

# Rules & Regulations

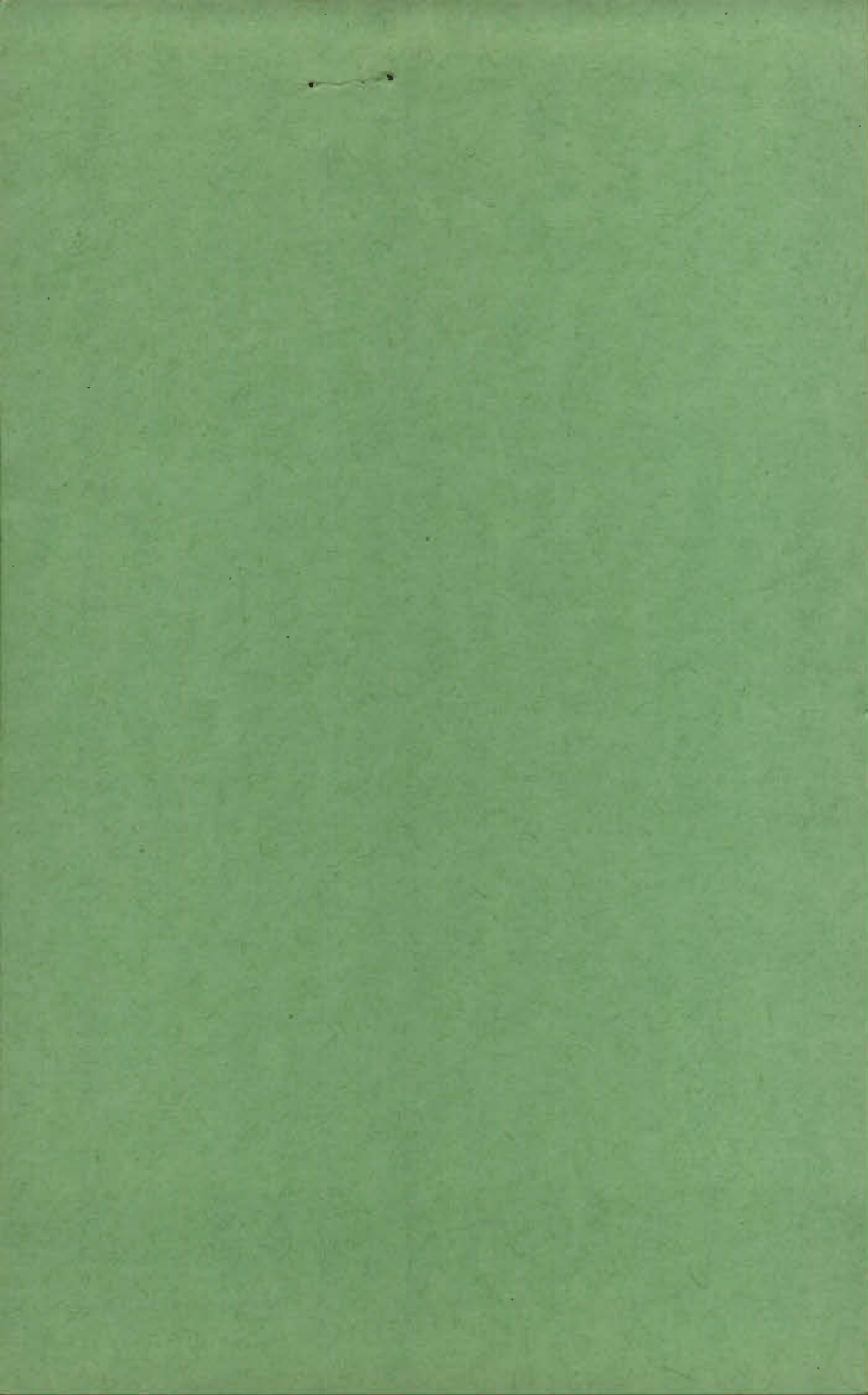
Clerical/Technical  
(included with  
Contract dated till 6/30/85)

ADMINISTRATIVE  
RULES AND REGULATIONS  
FOR  
SHELBY TOWNSHIP EMPLOYEES

Michigan State University  
LABOR AND INDUSTRIAL  
RELATIONS LIBRARY

December, 1983

Shelby Township



INDEX

SECTION 1	BASIC REQUIREMENTS OF CIVIL SERVICE Citizenship No Discrimination Subversive Activities Merit, Efficiency and Fitness
SECTION 2	BASIC RULES OF CIVIL SERVICE Gambling Alcoholism and Controlled Substances Outside Employment Conduct Appearance Building Security Reporting of Leave Prohibitions
SECTION 3	MEETINGS OF COMMISSION Designation of Chairman Designation of Meetings
SECTION 4	POLITICAL ACTIVITIES Prohibited Activities Political Assessments Candidates for Public Office
SECTION 5	HOURS OF SERVICE, HOLIDAYS Weekly Work Period, Salaried Lunch Periods Weekly Work Period, Hourly Special Shifts Paid Holidays Work on a Holiday Notice of Holidays
SECTION 6	PAID ANNUAL LEAVE Time Earned Utilization Termination of Employment
SECTION 7	PAID SICK LEAVE Allowance Illness or Injury Appointments Utilization No Advance Credit Return of a Separated Employee Payment at Retirement Payment at Employee's Death
SECTION 8	PERSONAL DAYS Allowances Utilization

SECTION 9	FUNERAL LEAVE TIME Paid Funeral Leave
SECTION 10	LEAVES OF ABSENCE Leaves of Absence for Illness, Injury or Medical Disability Personal Leave
SECTION 11	OTHER LEAVES OF ABSENCE WITH PAY Authorization Court Service Leave
SECTION 12	MILITARY LEAVE Military Leave of Absence Temporary Tour of Military Duty
SECTION 13	MISCELLANEOUS FRINGE BENEFITS Longevity Benefits Pension Requirements Severance Pay Medical Insurance Benefits Dental Insurance Vision Care Life Insurance Sick and Accident Insurance Worker's Compensation Insurance Safety Tuition Reimbursement Election Days
SECTION 14	CLASSIFICATION OF POSITIONS Classification Plan Allocation of Positions Review of Allocations Class Specifications Designation of Classes Appeals from Classification Decisions
SECTION 15	POSITIONS IN TOWNSHIP CIVIL SERVICE Establishment Establishment List Procedure in Establishment of Positions Discontinuance of Positions Procedure in Abolishment of Positions
SECTION 16	COMPENSATION OF EMPLOYEES Compensation Schedule Schedule Amendments Operation of Schedule Full and Part-Time Service Overtime Earned Increases Payment of Death of an Employee

SECTION 17	APPOINTMENTS Open Competitive Appointments Promotional Appointments Temporary Appointments Provisional Appointment Transient Appointments Emergency Appointments Approval
SECTION 18	EXAMINATIONS Purpose Notice of Examination Announcement of Promotional Examination Content of Announcements Applicants Rejection of Applications
SECTION 19	SCOPE AND CHARACTER OF EXAMINATION How Constituted Preparation of Examinations Conduct of Examinations Rating of Applications for Lower Class Elimination Tests Notice and Records of Results of Examinations Appeals from Ratings Veterans Preference
SECTION 20	EMPLOYMENT PREFERENCE Method of Determining Application of Employment Preference Ties in Service Period of Service
SECTION 21	EMPLOYMENT LISTS Kinds Departmental Layoff List Open Competitive List Ranking of Eligibles in Case of Tie Duration of Eligibility Removal of Names Restoration Names to Employment Lists Abolishment of Classes Reallocation of Classes
SECTION 22	CERTIFICATION AND SELECTION Civil Service Commission to Certify Eligibles Certification Process Selections and Appointment through Certification Waiver of Certification Transfer

SECTION 23	PROBATIONARY PERIOD Length of Probationary Period Unsatisfactory Service Satisfactory Service Provisional Employees
SECTION 24	STATUS AND TENURE Definition of Status Promotions Tenure of Employment Pay in Lieu of Failure to Give Notice Full Time Permanent Employee Part Time Permanent Employee Full Time Temporary Employee Part Time Temporary Employee Summer Temporary Employee
SECTION 25	SERVICE RATINGS Shelby Civil Service Commission to Establish System Employee to be Notified Employee Review Appeals
SECTION 26	DEMOTION Definition Conditions Procedure
SECTION 27	RESIGNATION Procedure
SECTION 28	LAYOFFS Reasons for Layoff Notification Procedure for Making Layoffs Probationary Employee
SECTION 29	DISMISSAL
SECTION 30	APPEALS Appeals Hearing Officers and Board Appeals from Probationary Service Ratings Investigation Prior to Hearing Conduct of Hearing Time Limit for Filing Commission May Assume Jurisdiction Appeals on Demotion or Dismissal
SECTION 31	GRIEVANCE PROCEDURE Grievance Procedure
SECTION 32	PERSONNEL RECORDS
SECTION 33	MODIFICATIONS AND AMENDMENTS

SECTION 1

BASIC REQUIREMENTS OF CIVIL SERVICE

1.1 CITIZENSHIP--An applicant for a position shall be a citizen of the United States.

1.2 NO DISCRIMINATION--No person shall be discriminated against in seeking employment, in being appointed or promoted, in any conditions of his employment, in Shelby Township Civil Service, or any separation therefrom, because of race, color, religion, national origin, ancestry, sex, or because of partisan considerations.

