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CHEBOYGAN COUNTY

PERSONNEL HANDBOOK

(Effective January 1, 1994)

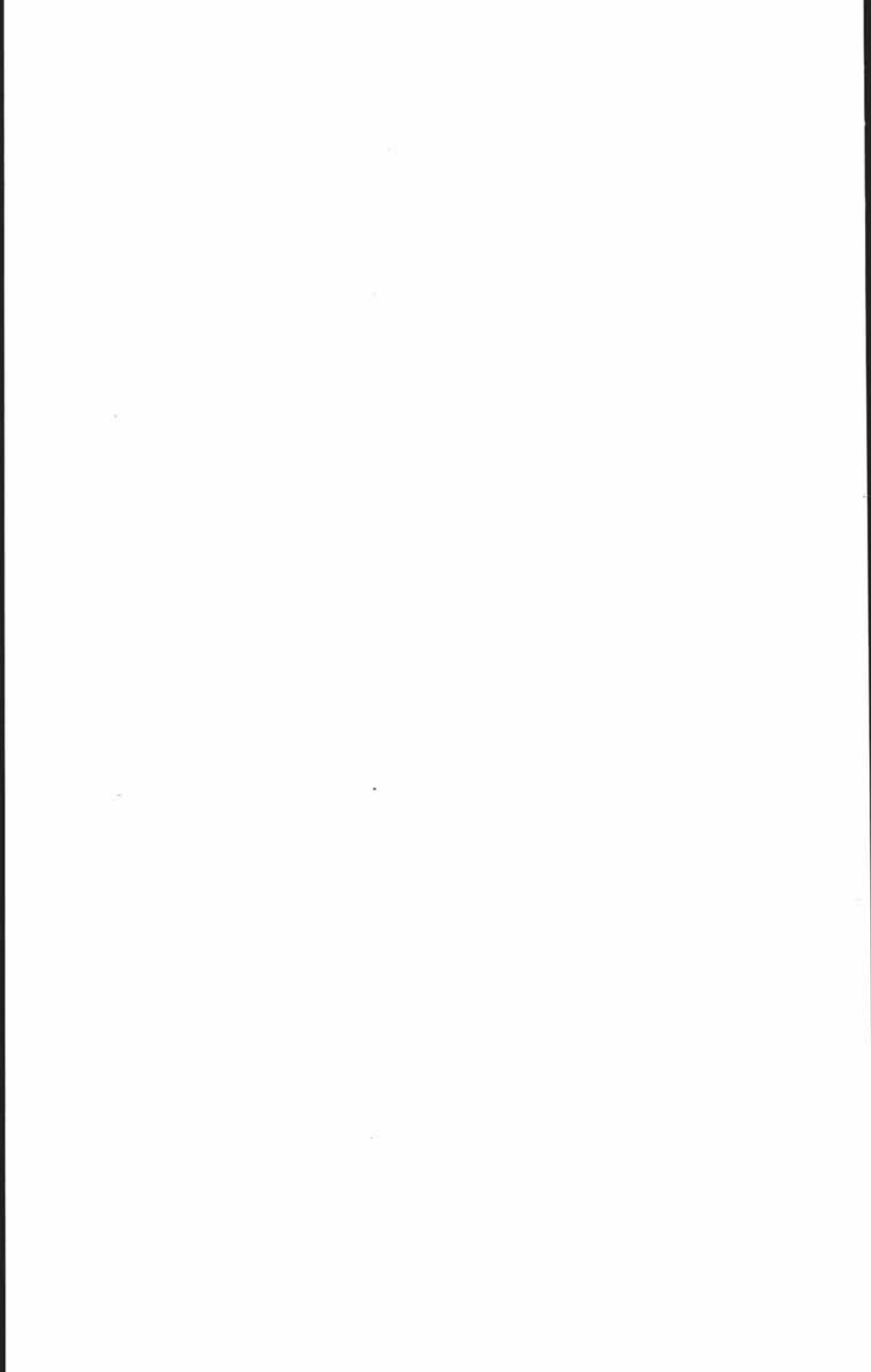
Cheboygan County

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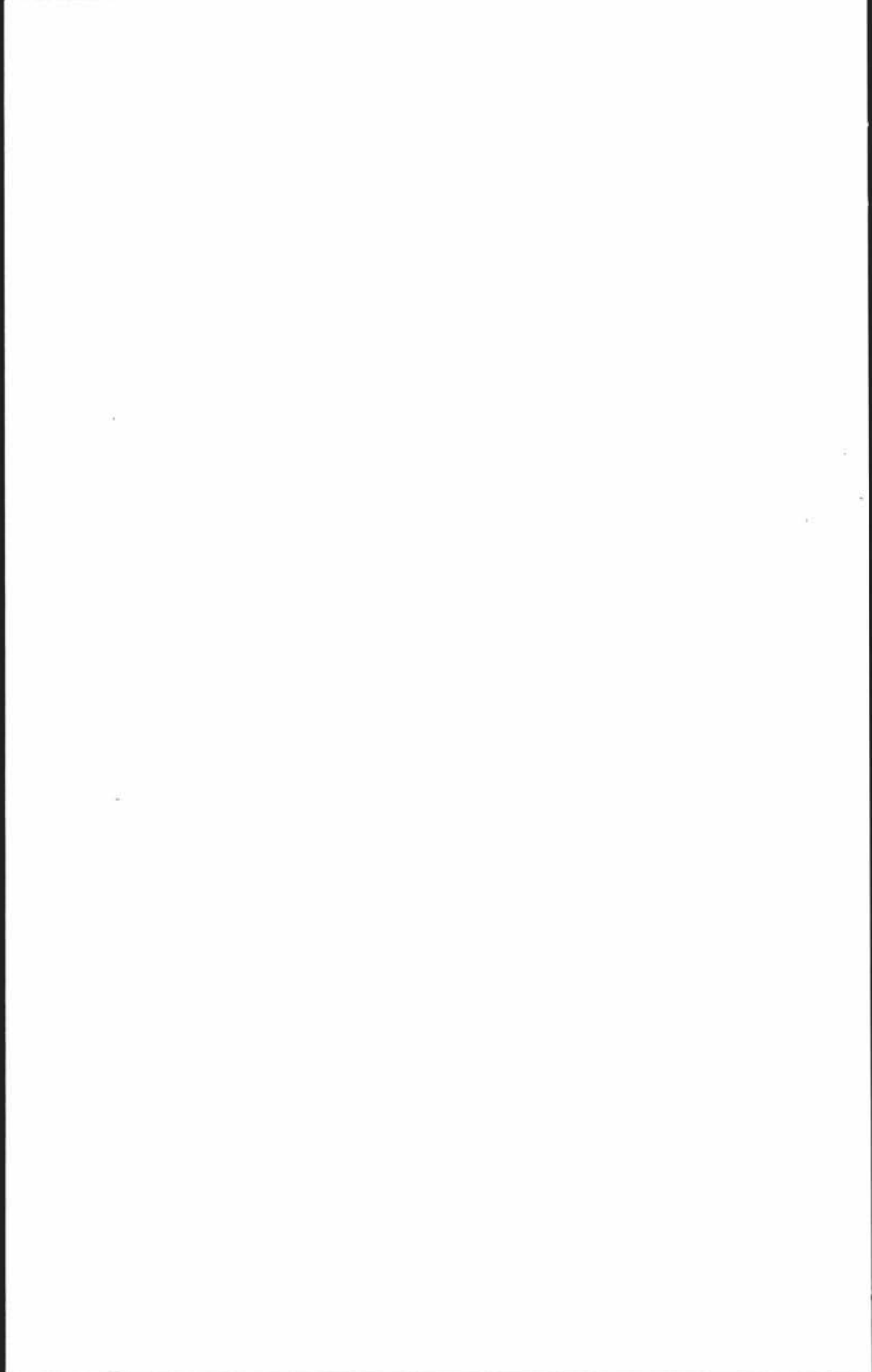
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INTRODUCTION

The County of Cheboygan (the "County") is responsible for the administration and operation of public programs, services and facilities within the County boundaries. The County's ability to perform these functions and to provide these services is directly related to the efficiency of the employees working for the County. An important factor in attracting and keeping efficient and fully trained personnel is the establishment of uniform personnel rules and regulations contained in this Personnel Handbook, but changing circumstances may require their revision from time to time. Employees should consult with their Department Head to determine whether any particular rule or regulation remains in effect.



