job responsibilities, and standards of performance remain the same as when working at the regular work location
- The supervisor reserves the right to assign work as necessary at any time

Employees should not assume any specified period of time for telework arrangements, and the City may require employees to return to regular, in-office work at any time. Failure to comply with these requirements may result in disciplinary action up to and including discharge from employment and/or loss of telecommuting privileges.

**Attachment: Remote Work Log**



<b>Date Worked:</b>	<b>Start Time:</b>	<b>Lunch Break Time:</b>	<b>End Time:</b>	<b>Total Hours Worked Today:</b>

**I certify that the above is accurate to the best of my knowledge.**

**Employee Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_