1.3 SUBVERSIVE ACTIVITIES--Any person who has engaged in subversive activities as defined by the laws of the United States, or who belongs to any group or organization officially designated by the Attorney General of the United States as subversive or which is otherwise found to advocate such activities or the overthrow of the American form of government, shall neither be eligible for, nor remain in, any position of employment in Shelby Township Civil Service.

1.4 MERIT, EFFICIENCY, AND FITNESS--All appointments and promotions to positions in Shelby Township Civil Service and all measures for the control and regulation of employment in such positions, and separations therefrom, shall be based on merit, efficiency and fitness.

SECTION 2

BASIC RULES OF CIVIL SERVICE

2.1 GAMBLING--The Township shall not tolerate gambling in any form on its premises, nor may the Township's facilities and equipment be used for the purpose of taking or placing bets of any nature.

2.2 ALCOHOLISM AND CONTROLLED SUBSTANCES--The Township shall not tolerate any degree of drunkenness nor use of controlled substances (drugs) in any Township employee.

2.3 OUTSIDE EMPLOYMENT--When an employee is hired, he is expected to do a full day's work. Therefore, outside employment or other outside activities are of concern to the Township if it affects job performance adversely. An employee shall not accept a part-time job or engage in outside activities that directly conflict with his working hours. Also, the part-time work or activities shall not interfere with the employee getting his proper rest to the point that his efficiency is impaired. The Township shall not tolerate serious conflicts of interest between on-the-job performance and outside activities. However, because there may be a question at what point outside activities interfere with an employee's work, administration of the policy shall be the responsibility of the Department Head whose judgment shall determine what action should be taken when a problem seems to be forming. If the employee is not satisfied with the decision of the Department Head, he may request a decisional hearing with a committee consisting of the Supervisor, Clerk and Treasurer, which may be appealed to the Township Board as a whole.



SECTION 2 (Cont'd)

2.4 CONDUCT--All personnel shall maintain a composed and dignified attitude and shall be courteous and helpful to the public and their fellow employees.

2.5 APPEARANCE--Employees shall maintain a neat, clean and business like appearance at all times, job conditions permitting. All employees are expected to have good personal habits and exercise care in personal cleanliness.

2.6 BUILDING SECURITY--An employee should not have in his possession an unassigned key, nor shall an employee have a key duplicated without authorization. An employee with an unauthorized or duplicate key in his possession shall be subject to discipline up to and including dismissal.

2.7 REPORTING OF LEAVE--The Department Head shall report all leaves (illness, personal time, funeral leave, vacation, and any other) for himself and employees of his department to the Personnel and bookkeeping department immediately. Department Heads shall advise the bookkeeping department in writing of any vacation or other leaves of absence taken by their employees that will affect the payroll, at least one week prior to the preparation of the applicable payroll.

2.8 PROHIBITIONS--The following prohibitions shall be applicable to all personnel governed by these Rules and failure to comply with same may result in discipline up to and including termination of employment:

2.8A Participation in any business or profession, contract or agreement, or the acceptance of any employment which conflicts with the discharge of assigned Township duties.

SECTION 2 (Cont'd)

- 2.8B Disclosure of confidential information for personal gain, advantage, or any other reason.
- 2.8C The use of influence to secure special privileges for self or others at the expense of the Township.
- 2.8D Investment or representation in any financial transaction or enterprise in which profit to self or others would depend in any way upon public position or authority.
- 2.8E Sales or rental of goods, services or concessions to the Township or any of its agencies by any person, firm or corporation in which one or more Township employees holds or controls the majority financial interest therein.
- 2.8F Acceptance of any gratuities of any significant value which can be converted into cash shall be prohibited from any persons, firms, corporations and/or agencies doing business with or within the Township.
- 2.8G Use of position to procure preferred treatment, whether of employment, contract, business, fee or service with the Township or any of its governmental agencies for any member of an employee's immediate family, a client or business associate.
- 2.8H Use of Township owned properties, facilities, or equipment for factional political purposes, meetings or furtherance of factional political interests.
- 2.8I Dual employment, except employment elsewhere than with the Township, and only when off duty or on authorized leave from Township duties and such other employment does not conflict with assigned Township duties.

SECTION 2 (cont'd)

- 2.8J Acceptance of fees for self or others for services rendered which are within the scope of assigned duty and for which compensation by the Township is being made.
- 2.8K Financial interest in any contract with the Township for professional or other services shall not be awarded on the basis of fee "kickbacks".
- 2.8L No employee shall deliberately, or knowingly, falsify or allow to be falsified, any records or documents pertaining to the Township.
- 2.8M No employee shall request another employee to conduct personal business for him during their working hours.

SECTION 3  
MEETINGS OF COMMISSION

3.1 DESIGNATION OF CHAIRMAN--Commission member serving his final two-year term of office shall be designated as chairman of the Commission for that period.

3.2 DESIGNATION OF MEETINGS--The Commission shall meet at such times and places as the chairman shall designate or on the written request of two members. Two members shall constitute a quorum. Normally, the Commission shall hold at least one (1) meeting a month.

SECTION 4  
POLITICAL ACTIVITIES

4.1 PROHIBITED ACTIVITIES--No employee in Shelby Township Civil Service shall carry out any political activities during his or her normal working hours.

4.2 POLITICAL ASSESSMENTS--The levying, solicitation, collection or payment of any type of political assessment in Shelby Township Civil Service is expressly prohibited. This provision shall apply to those who levy, solicit, collect or pay any type of political assessment and also to those who authorize or order such levying, solicitation, collection or payment of any type of political assessment.

4.3 CANDIDATES FOR PUBLIC OFFICE--No employee in Shelby Township Civil Service shall accept an appointment or election to any elective office without first obtaining a leave of absence.

SECTION 5

HOURS OF SERVICE, HOLIDAYS

5.1 WEEKLY WORK PERIOD, SALARIED--Except as otherwise provided in these rules, 37-1/2 hours of work shall constitute the basic weekly work period for every full-time salary employee in Shelby Township Civil Service. An employee must be paid for 37-1/2 hours to receive credit for a completed weekly work period. Regular work hours are 8:30 a.m. to 5:00 p.m., excluding lunch periods. Modifications of this provision may be made upon recommendation of the personnel director and approval of the Township Board.

5.2 LUNCH PERIODS--Lunch periods shall not exceed one full hour. If possible, the individual offices will not be left totally unattended.

5.3 WEEKLY WORK PERIOD, HOURLY--Except as otherwise provided in these rules, 40 hours of work will constitute a weekly work period for those employees designated hourly rate. Normal work hours are: 8:00 a.m. until 4:30 p.m. with 1/2 hour lunch periods. An employee must be paid 40 hours to receive credit for completed weekly work period.

5.4 SPECIAL SHIFTS--Special shifts of 7-1/2 and/or 8 hours per day, 37-1/2 and/or 40 hours per week, may be established for custodial duties and such other business as the Township Board may designate.

5.5 PAID HOLIDAYS--The holidays shall be as negotiated by the Township Board with the STMEA and applicable to all Civil Service Employees other than Police and Fire.

5.6 WORK ON A HOLIDAY--The Township Board may require employees to work on a paid holiday if their employment is necessary to the maintenance of

SECTION 5 (Cont'd)

minimum essential public service, and these employees shall be paid double-time for time worked in addition to their regular holiday pay except where contract provisions provide for compensatory time off.

5.7 NOTICE OF HOLIDAYS--The personnel director shall post prior written notice each year, of the specific dates on which all paid holidays will be observed in the ensuing calendar year.

SECTION 6  
PAID ANNUAL LEAVE

6.1 All salaried employees who regularly work 37-1/2 hours per week and hourly employees who regularly work 40 hours per week shall be entitled to annual leave with pay. Vacation time shall be earned on a yearly basis and the rate of annual leave earned is as follows:

0-1 year	10 Days
1-4 years	10 Days
4-5 years	15 Days
6-9 years	15 Days plus one (1) day for each year over five (5) years
9-10 years	20 Days
15-20 years	20 Days plus one (1) day for each year over fifteen (15) years to a maximum of five (5) weeks
Over 20 years	Five (5) weeks

6.2 UTILIZATION--

6.2A An employee may accumulate up to thirty (30) vacation days. No accumulation will exceed the thirty (30) days. Any exception to this must be agreed upon the Department Head involved and the Personnel Director.

6.2B Vacations may be taken in increments of not less than one-half (1/2) day with the approval of the Department Head.

6.2C Any holiday falling within any vacation period shall automatically expand the vacation period by one (1) day. This day may be added to the beginning or at the end of the vacation period or applied with a future one (1) week vacation period.



SECTION 6 (cont'd)

- 6.2D TERMINATION OF EMPLOYMENT--Upon termination of employment, all unused vacation time accrued and not used as provided shall be compensated at the rate of pay of the employee at the time of termination. Such compensation shall be paid to the employee not later than 30 days after termination of this employment.
- 6.2E Vacation time earned may be used during any part of the year provided prior approval is granted from the employee's Department Head.
- 6.2F Employees shall make written application to their Department Head on or before March 15 of each year for the vacation period desired in that year. Increments of less than one (1) week must be approved five (5) working days prior to usage.
- 6.2G Department Heads shall schedule all vacation in accordance with such written requests, and it shall be their determination as to how many employees can be on vacation at one time in order to ensure completion of all work.
- 6.2H Department Heads shall give priority in scheduling the vacations on the basis of seniority of the requesting employee except where the employee has not complied with Section 6.2F above in which event the priority shall not be considered as to that employee.
- 6.2I Annual leave shall not be allowed in advance of being earned.
- 6.2J If an employee has insufficient annual leave credits to cover a period of absence, no allowance for annual leave shall be posted in advance or in anticipation of future leave credits. In the absence of applicable leave credits, payroll deduction for the time lost shall be made for the work period in which the absence occurred.