CHAPTER I

GENERAL PRINCIPLES

Section 1.0. Application of Personnel Rules and Regulations. The rules and regulations contained in this Personnel Policies and Procedures Manual apply to all County employees; provided, however, that where the provisions of this Manual conflict with or differ from the provisions of any existing County collective bargaining agreement, the provisions of the collective bargaining agreement shall be applied to employees within that particular collective bargaining unit rather than the provisions of this manual.

Section 1.1. Personnel Records. Personnel files are maintained for all employees in the Clerk/Register's Office. Employees are required to advise the Clerk/Register's Office in writing of their current address, telephone number, name, marital status, and the names and addresses of their dependents as well as any changes in this information. Employees desiring personnel information released to outside parties shall provide a signed authorization to the Clerk/Register's Office. Employees may review the contents of their personnel files upon request to the Clerk/Register, but may not remove their personnel file from the Clerk/Register's Office. Access to an employee's personnel file is limited to the members of the Salary and Personnel Committee, the Clerk/Register, an employee's supervisor, the employee and such other agents of the County as deemed necessary by the County Board.

Section 1.2. Equal Opportunity. The County of Cheboygan is an equal opportunity employer and will not unlawfully discriminate in its personnel matters with regard to religion, race, color, national origin, age, sex, height, weight, marital status or disability.

CHAPTER II

COUNTY EMPLOYMENT

Section 2.0. Employee Selection. The Elected Officials are responsible for the selection of the employees in their departments. The Salary and Personnel Committee in conjunction with the Appointed Department Heads are responsible for the selection of employees in their departments.

Section 2.1. Job Classifications. Written job descriptions are maintained for all job classifications. Each job description includes a classification title, a general statement of normal duties and responsibilities, and a listing of the qualification requirements of the position. The Salary and Personnel Committee shall periodically review and update all existing job descriptions.

Section 2.2. Categories of Employment. In addition to an employee's job classification, employees are categorized as follows:

- (a) Full time employee: A full time employee is an employee whose normal schedule of work usually consists of at least thirty-five (35) hours per week on a regular schedule in a position classified by the County as permanent.
- (b) Regular part-time employee: A regular part-time employee is an employee whose normal schedule of work usually consists of less than thirty-five (35) hours per week on a regular schedule in a position classified by the County as permanent.
- (c) Irregular employee: An irregular employee is an individual not included within the definitions of full-time or regular part-time employee who is working on any other basis, including temporary, casual, seasonal, working under state or federally funded programs, or school interns.

Section 2.3. Probationary Period. All employees are in a period of probation for their first six (6) months of employment. The probationary period is a time for an employee to decide whether to continue to work for the County and for the employee's Department Head to determine if the employee can provide the level of performance required from County employees. The Salary and Personnel Committee may extend an employee's probation period for a period of up to six (6) additional months upon the recommendation of the employee's Department Head. An employee may be discharged for any reason during the probationary period without recourse to the grievance procedure. The employment relationship with the employee after probation is subject to the employee's continued performance of assigned work in a manner satisfactory to the employee's Department Head and the County's financial ability and need to continue the services provided by the employee.

Section 2.4. Supplemental Employment. No full time employee shall hold a full time job, or its equivalent, in addition to their regular County

employment. Supplementary part-time employment is not encouraged, but is permitted under the following circumstances:

- A. Supplemental employment must not be engaged in at a County facility, utilizing County materials or other County personnel while on the County payroll.
- B. Supplemental employment must not be engaged in during an employee's regularly scheduled working hours.
- C. The supplemental employment must not cause a conflict in interest, the appearance of a conflict of interest or interfere in any way with the satisfactory performance of the employee's County duties.

Employees desiring to engage in supplemental employment must apply in writing to the Salary and Personnel Committee specifying the nature of the employment, the employer, the approximate number of hours to be worked in a given work week, and the nature of the duties to be performed. The Salary and Personnel Committee will inform the employee in writing whether the supplemental employment would constitute a violation of this policy. If the Salary and Personnel Committee determines that the supplemental employment would violate this policy, or if after supplemental employment has been approved the Salary and Personnel Committee determines that the supplemental employment violates this policy, the employee shall resign either the supplemental employment or their position with the County. All approvals of supplemental employment will be reviewed on an annual basis by the Salary and Personnel Committee. Employees whose outside employment lasts for more than one (1) year are required to resubmit their request for approval on their anniversary date each year.

Section 2.5. Anniversary Date. An employee's anniversary date is the most recent date upon which the employee commenced work for the County, and the same date thereafter in succeeding years. An employee's anniversary date shall be adjusted to account for all time spent on unpaid leaves of absence.

Section 2.6. Termination of Employment. The employment relationship with employees of the County is at will and is subject to termination for any reason by the employee or the County. In most instances, the County provides at least two (2) weeks advance notice that an individual's employment will end. Employees who resign or retire shall notify the Salary and Personnel Committee in writing at least two (2) weeks prior to the effective date of the resignation or retirement. The Salary and Personnel Committee will normally

schedule an exit interview with all employees who leave the County employment.

Section 2.7. Political Activities. Employees may, except during hours that the employee is working for the County, engage in political activities.

Section 2.8. Residency. All full time and regular part-time employees are required to establish a bona fide residence and their primary domicile within the County of Cheboygan within six (6) months after the completion of their probationary period and to maintain this residence as a condition of continued employment.

Section 2.9. Performance Evaluations. The performance of all employees shall be evaluated in accordance with the following:

- A. Normal Evaluation periods--within in 10 days of:
 - 1. For probationary employees: End of third, sixth, ninth and twelfth months of probationary period
 - 2. For employees who have been transferred or promoted within the County: End of the sixtieth (60) day in their new position
 - 3. For non-probationary employees: Their anniversary date of hire
- B. Special Evaluations: A special evaluation of an employee's performance may be directed to be performed at any time.

CHAPTER III

PROMOTIONAL OPPORTUNITIES

Section 3.0. Promotional Opportunities. When a permanent full time or regular part-time job or vacancy occurs in a County position, notice of the job or vacancy shall be posted on the bulletin board and advertised by such other means as deemed appropriate by the Salary and Personnel Committee. Employees interested in the job posting may file a written application by the deadline established in the posting. The Salary and Personnel Committee shall determine if a vacancy exists which is to be filled.

The Salary and Personnel Committee shall give due consideration to all applicants for the permanent vacancy, including applications from non-County employees. The applicant considered by the Salary and Personnel Committee to be the best qualified shall be awarded the permanent vacancy. The Salary and Personnel Committee reserves the right to determine that none of the applicants are qualified and leave the position open or to seek further applicants.

Section 3.2. Job Transfers. Employees who receive a new job within the County shall be required to serve a new job probationary period of sixty (60) working days in the new position to prove that they have the skill and ability to perform all the requirements of the position. If the employee fails to meet all the requirements of the position to the satisfaction of the County, the employee will be transferred back to the employee's prior classification; provided, however, that the County may disqualify an employee and return the employee to the employee's prior classification at any time during the new job probationary period. An employee will also be returned to their former classification during this period upon the employee's request.

CHAPTER IV

HOURS OF WORK

Section 4.0. Workweek. The work week for all employees shall begin at 12:00 a.m. on Sunday and end at 11:59 p.m. the following Saturday.

Section 4.1. Hours of Work. The regular work hours of all County employees shall be determined by each Department Head and the Salary and Personnel Committee. The normal workweek for full-time employees not working in seven day a week operations shall be forty (40) hours and the normal workday shall consist of eight (8) hours, not including meal periods. Nothing contained herein shall be construed to constitute a guarantee of any particular number of hours of work or pay per day or hours of work or pay per week. The County may change the normal workweek and workday whenever the Salary and Personnel Committee determines that operating conditions warrant such changes.

Section 4.2. Work Schedule. The work schedule of all County employees shall be determined by each Department Head and the Salary and Personnel Committee. The normal work schedule for full time employees not working in seven day a week operations is from 9:00 a.m. until 5:00 p.m.. The County

may change the normal work schedule whenever the Salary and Personnel Committee determines that operating conditions warrant such changes.

Section 4.3. Overtime. All employees shall be expected to work overtime upon request. Overtime must be authorized in advance by their Department Head.

Section 4.4. Meal Periods. All full time employees will be allowed a one (1) hour meal period without pay. This meal period shall be at or near the midpoint of the scheduled day. The timing of an employee's meal period shall be scheduled by their Department Head so as not to interfere with prompt and efficient service to the County and the public.