SECTION 7  
PAID SICK LEAVE

7.1 ALLOWANCE--Every continuing full time salaried and hourly employee in the Township classified service shall be entitled to sick leave with pay of 1/2 day for each bi-weekly work period.

7.2 ILLNESS OR INJURY--Sick leave may be utilized by an employee in the event of his illness, injury, or exposure to contagious disease endangering others, or for illness or injury to his immediate family which necessitates his absence from work. "Immediate family" in such cases shall include the employee's spouse, children, parents, or foster parents, parents-in-law, brothers, sisters, and any persons for whose financial or physical care he is principally responsible.

7.3 APPOINTMENTS--Sick leave may be utilized by an employee for appointments with a doctor, dentist or other recognized practitioners.

7.4 UTILIZATION--Any utilization of sick leave allowance by an employee must be reported to the Department Head. The Department Head will notify the Personnel Director. Any sick time must be in a minimum of 1/2 day.

7.5 NO ADVANCE CREDIT--Sick leave shall not be allowed in advance of being earned. In the absence of applicable leave credits, payroll deduction for the time lost shall be made for the work period in which the absence occurred.

7.6 It is the obligation of the employee to substantiate to the Personnel Director his need for his continuing absence.

SECTION 7 (Cont'd)

7.7 After exhausting all paid time off, an employee must resort to the leave of absence provisions of Section 10 to maintain continuity of seniority.

7.8 The Personnel Director will notify an employee of the expiration of all Township paid allowance.

7.9 RETURN OF A SEPARATED EMPLOYEE--When a laid off or reinstated employee returns to the Township classified service, his previous unused sick leave allowance shall be placed to his credit.

7.10 PAYMENT AT RETIREMENT--An employee who separates from the Township classified service for retirement purposes, including early retirement, in accordance with the provisions of a Township retirement plan shall be paid for fifty (50) percent of his unused sick leave as of the effective date of his separation. Such payment shall be made at the employee's current rate of pay at the time of retirement. (See Union Contract for limitation on sick leave).

7.11 PAYMENT AT EMPLOYEE'S DEATH--In case of the death of an employee, payment of one hundred (100) percent of his unused sick leave shall be made to his beneficiary or estate. (See Union Cont, for limitation on sick leave).

7.12 The Township has the responsibility of making reasonable provisions for the health and safety of its employees. Therefore, an employee returning from an absence due to a serious illness or injury may be required to take and pass a medical examination by the Township Physician at Township expense. This requirement depends on the nature of the employee's illness or injury and the duration of the absence. Absence due to illness or injury beyond

SECTION 7 (Cont'd)

one week may be required to be substantiated by competent medical evidence. Employees who have established medical histories of recurring injury or chronic illness may be required to present a medical doctor's approval of their return to work, prior to their return, even if the absence has been for less than one week.

SECTION 8  
PERSONAL DAYS

8.1 ALLOWANCES--Each employee shall be credited with one personal day on January 1, and one additional day on the 1st of March, May, July, September, and November to be used without loss of pay before the end of each year.

8.2 UTILIZATION--Personal days must be requested by the employee and approved by the Department Head at least three (3) days prior to the requested time off except in case of emergency.

8.3 Any personal days not used prior to December 31 shall be lost.

8.4 No more than two (2) personal days may be taken in any one month.

SECTION 9

FUNERAL LEAVE TIME

9.1 PAID FUNERAL LEAVE--An employee shall be allowed four (4) consecutive calendar days without loss of regular pay upon the death of any member of family as follows: wife, husband, son, daughter, mother, father, brother, sister, mothers and fathers-in-law, sisters and brothers-in-law, paternal and maternal grandparents.

SECTION 10  
LEAVES OF ABSENCE

10.1 Leaves of Absence for Illness, Injury, or Medical Disability.

An employee who is (1) unable to work because of personal sickness, injury, or disability; (2) has exhausted sick leave; (3) has exhausted vacation and personal leave; and (4) has furnished a written request to the Personnel Director accompanied by evidence of disability satisfactory to the Personnel Director shall be granted a leave of absence, without pay. Such request and evidence may be delivered or sent to the Personnel Director by the Association or any other interested party. Requirement number three (3) shall be waived in whole or in part by the Personnel Director at the employee's written request.

10.2 The leave of absence shall be for the period of continuing disability for a period of time up to one (1) year. The Department Head may continue the leave of absence beyond one (1) year with the approval of the Personnel Director. However, an employee must receive appropriate medical treatment and furnish satisfactory evidence of continuing disability. When necessary, physicians' opinions shall be the basis used to determine the questions of appropriate medical treatment or evidence of continuing disability.

10.3 If an employee, who can perform the work, has been on leave of absence for illness or disability lasting for a period of one (1) year or less, the employee will have the right to return to the position the employee was assigned to when the leave was granted.

SECTION 10 (Cont'd)

10.4 PERSONAL LEAVE. A personal leave of absence, without pay of up to four (4) months may be granted in cases of exceptional need for those employees who have been employed on a regular basis. Leave may be granted for such reasons as settlement of an estate, serious illness of a member of the employee's family, temporary termination of the employee's work, child/care for a newly-born infant or newly adopted children up to the age of six, or an extended trip, but not for the purpose of obtaining employment elsewhere. Leave of absence of this type may be extended by the Personnel Director for additional four-month periods, but the total leave time shall not exceed one (1) year.

10.5 The employee who is on a leave of absence without pay will not receive pay for the holidays falling within the leave of absence, nor will the employee accrue any vacation or sick leave time.

10.6 Health and Life Insurance will be maintained and premiums paid by the Township for an employee under Article 10.4 (Personal Leave) for the month and the month following in which the employees' leave commences.

10.7 Employees who have exhausted their paid benefits under these sections must check with the Payroll Department of the Township about maintaining the employee Group Life Insurance and Hospitalization and Surgical Insurance.

10.8 If it is not possible to assign work to an employee immediately upon return from personal leave, the employee will be granted an extended leave to be worked out with the Personnel Department while a concerted effort is made to find employment for the employee.



SECTION 11

OTHER LEAVES OF ABSENCE WITH PAY

11.1 AUTHORIZATION--The Township Board may authorize salary payments in whole or part to employees in order to permit them to attend school, visit other governmental agencies or in any other approved manner to devote themselves to systematic improvement of the knowledge or skills required in the performance of their work.

11.2 COURT SERVICE LEAVE--Upon submission of a summons to appear in court as a witness or on jury duty and fees received for same, the employee will be paid the pay he would have normally received for working a normal work week. The employee shall report back to work as soon as his court duty is finished, even if only part of the day remains.

SECTION 12  
MILITARY LEAVE

12.1 MILITARY LEAVE OF ABSENCE--An employee who enters active military service in the armed forces of the United States or the Michigan National Guard under the provisions of a selective service system, by call to active duty, or by voluntary entrance in lieu thereof shall be entitled to a military leave of absence without pay for the period of time required to fulfill his military service obligation. The leave and right to restoration to his former position shall automatically terminate if the employee voluntarily remains in military service beyond the regular obligation as a citizen. The employer will comply with the applicable provisions of the Universal Military Training and Selective Service Act as amended.

12.2 Employees who are members of the Armed Forces Reserves of the National Guard shall notify the Personnel Director and their Department heads sixty (60) days in advance of necessary leave for summer training.

12.3 TEMPORARY TOUR OF MILITARY DUTY--Any employee who has completed thirteen (13) bi-weekly work periods shall, upon his request, be granted military leave of absence to engage in a temporary tour of duty with the National Guard or any recognized branch of the military service not to exceed fifteen (15) consecutive calendar days in a calendar year or until the state of emergency has ceased to exist.

12.3A Such leave shall be credited as continuous Township service. For the duration of the leave, the employee shall receive the difference between his military pay and his regular Township salary if his military pay is less.

SECTION 13  
MISCELLANEOUS FRINGE BENEFITS

13.1 LONGEVITY BENEFITS--Employees shall receive the following longevity benefits based upon regular base pay, not to exceed \$25,000.

- 2% added after five (5) years
  - 3% added after seven (7) years
  - 4% added after ten (10) years
  - 5% added after twelve (12) years
  - 6% added after fifteen (15) years
  - \* 7% added after seventeen (17) years
  - 8% added after twenty (20) years
  - \* 9% added after twenty-two (22) years
  - 10% added after twenty-five (25) years
- \*Additional Percentage Steps for Department Heads

The longevity pay shall be paid in a single amount on the pay period in which the employee's anniversary date occurs, based on the employee's anniversary date in the year of the payment.