Section 4.5. Break Periods. Department Heads will endeavor to provide employees with a fifteen (15) minute break period during the first half of their work day and a fifteen (15) minute break period during the second half of their work day. All break periods will be scheduled by Department Heads so as to not interfere with the prompt and efficient service to the County and the public. During these periods, the employee remains on active duty and must take appropriate actions if necessary.

Section 4.6. Tardiness and Absenteeism. Employees shall report promptly for work and remain at work until the end of the work schedule. In the event that employees are unable to report for work, they must notify their Department Head as soon as possible, but no later than one (1) hour before the beginning of the work day.

Section 4.7. Time Reporting. All employees are required to submit daily time reports to their Department Head.

Section 4.8. Employee Compensation. The County maintains a pay range for each job classification. An employee's regular straight time rate of pay is established by the employee's placement on the wage range. Employees normally begin at the "start" rate and progress from step to step in the wage classification to completion of the specified period of time in that classification. The Salary and Personnel Committee may withhold a step increase from employees whose performance has not been satisfactory.

Section 4.9. Compensatory Time for Non-Exempt Employees. Employees who are required to work more than their regularly scheduled hours in a workweek may elect to receive compensatory time in lieu of receiving pay for the hours worked. This compensatory time shall be credited at the rate of one (1) hour for every hour worked in excess of their regularly scheduled

hours but less than forty (40) in the workweek and one and one half (1-1/2) hours for every hour worked in excess of forty (40) in any workweek. The scheduling of compensatory time off shall be arranged in advance by the employee with their Department Head. A request for use of compensatory time may be denied, or canceled if it would unduly disrupt the County's operations. Compensatory time off may be accumulated to a maximum of two hundred forty (240) hours. Employees whose employment with the County is terminated shall receive pay for accrued but unused compensatory time at the average regular rate received by such employee during the last three (3) years of the employee's employment or at the final regular rate received by such employee, whichever is higher.

Section 4.10. Compensatory Time for Exempt Employees. Employees who are required to work at times outside of their regular work hours shall receive compensatory time. This compensatory time shall be credited at the rate of one (1) hour for every hour worked in excess of their regular scheduled hours in any workweek. The scheduling of compensatory time off shall be arranged in advance by the employee with their Department Head. A request for use of compensatory time may be denied, or canceled if it would unduly disrupt the County's operations. Compensatory time off may be accumulated to a maximum of two hundred forty (240) hours. Employees whose employment with the County is terminated shall not receive pay for accrued but unused compensatory time.

Section 4.11. Overtime Pay. Employees shall be paid one and one-half (1-1/2) times their regular straight time rate of pay for all hours worked in excess of forty (40) in any workweek. For purposes of overtime computation, hours worked shall include paid sick leave, paid personal leave, paid funeral leave, paid jury leave, paid vacation leave, paid holidays and all hours actually worked; provided, however, that hours compensated at time and one-half (1-1/2) for work on holidays shall not again be counted as hours worked for overtime calculation purposes.

Section 4.12. Pay Periods. Employees will be paid every other Friday. For hourly employees, pay checks will cover a two week period which starts Monday and ends on Sunday preceding the pay day. For salaried employees, pay checks will cover a two week period ending on the Friday of the pay day.

Section 4.13. Retirement. All full time and regular part time employees shall participate in Plan B-1 of the Michigan Municipal Employees' Retirement System. The employee's contribution rate towards the cost of the Plan shall be three percent (3%) of their gross compensation. The specific terms and conditions governing the retirement plans are controlled by the statutes and

regulations establishing the Michigan Municipal Employees' Retirement System.

Section 4.14. Inclement Weather. County services remain operational during severe weather periods, and employees are expected to report for and remain at work unless County operations are officially closed by the Chairman of the Board of Commissioners, or a designee appointed by the Chairman. In the event that weather conditions prevent an employee from reporting for work at their scheduled time, the employee must notify their Department Head as soon as possible.

CHAPTER V

LEAVES OF ABSENCE

Section 5.0. Unpaid Personal Leave. The County may in its discretion grant an employee a personal leave of absence without pay or benefits for a period not to exceed thirty (30) calendar days. Requests for a unpaid personal leave of absence shall be submitted in writing to the employee's Department Head. All requests shall state the reason for the leave and must be signed by the employee. An extension of an unpaid personal leave of absence may be granted by the County in its discretion, provided the extension is requested in writing prior to the termination of the original leave period. No unpaid personal leave of absence may be granted for a period in excess of one (1) calendar year. No request for an unpaid personal leave of absence shall be considered approved unless such approval is in writing signed by the Chairman of the Salary and Personnel Committee.

Section 5.1. Paid Sick Leave. Full time and regular part time employees with at least five (5) years of service shall earn and be granted sick leave of absence with pay under the following conditions and qualifications:

- A. Paid sick leave will be earned at a rate of seven (7) hours for each month of active service with the County. For purposes of this section, an employee has a complete month of active service when they work or receive pay for at least one hundred forty (140) hours during any calendar month. Employees who work for or receive pay from the County for less than one hundred forty (140) hours per month shall receive pro-rated sick leave based upon the number of hours worked or paid divided by one hundred forty (140), rounded to the nearest one half (1/2) hour.

B. The employee's sick leave accumulation shall be reduced by one (1) hour for each hour of sick leave taken.

C. Employees may utilize accrued paid sick leave when it is established to the County's satisfaction that an employee is incapacitated from the performance of work due to illness, injury, or other disability. Disability associated with pregnancy, miscarriage, abortion or childbirth shall be treated as any other disability. Full time employees may also use up to thirty-five (35) and regular part-time employees up to eighteen (18) hours of accrued paid sick leave each calendar year for illnesses to members of their immediate household that necessitate the employee's presence with that individual, subject to the same verification procedures for personal illness or injury. For the purposes of this Section, an employee's immediate family is defined as the employee's mother, father, spouse, child or member of the employee's immediate household living with the employee.

D. An employee shall notify the Employer of the need to utilize paid sick leave as far in advance as possible. The Employer may require as a condition of any paid sick leave a physician's certificate setting forth the reasons for the sick leave, if the Employer has reason to believe that the employee is abusing sick leave. Falsification of the physician's certificate or falsely setting forth the reasons for the absence shall subject the employee to discipline.

E. There shall be a maximum accumulation of one hundred (100) paid sick days for full time employees hired prior to September 1, 1982, after which time not more paid sick days will be accumulated except to the extent of restoring paid sick days used. Full-time employees who are employed by the County on or after September 1, 1982, shall have their maximum accumulation of paid sick days limited to thirty (30) paid sick days. Regular part-time employees shall have their maximum accumulation of paid sick days limited to fifteen (15) paid sick days.

F. Sick leave is a benefit for employees to be used in case of illness or injury. It is not a benefit to be converted into wages. On termination, payment of unused sick leave days will be paid to employees at the rate of one-half of all accumulated sick leave days. Upon death of the employee, the Employer shall pay the employee's beneficiary one-half of all accumulated sick leave days. This payment shall be at the employee's prevailing rate of pay and shall be based

on a maximum possible accumulation of sixty (60) such days. Employees who are discharged from the employment of the County are not eligible for payment of any accumulated sick leave days under this Section. Employees who are employed by the County on or after September 1, 1982 will not be eligible for payment of unused paid sick leave days.

Section 5.2. Family and Medical Leave. Employees who have been employed for a least 12 months are eligible for leaves of absence for family and medical reasons under the terms and conditions set forth below and as those terms and conditions are supplemented and explained by the Family and Medical Leave Act of 1993 (FMLA) and the regulations promulgated under that act, provided that they were employed for at least 1,250 hours of service during the 12 month period immediately preceding the commencement of the requested leave:

(a) **Qualifying reasons for leaves.** An eligible employee is entitled to a total of 12 workweeks of leave during a "rolling" 12-month period measured backward from the date an employee uses any leave for any one, or more, of the following reasons:

- (1) The birth of a son or daughter, and to care for the newborn child;
- (2) The placement with the employee of a son or daughter for adoption or foster care;
- (3) To care for the employee's spouse, son, daughter, or parent with a serious health condition; and
- (4) Because of a serious health condition that makes the employee unable to perform the functions of his or her job.

For purposes of leaves under subparagraphs (3) and (4) above, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; any period of incapacity requiring absence from work, school, or other regular daily activities, of more than three calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider; or continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term

health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days; or for prenatal care.