13.2 PENSION REQUIREMENTS--All status employees shall participate in the Township Pension Plan offered their respective departments. All permanent employees who have reached the age of 65 shall be subjected to retirement. If an employee desires to continue working beyond the age of 65, the following conditions must be met:

- A. Suitable work must be available
- B. The employee must be physically able to handle the job
- C. A Suitable wage scale must be reached depending upon job availability and the employee's physical condition
- D. Subject to approval by the Township Board, all employment beyond the age of 65 will be on a year-to-year basis with retirement compulsory at the age of 70.

SECTION 13 (Cont'd)

Retirement any time prior to 65 will be governed by provisions of Township Retirement Plan effective at that time.

13.3 SEVERANCE PAY--An employee that has been laid off for reasons other than disciplinary, for a period to exceed thirty (30) days, shall receive payment in an amount equal to six (6) days per year for each year of service not to exceed period of lay-off. Any years of service used in computation of severance pay shall not be credited for future severance pay in the event of recall or rehire.

13.4 MEDICAL INSURANCE BENEFITS--The Township will provide Blue Cross-Blue Shield benefits for each employee and his eligible dependents, provided under the current plan known as MFV-1, current plan known as Master Medical and ML Rider. In addition to the above coverage, the employee will be covered by the appropriate prescription rider, \$2.00 deductible coverage. The Township will pay the full cost of said coverage.

The employee may use his/her option to participate in the Township health maintenance organization plan, Independence Health Plan.

An Option in Lieu of Medical Insurance Coverage--At the employee's option, in lieu of the Township-paid medical insurance for the employee and his/her family, the sum of Eight Hundred (\$800.00) dollars shall be payable by the Township into the employee's compensation option account.

The Township will make payments into the employee's compensation option account at the rate of \$30.77 per day for the balance of the contractual year. This option may be changed back to medical insurance based upon the rules and practices of the medical insurance carrier. The Township will pay any service charge on Township compensation option account.

SECTION 13 (Cont'd)

13.5 DENTAL INSURANCE--The Township will provide at no cost to the employee Blue Cross/Blue Shield dental coverage (See policy for details).

13.6 VISION CARE--A vision care plan will be provided by the Township at no cost to the employees. (See policy for details).

13.7 LIFE INSURANCE--The Township will provide a life insurance policy equal to one and one-half (1-1/2) times an employee's base salary rounded to the nearest Five Thousand (\$5,000) dollars to be fully paid by the Township. The Township will also make available to all employees a Five Thousand (\$5,000) dollar double indemnity life insurance policy on a contributory basis. (See Union Contract for special provision for retiree insurance).

13.8 SICK AND ACCIDENT INSURANCE--The Township shall provide all employees with a sick and accident insurance policy to be effective commencing on the 8th consecutive day of illness or accident. (See policy for details).

13.9 WORKER'S COMPENSATION INSURANCE--The provisions of the Worker's Compensation laws of the State of Michigan shall apply in claims of accidents or injuries to any and all employees in the performance of their regular assigned duties. Employees suffering in the performance of their regular assigned duties shall receive payment of their earnings for the first seven (7) days not worked. Such payment to be made by the Township and returned to the Township upon awarding of Worker's Compensation allowance.

Employee who receive Worker's Compensation allowance, shall submit such payment to the Township and will receive in return, amount of payment that, together with Worker's Compensation allowance, will equal the regular weekly income, based on a regular work week, not to exceed six (6) months, and the unused sick days to be utilized in conjunction with Worker's Compensation benefits, not to exceed total weekly pay.

SECTION 13 (Cont'd)

13.10 SAFETY--Department Heads must demand that all employees follow good safety practices. Employees must be aware of the nature of these practices. The written rules will be stressed, but the value of individual common sense will be recognized. Respect for written rules and common sense is the responsibility for adherence to the rules. If he refuses by showing disrespect for rules and/or common sense, he shall be subject to disciplinary action or dismissal. The Township's objective is to prevent injuries or property damage. This objective takes priority over all others. Safety is the responsibility of the Department Head, who should make sure that all guards and safety equipment are being used and that only authorized personnel are using equipment and machinery which is under their responsibility, and assure that employees are supplied with a written set of rules with which they are expected to comply.

13.11 TUITION REIMBURSEMENT--A program of tuition reimbursement is hereby initiated under the following conditions:

13.11A Requests for tuition reimbursement, not including books and registration, must be approved by the Personnel Director prior to the employee's taking the training for which tuition reimbursement is requested.

An employee may appeal the Personnel Director's decision to the Civil Service Commission. Such approval will be granted if the conditions in Section 13.11B are met.

13.11B Any course which is related to the maintenance and improvement of an employee's skill in performing his or her present job or a job which the employee is expected to be performing in the future may be approved.

SECTION 13 (Cont'd)

- 13.11C Upon completion of the course and receiving a grade of "C" or better, the employee will be reimbursed at 100% of the required tuition if he or she has three (3) years seniority. If the employee has less than three (3) years seniority, the reimbursement will be 80%.
- 13.11D In order to qualify for reimbursement, an employee must successfully complete the course in accordance with the school's regular standard.
- 13.11E It is essential that there be no conflict between the employee's normal working hours and the time required for study, travel and attendance of approved courses.
- 13.11F An employee may be restricted to two (2) courses each year.
- 13.12 ELECTION DAYS--For all local (place of residence), state and federal elections, employees will be given one (1) hour off with pay to vote.

SECTION 14

CLASSIFICATION OF POSITIONS

14.1 CLASSIFICATION PLAN--The official classification plan for all positions in the Township Civil Service shall be as provided by the titles of classes shown in the currently approved schedule, and may be amended by the commission upon the recommendation of the Township Board.

14.2 ALLOCATION OF POSITIONS--The Township Civil Service Commission shall allocate every position in the Township Civil Service to the class and level which they find to be appropriate. In determining the class and level to which any position should be allocated, consideration shall be given to the general duties, responsibilities, specific tasks, qualifications, relationship to other classes and levels, and any other pertinent allocating factors including the recommendations of the Wage and Salary Study Committee.

14.3 REVIEW OF ALLOCATIONS--The Township Civil Service Commission shall provide for a continuing review of all positions in the Township Civil Service for the purpose of adjusting the allocations of all positions where the duties and responsibilities may have materially changed.

14.4 CLASS SPECIFICATIONS--The Township Civil Service Commission shall maintain a complete set of specifications for all classes in the Township Civil Service. Such specifications shall include title, statement of responsibilities and typical tasks and minimum and/or desirable qualifications. Such specifications shall be on file in the Clerk's Office for employee review and periodically revised with a view to maintaining their accuracy.



SECTION 14 (Cont'd)

14.5 DESIGNATION OF CLASSES--The title of each class shall be the official title of every position allocated to the class for all purposes having to do with the position. This title, or its properly designated code number, shall be used to designate the position on all payrolls and other records of the Township Civil Service Commission.

14.6 APPEALS FROM CLASSIFICATION DECISIONS--All appeals from classification decisions shall be heard by the Civil Service Commission.

SECTION 15

POSITIONS IN TOWNSHIP CIVIL SERVICE

15.1 ESTABLISHMENT--No person shall be appointed to, employed in, or paid for service in any classified position in the Township Civil Service until the position has been established and assigned a pay grade.

15.2 ESTABLISHMENT LIST--An establishment list shall be maintained by the Township Civil Service Commission for each organization unit showing by classes the positions that have been established.

15.3 PROCEDURE IN ESTABLISHMENT OF POSITIONS--The Township Board may create a position for reasons of administrative efficiency. The Township Civil Service Commission shall be given prior notice of the creation of each position so that it may be duly established and assigned a pay grade.

15.4 DISCONTINUANCE OF POSITIONS--Each department head shall report to the Township Civil Service Commission each vacancy in a position which he does not intend to fill. The positions may be retained on the establishment lists at the discretion of the Commission.

15.5 PROCEDURE IN ABOLISHMENT OF POSITIONS--The Personnel Director shall be given prior notice of each position to be abolished. Employees separated as the result of abolishment of positions shall have reemployment preference in accordance with Section 20.

SECTION 16  
COMPENSATION OF EMPLOYEES

16.1 COMPENSATION SCHEDULE--The Commission shall establish a compensation schedule covering all positions in the Township Civil Service, and compensation paid all employees in the Township Civil Service shall be in accordance with such schedule.

16.2 SCHEDULE AMENDMENTS--The compensation schedule may be amended as required.

16.3 OPERATION OF SCHEDULE--No employee in the Township Civil Service shall be paid a salary less than the minimum nor greater than the maximum of the salary range for the class as fixed by the compensation schedule.

- A. The minimum rate in the range shall be the rate payable to any employee on first appointment to a position unless a higher rate is authorized by the Township Board.
- B. When an employee is transferred to another position at the same level as the position from which transferred he shall be paid at the same salary step from which transferred. When an employee is appointed from a layoff list he shall be paid at the salary step which he last received.
- C. In case of a revision in the compensation schedule, an employee shall be paid at the salary step corresponding in length of service to the step at which he was being paid in the previous salary range for the class.
- D. When the position of an employee is reallocated upward or an employee is promoted, he shall be paid at the lowest salary step in the range

SECTION 16 (Cont'd)

for the higher class which provides a salary increase which is not less than the difference between the minimum and the first step in the range for the lower class involved.