(b) **Requests for leave.** Employees desiring leaves of absence under this section shall provide written notice to the Employer setting forth the reasons for the requested leave, the anticipated start date of the leave, and its anticipated duration. The timing of this notice shall be as follows:

(1) Foreseeable leaves. An employee must provide at least 30 days advance notice before the leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or of a family member. If 30 days notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin or a change in circumstances, notice must be given as soon as possible. Employees are expected to consult with the Employer prior to the scheduling of planned medical treatment in order to work out a treatment schedule which best suits the needs of both the Employer and the employee and the Employer may, for justifiable cause, require an employee to attempt to reschedule treatment, subject to the ability of the health care provider to reschedule the treatment and the approval of the health care provider as to any modification of the treatment schedule. In the event that an employee fails to give the required notice with no reasonable excuse for the delay, the Employer may deny the taking of the leave until at least 30 days after the date the employee provides notice to the Employer of the need for the leave.

(2) Unforeseeable leaves. When the need for leave, or its approximate timing, is not foreseeable, an employee shall give notice to the Employer as soon as practicable under the facts and circumstances of the particular case. It is expected that an employee will give notice to the Employer within no more than one or two working days of learning of the need for leave, except in extraordinary circumstances. In the case of a medical emergency requiring leave because of an employee's own serious health condition or to care for a the

employee's spouse, son, daughter or parent with a serious health condition, written advance notice is not required.

Employees shall provide notice to the Employer either in person or by telephone, telegraph, facsimile ("fax") machine or other electronic means. Notice may be given by the employee's representative (e.g., a spouse, family member or other responsible party) if the employee is unable to do so personally. The employee or representative will be expected to provide more information when it can readily be accomplished as a practical matter, taking into consideration the exigencies of the situation.

(c) **Medical Certification.** A request for leave to care for the employee's spouse, son, daughter, or parent with a serious health condition, or due to the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position, must be supported by a certification issued by the health care provider of the employee or the employee's ill family member. The employee must provide the requested certification to the Employer within 15 calendar days, unless it is not practicable under particular circumstances to do so despite the employee's diligent, good faith efforts. An employee who fails to provide the certification may be denied the taking of leave until the required certification is provided.

If the Employer has reason to doubt the validity of a medical certification, it may require the employee to obtain a second opinion at the Employer's expense from a health care provider of its choice, provided that the selected health care provider cannot be employed on a regular basis by the Employer. If the opinions of the employee's and the Employer's designated health care providers differ, the Employer may require the employee at the Employer's expense to obtain certification from a third health care provider designated or approved jointly by the Employer and the employee. The Employer and the employee must each act in good faith to attempt to reach agreement on whom to select for the third opinion provider. This third opinion shall be final and binding.

The Employer may request recertification at any reasonable interval, but not more often than every 30 days, unless:

- (1) The employee requests an extension of leave;

(2) Circumstances described by the original certification have changed significantly (e.g., the duration of the illness, the nature of the illness, complications); or

(3) The Employer receives information that casts doubt upon the continuing validity of the certification.

The Employer may also require recertification of the employee's or the family member's serious health condition when it is prevented from recovering its share of health benefit premium payments made on the employee's behalf during a period of unpaid leave because the employee is unable to return to work after leave due to the continuation, reoccurrence, or onset of a serious health condition.

Employees whose leave was occasioned by a serious health condition that made the employee unable to perform their job are required to obtain and present certification from the health care provider that they are fit for duty and able to return to their work. This certification must be provided at the time the employee seeks reinstatement at the end of the leave, and the Employer may deny restoration until satisfactory certification is provided.

(d) **Length of leave.** An employee is eligible for up to 12 workweeks of leave each year. This year is based upon a "rolling" 12-month period measured backward from the date an employee uses any leave under this section. This 12 workweeks of leave may be taken in one continuous period or "intermittently or on a reduced leave schedule" under certain circumstances. "Intermittent leave" is leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time, and may include leave of periods from an hour or more to several weeks.

A "reduced leave schedule" is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. Leave taken because of a birth or placement of a child for adoption or foster care may only be taken intermittently or on a reduced leave schedule with the prior written approval of the Employer. Leave taken to care for a sick family member or for an employee's own serious health condition may be taken intermittently or on a reduced leave schedule when medically necessary.