- E. When the position of an employee is reallocated downward, or when an employee is demoted, he shall be paid at the rate for the lower class appropriate for his length of combined creditable service in such lower class and in all higher level classes.
- F. When the position of an employee is reallocated to another class at the same level, he shall be paid at the same salary step in the range as he held in the previous position.

16.4 FULL AND PART-TIME SERVICE--All rates of pay authorized are for full-time employment. Payment for part-time service shall be proportionate to the time actually worked. For employment on a project basis not involving continual employment, the Township Board may establish an alternative hourly rate of pay which may exceed the scheduled maximum rate of pay when necessary.

16.5 OVERTIME--Compensation for overtime service shall be paid time and one-half based on their regular rate of pay. Double time will be paid for work on holidays and Sundays, in addition to regular holiday pay.

16.6 EARNED INCREASES--Pay increases in the amounts and at the intervals provided for in the compensation schedule for the specific class, shall be granted to all employees for satisfactory service, the pay increases to become effective at the beginning of the first work period after the interval to which they apply. Advance in pay from the minimum to the maximum rate shall be by successive steps of the range of pay for the class as provided in the compensation schedule, unless otherwise authorized by the Township Board.

SECTION 16 (Cont'd)

16.7 PAYMENT AT DEATH OF AN EMPLOYEE--Pursuant to the authorization contained in Act Number 8, Public Acts of 1958, an employee may designate, on a form prescribed by the Township and filed with the Personnel Director, that payment due him at his death for earned compensation, unused sick leave credit and unused annual leave credit shall be paid to his spouse. If the spouse is not designated as beneficiary, the employee may designate, by sworn statement on the prescribed form, that payment shall be made to any one of the following: child, father, mother, sister, or brother. In either case payment shall be made to the designated beneficiary or trust.

SECTION 17  
APPOINTMENTS

17.1 OPEN COMPETITIVE APPOINTMENTS--Any appointment to a position in the Civil Service through certification from an open competitive list shall constitute an open competitive appointment. No such appointments shall be made until authorized by the Township Board.

17.2 PROMOTIONAL APPOINTMENTS--Vacancies in positions may be filled by promotion when there are employees of lower classes who are ascertained by the Township Personnel Director to be qualified therefore, except that the Director, after consultation with the Township Board, shall order any position to be filled by open competitive appointment when he finds that such appointment will best serve the interest of the Township. In determining the qualifications of an existing Township employee, a promotional examination may or may not be given at the discretion of the Township Personnel Director with the concurrence of the Civil Service Commission.

17.3 TEMPORARY APPOINTMENTS--There are three kinds of temporary appointments: provisional, transient, and emergency. (See also 24.7, 24.8, and 24.9)

17.4 PROVISIONAL APPOINTMENTS--A provisional appointment may be authorized in the absence of enough available eligibles to provide a full certification of three names.

- A. In nominating a person for provisional appointment the Township Board shall transmit to the Township Personnel Director on the prescribed form a statement of the qualifications of the nominee and other pertinent information. Such nominee may be appointed if he is found by the Township Board to possess the qualifications established for the position.

SECTION 17 (Cont'd)

B. The appointment of a provisional employee shall not be terminated by certification until he has had an opportunity to take an examination for the position. Any provisional employee who fails to pass sufficiently high to be within certifiable range, or who has had an opportunity to take such an examination and has not availed himself thereof, shall be certified against.

17.5 TRANSIENT APPOINTMENTS--A transient appointment is a temporary appointment for work expected to be completed within ninety calendar days and may be authorized with prior approval of the Township Board. No transient appointment shall be permitted to continue longer than ninety calendar days nor shall the same person receive a transient appointment for a second period of service in any calendar year.

17.6 EMERGENCY APPOINTMENTS--An emergency appointment may be made under conditions necessitating immediate action. No emergency appointment shall continue longer than is necessary to fill the vacancy by other means. The Township Board shall allocate the position filled by emergency appointment to the proper class and shall notify the Personnel Director of such allocation and rate of pay applicable thereto.

17.7 APPROVAL--Prior approval by the Township Board of each provisional, transient, and promotional appointment is required before the date of entrance on duty. Prior approval of an emergency appointment shall not be required.

SECTION 18  
EXAMINATIONS

18.1 PURPOSE--The Civil Service Commission shall conduct examinations for the purpose of maintaining adequate employment lists.

18.2 Whenever there is an addition to the work force, it will be posted in the Township for current Township employees to apply.

18.3 NOTICE OF EXAMINATION--Announcement of each open competitive examination shall be posted on the Township bulletin board and shall be supplied to such other locations and sources by the Personnel Director as the Township Civil Service Commission shall determine.

18.4 ANNOUNCEMENT OF PROMOTIONAL EXAMINATION--Announcement for all promotional examinations shall be posted on the Township bulletin board by Personnel Director at the direction of Civil Service Commission.

18.5 CONTENT OF ANNOUNCEMENTS--Each announcement of an examination for open competitive appointment or promotion shall contain the title of the class, the character of the duties and responsibilities and examples thereof, the scale of pay, the eligibility requirements, and other pertinent details.

18.6 APPLICANTS--Applications must be filed on official forms furnished by the Personnel Department. Applicants may apply for as many examinations as listed on a single public announcement by listing on their application form the titles of all the classes for which they wish to apply. No class title shall be added to an application after the final date for acceptance of applications.



SECTION 18 (Cont'd)

18.7 REJECTION OF APPLICATIONS--Any application for examination shall be rejected in case the Civil Service Commission finds:

- A. That the applicant does not meet the basic and necessary requirements specified in the announcement for admission to the examination.
- B. That the application was not received on or before the final date for acceptance of applications, except that the Civil Service Commission may waive this provision if deemed necessary for the good of the Township.
- C. That the applicant has falsely stated any material fact or has attempted to practice deception or fraud in his application.
- D. That the applicant's health, employment record, or background is unsatisfactory.
- E. That, in the case of any examination for promotion, the applicant does not have civil service status, or that he lacks a current satisfactory service rating.

SECTION 19

SCOPE AND CHARACTER OF EXAMINATION

19.1 HOW CONSTITUTED--Examinations may include any questions, tests or criteria designed to evaluate the fitness of applicants and their capacity to develop so as to merit advancement. So far as is practicable, test on any promotional examination shall be similar to corresponding tests in any examination for open competitive appointment to positions of the same class, and the same standards shall be applied in determining ratings.

19.2 PREPARATION OF EXAMINATIONS--The Township Civil Service Commission may, at their discretion, collaborate with Department Heads or other qualified persons in the preparation of examinations.

19.3 CONDUCT OF EXAMINATIONS--The examinations shall be conducted by the Civil Service Commission or by persons designated only at the time and places stated in the notices of acceptance of applications, except as otherwise ordered by the Civil Service Commission.

19.4 RATING OF APPLICATIONS FOR LOWER CLASS--An applicant may be rated for a currently announced examination for a lower class in the same series at the discretion of the Civil Service Commission.

19.5 ELIMINATION TESTS--Wherever it is stated in the announcement that an applicant must qualify in a series of different tests, or satisfy a specified acceptable standard in any other requirement, to become eligible for appointment, and the applicant fails to meet such requirements, he shall not be permitted to take any further tests in this examination and such tests, if previously given, need not be rated.

SECTION 19 (Cont'd)

19.6 NOTICE AND RECORDS OF RESULTS OF EXAMINATIONS--All competitors shall be notified by mail of their final ratings. The records of ratings shall be held as official records for the life of the resulting employment lists. Any competitor, or his representative authorized in writing, shall be permitted to inspect his own papers and record, upon application, in person at the office of the Personnel Director or his designee during business hours. Such review shall be limited to one year from the date of notification of examination results. The immediate supervisor is exempt from this provision and may review the records of his immediate employees, without authorization, in the performance of his duties, as required by Civil Service.

19.7 APPEALS FROM RATINGS--Any competitor may appeal from his ratings within fifteen days after the date the notice was mailed to him, by written request to the Civil Service Commission. The Civil Service Commission shall grant a review for satisfactory reasons and may change the ratings if found warranted. When such review discloses errors affecting the ratings of other competitors, the review and adjustment shall include them. A full record shall be made of each such review and findings.

19.8 VETERANS PREFERENCE

A. DEFINITION: VETERANS, DISABLED VETERANS--A veteran is any person who has not less than ninety days of active service in the armed forces of the United States during any period covered by a selective service law and who has received an honorable discharge or other suitable evidence of honorable active service. A person other than a disabled veteran who has retired from any branch of the armed forces is ineligible for veterans' preference. A disabled veteran is one who, regardless of length of service, has been determined to be eligible for and receiving disability compensation by the Veterans Administration

SECTION 19 (Cont'd)

or a branch of the military service.

- B. PREFERENCE CREDIT POINTS--Five preference credit points for veterans shall be added to the final passing score in any open competitive examination, for original appointment only, which is announced and for which an application has been accepted, within three years of the date of the veteran's release from active duty. Ten points shall be added to the passing score in any open competitive examination of disabled veterans, wives of disabled veterans having greater than fifty percent disability, and widows of veterans having children under eighteen years of age.
- C. REQUEST FOR PREFERENCE CREDIT--In order to obtain preference credit in an examination, military status must be indicated on the entrance application.

SECTION 20  
EMPLOYMENT PREFERENCE

20.1 METHOD OF DETERMINING--Employment preference shall be determined in accordance with the number of years, months, and days of service in a class, including service in classes on a higher level. Such employment preference shall also be credited at lower classification levels for which the employee is qualified.

20.2 APPLICATION OF EMPLOYMENT PREFERENCE--Employment preference shall be applied so that layoffs, demotions, and all other situations in which employment preference is involved shall occur in the following scheduled order:

- A. Emergency employees in the affected class.
- B. Transient employees in the affected class.
- C. Provisional employees, lacking status in a lower class, who have had an opportunity to take an examination but failed to avail themselves of the opportunity or who, having taken the examination, failed to receive a rating sufficiently high for certification to the job.
- D. Provisional employees lacking status in a lower class who have had no opportunity to take an examination for the position they are filling.
- E. Probationary employees without status.
- F. Promotional probationary employees who have status in a lower class.
- G. Employees with status in the class.

20.3 TIES IN SERVICE--All individuals so affected will participate in a drawing to determine employee preference.

20.4 PERIOD OF SERVICE--An employee's period of service shall be interpreted as the total number of years, months, and days of service completed by the employee.

SECTION 20 (Cont'd)

20.5 Any and all years of Township service that an employee may have completed prior to the time of the establishment of positions in Township Civil Service shall be credited to him as years of service in the class in which such employee first acquired Civil Service status.

20.6 Provided, further, that any person who resigns, retires, is dismissed for cause, or is removed by certification from the Township service and subsequently reappointed to a position in the classified service shall lose such employment preference as he may have accumulated during his prior employment.

20.7 In the event of layoff, an employee with bump rights must exercise bump rights in equal or next lower classification, seniority permitting. In the event an employee fails to accept this equal or next lower position, seniority permitting, he will be entitled to another lesser position provided there is a job opening or a job staffed by a probationary employee. Should he not accept the position to which he has bump rights and there is no other opening existing, he must accept the layoff.

SECTION 21  
EMPLOYMENT LISTS

21.1 KINDS--There are two kinds of employment lists: departmental layoff, and open competitive.

21.2 DEPARTMENTAL LAYOFF LIST--The Township Personnel Director shall place on a departmental layoff list those names of employees supplied by the Township Board for a given class or classes having status in the class and who have been laid off or demoted because of lack of work, lack of funds, or as a result of Township reorganization. Ranking on such list shall be made in accordance with Section 20 governing employment preference.

21.3 OPEN COMPETITIVE LIST--The Township Personnel Director shall place on an open competitive list for a given class the names of applicants ranked in accordance with their final passing score in the open competitive examination for such class as supplied by the Civil Service Commission.

21.4 RANKING OF ELIGIBLES IN CASE OF TIE--The names of eligibles who have passed an examination for the same class, with the same final score, shall be placed in identical position of rank on the employment list.

21.5 DURATION OF ELIGIBILITY--The names of eligibles on any employment list shall remain thereon for two years unless the duration of the list is specifically extended or shortened by the Commission. Names on departmental layoff lists shall remain on such lists for three years thereafter.

21.6 REMOVAL OF NAMES--Names may be removed from an employment list because of:

- A. Appointment through certification from such list.

SECTION 21 (Cont'd)

- B. Filing of a statement by the eligible that he is not willing to accept appointment under conditions he previously specified.
- C. Separation from the Township service.
- D. Physical, mental or other disability that may prevent the eligible from satisfactorily performing the duties of the position or class.
- E. Failure to respond to inquiry concerning availability for employment.
- F. The applicant's conduct which has been such as to render him unsuitable for a position in the Township service.
- G. Failure to accept employment by certification to a permanent position from a departmental layoff list.

21.7 RESTORATION NAMES TO EMPLOYMENT LISTS--Upon furnishing the Civil Service Commission with reasons satisfactory to the Commission, an eligible may have his name restored to any employment list from which his name has been removed.

21.8 ABOLISHMENT OF CLASSES--Whenever a class is abolished, names on existing employment lists for the class may be combined with names on a comparable list or lists.

21.9 REALLOCATION OF CLASSES--Whenever a class is reallocated, names on existing employment lists for the class shall be placed on employment lists for the new class.



SECTION 22

CERTIFICATION AND SELECTION

22.1 CIVIL SERVICE COMMISSION TO CERTIFY ELIGIBLES--Whenever a vacancy in a classified position is to be filled, the Township Board shall submit a requisition to the Civil Service Commission on a prescribed form or letter.

22.2 CERTIFICATION PROCESS

- A. Order of Use--Certification shall be made first from the departmental layoff list; next departmental promotion; next open competitive list. When names are not available from layoff or promotion, the open competitive list shall be used except in case of a transfer in accordance with Section 22.5.
- B. Number of Names Certified--Names shall be certified from employment lists as follows:
  - Departmental Layoff List: Highest available name.
  - Promotional: one (1) name.
  - Open Competitive List: Three (3) highest available names.

22.3 SELECTIONS AND APPOINTMENTS THROUGH CERTIFICATION.

- A. Departmental Layoff List--The Township Board shall appoint the person certified from a departmental layoff list.
- B. Promotion--The Township Board may approve the promotion of the employee certified by the Personnel Director.
- C. Open Competitive List--Three or more names--The Township Board shall make selection for appointment to a vacancy from the available names certified. If there are several vacancies, the certification shall contain enough names so that a choice among at least three names is successively possible for each vacancy. The available names not chosen shall be returned to the list.

SECTION 22 (Cont'd)

D. Open Competitive List--Fewer than three names--When there are fewer than three names available for certification from an open competitive list, the available names on the list may be certified by the Civil Service Commission, and the Township Board may make a selection and appointment, may elect to wait for full certification of three, or with the approval of the Township Civil Service Commission may make a provisional appointment if requirements for the class are met.

22.4 WAIVER OF CERTIFICATION--Any eligible who waives certification or refuses to accept a position under conditions previously agreed to shall have his name removed from the employment list unless the Civil Service Commission shall find by investigation that circumstances warrant such waiver or refusal.

22.5 TRANSFER--To be eligible for transfer, an employee must have status in a class at the same level to which he is to be transferred, and must meet requirements for the class to which the transfer is to be made. All transfers shall have the prior approval of the Township Board.

SECTION 23  
PROBATIONARY PERIOD

23.1 LENGTH OF PROBATIONARY PERIOD--Each appointment to a position of six months duration or longer shall be on a probationary basis for six months which shall be regarded as a working test period. This period may be reasonably extended at the request of the Department Head and the concurrence of the Civil Service Commission. Each month the Department Head shall fill out an evaluation report, if performance is unsatisfactory, and it shall be reviewed with the employee during his probationary period.

23.2 UNSATISFACTORY SERVICE--Should the employee on probation fail to render satisfactory service, he may be removed by the Township Board prior to completion of the probationary period upon notice to both the employee and the Township Personnel Director and Civil Service Commission.

23.3 SATISFACTORY SERVICE--When a probationary employee has rendered satisfactory service as of the completion of the probationary period, there shall be issued a service rating by the department head indicating acceptance of the employee for civil service status.

23.4 PROVISIONAL EMPLOYEES--Provisional employees who have served continuously for six months or longer in a permanent position to which they are subsequently certified and appointed shall be considered as having served their probationary period. Provisional employees who have served less than six months in a permanent position to which they are subsequently certified and appointed shall be considered as having served that portion of their probationary period upon rehire.

SECTION 24  
STATUS AND TENURE

24.1 DEFINITION OF STATUS--An employee who has been examined, certified, and appointed and who satisfactorily completed his probationary period shall be considered as having obtained full civil service status.

24.2 PROMOTIONS--Employees appointed on a promotional basis shall have continuing status in the class from which they were promoted until they have successfully completed the probationary period for the higher level position, at which time their status transfers to the higher level position. (See Section 20.2)

24.3 TENURE OF EMPLOYMENT--All employment shall be without definite term except where the term is specified by law or where a limited term appointment has been approved by the Township Board.

24.4 PAY IN LIEU OF FAILURE TO GIVE NOTICE--When an employee is dismissed without two weeks' notice for causes other than misconduct, the Township will grant dismissal pay. This payment is made in lieu of notice. The Department Head will decide whether the employee is to work after notice is given or is to be granted dismissal pay. Department Heads should be guided by the reason for dismissal and by the effect on morale involved in having a dismissed employee remain at work. If an employee quits during the interval between notice of dismissal and the end of the two-week period, he will receive no pay for the remaining days. In effect, such action will constitute a resignation.

SECTION 24 (Cont'd)

24.5 FULL TIME PERMANENT EMPLOYEE--A full time permanent employee is one who is hired to a position expected to last more than nine (9) months and has completed the probationary period of service, who will work at least 37-1/2 or 40 hours per week for an established salary or wage and will receive all benefits offered by the Township and whose acceptance has been determined.

24.6 PART TIME PERMANENT EMPLOYEE--A part time permanent employee is one who is hired to a position expected to last more than nine (9) months and has completed the probationary period of service who will normally work less than 37-1/2 or 40 hours per week (depending on class) for an hourly wage rate and will receive such benefits offered by the Township as determined by the Township Board.

24.7 FULL TIME TEMPORARY EMPLOYEE--A full time temporary employee is one who is hired for a period not expected to exceed thirty (30) days. Renewal periods may be granted not to exceed three (3) successive months, including the initial 30 days, and the employee will work at least a thirty seven and one-half (37-1/2) hour week for an hourly wage rate and will not receive the benefits offered by the Township.

24.8 PART TIME TEMPORARY EMPLOYEE--A part time temporary employee is one who is hired for a period not to exceed thirty (30) days and who will work thirty-two (32) hours per week or less for an hourly wage rate and will not receive the benefits offered by the Township.

24.9 SUMMER TEMPORARY EMPLOYEE--Employees hired for summer temporary work to supplement the work force. It is not the intent to use summer temporary employees to displace any regular employees.

SECTION 25  
SERVICE RATINGS

25.1 SHELBY CIVIL SERVICE COMMISSION TO ESTABLISH SYSTEM--The Civil Service Commission shall establish a system of service ratings to report the quality and quantity of service rendered by each employee in the Township Civil Service.

25.2 EMPLOYEE TO BE NOTIFIED--Each employee shall be rated by his supervisor and notified of his service rating. At his request he will be furnished a copy.

- A. WHEN SUBMITTED--Service ratings shall be submitted for each permanent employee on a semi-annual basis. Interim service ratings may be submitted at any time. Service ratings for each probationary employee shall be submitted at the end of six months of service. If a longer probationary period has been authorized, an additional service rating shall be submitted within thirty days after the conclusion of that period.
- B. PENALTIES--If an employee's last two service ratings have been unsatisfactory or conditional, the Township Board may recommend to the Commission the removal of the employee from the position. Either a conditional or an unsatisfactory rating will result in the postponement of the next salary step increase to which the employee would otherwise be entitled.
- C. A final satisfactory probationary period service rating shall supercede any other conditional or unsatisfactory probationary period service rating and give the employee credit for satisfactory service for all purposes.

SECTION 25 (Cont'd)

25.3 EMPLOYEE REVIEW--The Township Personnel Director shall submit to the Township Board for review any unsatisfactory performance ratings of a status employee. If no report is received by the Township Board, it will be understood that these employees are performing satisfactorily in their position. The Personnel Director or his designee must review with the status employee an unsatisfactory service rating. The employee's signature on a service rating shall not be assumed to indicate that the employee approves the rating. The employee may file an explanatory statement to accompany the rating if he so desires.

25.4 APPEALS--If the status employee disagrees with his service rating he may avail himself of the grievance procedure. (See Section 30.3 for restrictions on appeals from probationary ratings.)

SECTION 26

DEMOTION

26.1 DEFINITION--A demotion is defined as a transfer of a status employee from a position which he occupies in one class to a position in another class at a lower classification level.

26.2 CONDITIONS--A demotion may be made under any of the following conditions:

- A. When an employee is not rendering satisfactory service in the position he holds.
- B. When the position is reallocated downward.
- C. When requested by the employee and approved by the Township Board.
- D. When the position occupied by the employee is discontinued because of lack of work or lack of funds. (Section 20).
- E. When the employee is displaced by the return to duty of another employee entitled to the position. (Section 20).
- F. When the employee is displaced by another employee with more seniority during a reduction in force. (Section 20).

26.3 PROCEDURE--The Township Board shall give prior written notice to the Township Civil Service Commission and to the employee concerned of their intention to make the demotion.



SECTION 27

RESIGNATION

27.1 PROCEDURE--Resignations from employment shall be submitted in writing to the respective Department Head at least two (2) weeks prior to the date of effect, who shall immediately forward same to the Township Clerk. If the resignation of the employee is not voluntary, it shall be treated as a dismissal and the provisions of the Sections relating to dismissal shall apply.

SECTION 28

LAYOFFS

28.1 REASONS FOR LAYOFF--In the absence of sufficient work or funds, layoffs may be made.

28.2 NOTIFICATION--In every case of layoff, the Township Board shall give prior written notice on the prescribed form to the Civil Service Commission with a copy to the employee.

28.3 PROCEDURE FOR MAKING LAYOFFS--Layoffs shall be made in accordance with the employment preference schedule outlined in Section 20.

28.4 PROBATIONARY EMPLOYEE--The name of a probationary employee who is laid off shall be returned to the top of the employment list from which certification was made.

SECTION 29

DISMISSAL

29.1 The Township Board may dismiss any employee whenever the good of the Township is considered to be served thereby, as provided in these rules and the Civil Service Ordinance. Any removal or involuntary separation of any employee from the service of the Township shall be determined to be a dismissal. Whenever an employee is discharged, a statement of reasons for dismissal action shall be provided to the employee and a copy shall be filed with the Township Clerk for the Township Board.

29.2 See Section 30.8 for Dismissal Appeal.

SECTION 30

APPEALS

30.1 APPEALS--Administrative decisions and personnel decisions of Township departments employing classified personnel may be appealed by an employee to the Township Board.

30.2 HEARING OFFICERS AND BOARD--The Civil Service Commission will arrange to hear all appeals. The appeals board will be the Civil Service Commission.

30.3 APPEALS FROM PROBATIONARY SERVICE RATINGS--There shall be no appeal on probationary service ratings of new employees.

30.4 INVESTIGATION PRIOR TO HEARING--Before scheduling any hearing the Township Board shall make an investigation and shall endeavor to help the parties concerned arrive at a satisfactory agreement. The parties shall cooperate in the investigation, and provide any information requested. If no such agreement is secured, the Township Board shall schedule a hearing before the Civil Service Commission and shall prepare a statement of the contentions of the parties and the undisputed facts.

30.5 CONDUCT OF HEARING--The hearing board shall conduct the hearing informally, obtaining, considering and weighing, all evidence that fair-minded men, in the conduct of their important affairs, would obtain and consider.

The hearing board shall make findings of fact, and as may be appropriate, render a decision and issue an order giving written notice to the parties of the action taken by the hearing board.

SECTION 30 (Cont'd)

30.6 TIME LIMIT FOR FILING--All appeals must be made within fifteen days of the effective date of the decision involved.

30.7 COMMISSION MAY ASSUME JURISDICTION--Notwithstanding the foregoing provisions of this Section, the Commission may assume initial jurisdiction of any controversy, return any matter to the department, or take other appropriate action.

30.8 APPEALS ON DEMOTION OR DISMISSAL--Whenever any status employee or probationary employee with more than 60 days service is discharged or demoted, a statement of reasons for demotion or dismissal action shall be provided to the employee and a copy shall be filed with the Personnel Director. The Civil Service Commission, upon written request from the employee within ten (10) days from the filing of the demotion or dismissal order, shall at its next meeting commence with a hearing on said action in accordance with the Civil Service Ordinance.

SECTION 31  
GRIEVANCE PROCEDURE

31.1 GRIEVANCE PROCEDURE--There shall be a system for grievance procedure developed by the Township Civil Service Commission. The Township Personnel Director shall provide every employee with a copy of the procedure as follows:

- A. Employee grievance to Department Head in writing, a copy to Civil Service Commission. If not resolved within three (3) days, then grievance forwarded to:
- B. To Township Supervisor for investigation and disposition. If not resolved within one (1) week, then grievance forwarded to:
- C. To the Township Board for disposition. If not resolved within three (3) weeks, then grievance forwarded to:
- D. To the Civil Service Commission for final disposition and resolution, within one (1) month of receipt by the Commission.
- E. Time limits may be extended by mutual consent of the parties.

Each grievance must be filed in writing and answered in writing and treated in a confidential manner. Grievance appealed to higher steps of the procedure will include reference to the grievance and answer from the previous step.

SECTION 32  
PERSONNEL RECORDS

32.1 The Township shall prescribe the form, maintenance and retention of the basic personnel records.

SECTION 33

MODIFICATIONS AND AMENDMENTS

33.1 The Civil Service Commission may modify or amend these administrative rules from time to time, as the need arises.

33.2 The Civil Service Commission shall supply the employees with copies of any modifications or amendments to the administrative rules.

33.3 Provisions of the Collective Bargaining Unit Agreement between the Charter Township of Shelby and the Shelby Township Municipal Employees' Association are recognized as a part of these rules as applicable to the members of the Association.



SHELBY TOWNSHIP CIVIL SERVICE ORDINANCE NO. 43

ORDINANCE NO. 43

SHELBY TOWNSHIP CIVIL SERVICE ORDINANCE NO. 43

AN ORDINANCE TO ESTABLISH AND PROVIDE A CIVIL SERVICE SYSTEM IN SHELBY TOWNSHIP: TO CREATE A CIVIL SERVICE COMMISSION, AND TO PRESCRIBE THE DUTIES THEREOF: TO PROVIDE CERTAIN EXEMPTIONS FROM AND CLASSIFICATIONS IN CIVIL SERVICE: AND TO PRESCRIBE PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

THE TOWNSHIP OF SHELBY, COUNTY OF MACOMB ORDAINS:

- SECTION 1. There is hereby established a Township Civil Service Commission and system for the Township of Shelby, County of Macomb.
- SECTION 2. The Township Board, at its next regular or specific meeting after the effective date of this Ordinance, shall appoint, by a majority vote of the members elect, (1) elector of the Township as a member of the Civil Service Commission, and the Township employees shall elect one elector of the Township and the two so selected shall appoint a third elector of the Township, all of whom shall take office as soon as appointed and qualified, and who shall constitute the Civil Service Commission and who shall serve for the following terms as designated hereinafter: The Township Board appointed member for a term expiring six (6) years from December 31st of that year, the employee elected member for a term expiring four (4) years from December 31st of that year, and the Commissioners appointed member for a term expiring two (2) years from December 31st of that year. Biennially thereafter, their successor shall be selected in the same manner for a term of six (6) years to take office on January 1st of the next year and succeed the Commissioner whose term shall then expire. The Commissioner whose term shall next expire shall serve as Chairman of the Commission. Any vacancy occurring on the Commission shall be filled for the unexpired term in the same manner as his original selection. Each Commissioner shall serve until his successor is appointed and qualified. Not more than two (2) of the Commissioners so selected shall be members of the same political party. Two (2) members of the Commission shall constitute a quorum thereof. The Township Board, by a two-thirds (2/3) vote of all the members elect, may remove a Commissioner during his term of office, but only after serving the Commissioner with a statement in writing of the reasons for such removal, and allowing him an opportunity to be represented and publicly heard in his defense.
- SECTION 3. Each Commissioner shall receive compensation for each day's service, and such necessary traveling expenses and mileage as may be incurred in the actual performance of his duties; such compensation and expenses to be fixed by the Township Board.

SECTION 4. The Township clerk shall act as secretary of the Commission and shall perform such other duties as the Township Board shall determine. The Civil Service Commission of the Township, if authorized by the Township Board and subject to its approval, may contract with consultants and with the State Civil Service Commission, a county, city or another township for the use and services of its examiners, clerks and offices and all the facilities of the Civil Service System. The Civil Service Commission shall provide, by regulation, for the hours and conditions of service, for the length and period of vacations, and for the regulation of such leaves in the Township service, and for such other matters pertaining to the carrying out of the provisions of this Ordinance. No applicant shall be required by any rule or regulation of the Commission to submit photographs for the purpose of indentifications, nor shall any such applicant be discriminated against by reason of race, color, creed, national origin or political affiliation.

SECTION 5. The Civil Service of the Township is hereby divided into the unclassified and classified services.

- (a) The unclassified service shall include officers elected by popular vote as prescribed in Article VII, Section 18 of the Constitution of Michigan, persons appointed to fill vacancies in such elective offices and members of board and commissions, and members of the Police and Fire Departments
- (b) The classified service shall comprise all positions not specifically included by this Ordinance in the unclassified service.

SECTION 6. The Commission shall hold meetings at least once a month and shall designate the time and place thereof. It shall adopt its own rules of procedure and shall keep a record of its proceedings. All meetings and records of the Commission shall be public, except as herein otherwise provided.

SECTION 7. THE COMMISSION SHALL:

- (a) Classify all positions within the classified service according to the duties and responsibilities of the positions and recommend pay rates for each class of positions. Salary rates shall not be final until approved by the Township Board, and salaries shall not be paid, except in accordance with the salary adopted by the Township Board.
- (b) Make, in accordance with the provisions of this Ordinance, rules to carry out the purposes of this Ordinance and not inconsistent with its provisions.
- (c) Supervise the administration of the Civil Service rules, hold competitive examinations based exclusively upon merit efficiency and fitness, giving adequate notice thereof, prepare and keep an eligible list of persons passing such examinations and certify the names of such persons to the Township Board.
- (d) By itself or otherwise, investigate the enforcement of the provisions of this Ordinance, of its own rules and of the action of appointees in the classified service. In the course of such investigation, the Commission or its authorized representative may administer oaths, and the Commission may order both the attendance and testimony of witnesses and the production of books and papers relevant to the investigation.
- (e) Utilize such other powers and perform such other duties as may be necessary to carry out the provisions of this Ordinance.

- (f) Cause to be kept records of the service of each employee, known as "service records." These records shall contain fact statements on all matters relating to the character and quality of the work done and the attitude of individual of his work.
- (g) Keep a roster of the employees of the Township, together with a record of service, military or naval experience, and such other matters as may have a bearing on promotion, transfer or discharge. All such "service records" and employees records shall be confidential and not open for public inspection.
- (h) Conduct periodic studies of rates of pay and recommend any necessary adjustments to the Township Board.

SECTION 8.

Whenever a position in the classified Civil Service is to be filled, the Township Board shall notify the Commission of that fact, and the Commission shall certify the names and addresses of the three (3) candidates standing highest on the eligible list for the class to which the position belongs, and the Township Board shall forthwith appoint to the position one (1) of the three (3) persons so certified. The appointment shall be for a probationary period to be fixed by the rules. At or before the expiration of the probationary period, the Township Board, by presenting specific reasons for such action in writing, may discharge a probationary appointee, or with the approval of the Civil Service Commission, transfer him to another department. If not discharged prior to the expiration of the period of probation, the appointment shall be deemed confirmed. To prevent the stoppage of business or to meet extraordinary conditions or emergencies, the Township Board may make a temporary appointment until regular appointment under the provisions of this Ordinance can be made.

SECTION 9.

All appointive officers and employees of the Township or any department thereof at the time this Ordinance takes effect, and who have been such for more than one (1) year prior thereto, whose positions are included in the classified Civil Service, shall hold their positions until discharged, reduced, promoted or transferred, in accordance with the provisions of this Ordinance. All employees now authorized by law to be employed in any Township Office or department for seasonal or temporary employment, who have been in such employment of the Township for one (1) successive season immediately prior to the time this Ordinance takes effect, shall be included in the classified Civil Service and be eligible for appointment to such seasonal or temporary occupation.

SECTION 10.

wherever possible, vacancies in higher classifications or grades shall be filled by promotion. Promotion shall be made from among employees in the grades below the grade in which the vacancy exists, qualified by training and experience to fill the vacancy, and whose length of services in such lower grade entitles them to consideration. The Commission, for the purpose of promotion, shall examine qualified employees in the lower grades on the basis of their service record, experience in the work involved in the vacant position, training and qualification for such work, seniority and such other tests of fitness as the Commission may require. Seniority shall be controlling only when other factors are equal.

- SECTION 11. Any officer or employee in the classified Civil Service may be removed, suspended or reduced in rank or compensation by the Township Board after appointment or promotion is complete by an order in writing, stating specifically the reasons therefor. The order shall be filed with the Civil Service Commission, and copy thereof shall be furnished to the person to be removed, suspended or reduced. The employee may reply in writing to the order within five (5) days from the date of filing it with the Civil Service Commission. Any person removed, suspended or reduced in rank or compensation, within ten (10) days after presentation to him of the order of removal, suspension or reduction, may appeal to the Civil Service Commission. The Commission, at its next regular meeting after filing of the appeal shall commence the hearing thereon, and either affirm, modify or revoke such order. The appellant shall be entitled to appear personally, produce evidence and to have counsel and a public hearing. The finding and decision of the Commission shall be certified to the official from whose order the appeal is taken, and shall forthwith be enforced and followed by him.
- SECTION 12. The Commission shall make an annual report to the Township Board at its annual meeting each year, or at any other time as may be required by the Township Board.
- SECTION 13. No officer or employee of the Township in the classified Civil Service, directly or indirectly, shall solicit or receive, or be in any manner concerned in soliciting or receiving any assessment, subscription or contribution for any political party or any political purpose whatsoever. Any employee violating the provisions of this section may be removed from office.
- SECTION 14. Any person who is ordered by the Commission to appear and testify, or to produce books and papers in the course of the investigation conducted under the provisions of this Ordinance, and who refuses or neglects to appear or to testify as ordered is guilty of a misdemeanor. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses in the Circuit Court for the County and shall be paid from the appropriation for the expenses of the Commission. Every person who, having taken an oath or made affirmation in a proceeding, testifies falsely, is guilty of a misdemeanor.
- SECTION 15. Any person who knowingly violates any of the provisions of this Ordinance, and any person who refuses to perform any duty enjoined upon him by this Ordinance, is guilty of a misdemeanor. When, by this Ordinance, any act or duty is required to be done by or under the supervision or authority of any officer, and such act or duty is not done or performed, then the officer who has willfully neglected to perform such duty, or has willfully permitted the omission or nonperformance of such duty or act, is guilty of a misdemeanor. Any person convicted of any of the acts or omissions which are by this Ordinance declared to be misdemeanors shall be fined not more than One Hundred (\$100.00) Dollars, or imprisoned for not exceeding ninety (90) days or both.
- SECTION 16. The Commission shall be provided with suitable offices, examination rooms and accommodations for itself and staff as may be required to suit the public convenience and carry on the work of the Commission.

- SECTION 17. The Township Board shall provide the necessary appropriations to carry out the provisions of this Ordinance.
- SECTION 18. The provisions of this Ordinance are hereby declared to be severable, and if any provision hereof is declared to be invalid by a Court of competent jurisdiction, the remaining provisions hereof shall not be affected thereby.
- SECTION 19. This Ordinance shall not take effect until affirmatively so declared by a vote of a majority of the electorate of Shelby Township voting on a referendum proposition at any regular or special election held in the Township.
- SECTION 20. This Ordinance was adopted at a regular meeting of the Shelby Township Board held on September 3, 1968.

Published in The Daily Sentinel, Thursday, October 31, 1968.

Approved by the electorate of the Township of Shelby at the General Election held Tuesday, November 5, 1968.

I hereby certify that the foregoing Ordinance has been recorded in the Ordinance Book of the Township of Shelby and has been authenticated as recorded therein.

---

Mae E. Stecker  
Shelby Township Clerk