For intermittent leave or leave on a reduced leave schedule, there must be a medical need for leave (as distinguished from voluntary

treatments and procedures) and it must be that such medical need can be best accommodated through an intermittent or reduced leave schedule. In the case of a request for intermittent leave or leave on a reduced leave schedule which is medically necessary, the employee shall advise the Employer of the reasons why the intermittent/reduced leave schedule is necessary and the schedule for treatment, if applicable. The treatment regimen and other information described in the certification of a serious health condition meets the requirement for certification of the medical necessity of intermittent leave or leave on a reduced leave schedule. Employees needing intermittent leave or leave on a reduced leave schedule must attempt to schedule their leave so as not to disrupt the Employer's operations. The employee and the Employer shall attempt to work out a schedule which meets the employee's needs without unduly disrupting the Employer's operations, subject to the approval of the health care provider.

If an employee requests intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, including during a period of recovery from a serious health condition, the Employer may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position. The alternative position must have equivalent pay and benefits. The Employer may also transfer the employee to a part-time job with the same rate of pay and benefits, provided the employee is not required to take more leave than is medically necessary. The Employer may not eliminate benefits which otherwise would not be provided to part-time employees; however, the Employer may proportionately reduce earned benefits where such reduction is normally made by the Employer for its part-time employees.

If an employee takes leave on an intermittent or reduced leave schedule, only the amount of leave actually taken is counted toward the maximum 12 weeks of leave. Where an employee normally works a part-time schedule or variable hours, the amount of leave is determined on a pro rata or proportional basis by comparing the new schedule with the employee's normal schedule. If an employee's schedule varies from week to week, a weekly average of the hours worked over the 12 weeks prior to the beginning of the leave period is used for calculating the employee's normal workweek.

(e) **Payment status while on leave.** Employees on leaves of absence under this section shall be paid in accordance with the following:

(1) In instances where the leave is needed due to the employee's own serious health condition, the leave shall be with pay as long as the employee has available accrued paid leave days. These paid leave days shall be applied in the following order:

- (a) Paid sick leave
- (b) Paid personal leave
- (c) Paid vacation

(2) In instances where the leave is needed for reasons other than the employee's own serious health condition, the leave shall be with pay as long as the employee has available accrued paid leave days. These paid leave days shall be applied in the following order:

- (a) Paid personal leave
- (b) Paid vacation

As a condition of the leave, employees must utilize available paid leave in the order set forth above and cannot elect to have unpaid leave in order to retain paid leave for use at other times. Upon the exhaustion of accrued paid leave days, the remainder of the leave shall be without pay.

(f) **Benefit status while on leave.** While on leave, an employee's coverage under any group health plan shall be continued on the same conditions as coverage would have been provided if the employee had been continuously employed during the entire leave period. An employee may choose not to retain health coverage during the leave, and upon return from the leave is entitled to reinstatement of the group health plan coverage without any qualifying period, physical examination, or exclusion of pre-existing conditions.

Except as required by the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), the Employer's obligation to maintain health benefits ceases when an employee informs the Employer of their intent not to return from leave (including at the start of leave if the Employer is so informed before the leave starts),

or the employee fails to return from leave and thereby terminates employment, or the employee exhausts their leave entitlement.

The Employer may recover its share of health plan premiums paid during a period of unpaid leave from an employee if the employee fails to return to work after the employee's leave entitlement has been exhausted or expires, unless the reason the employee does not return is due to:

- (1) The continuation, recurrence, or onset of a serious health condition which would entitle the employee to leave under this section, unless the Employer requests medical certification and the employee does not provide such certification in a timely manner (within 30 days); or
- (2) Other circumstances beyond the employee's control.

The Employer's right to recover its share of health premiums paid during periods of unpaid leave extends to the entire period of unpaid leave taken by the employee. When an employee fails to return to work, except for the reasons stated above, health premiums paid by the Employer during a period of leave are a debt owed by non-returning employee to the Employer. In the circumstances where recovery is allowed, the Employer may recover its share of health insurance premiums through deduction from any sums due to the employee (e.g., unpaid wages, vacation pay, profit sharing, etc.). Alternatively, the Employer may initiate legal action against the employee to recover its share of health insurance premiums.

(g) **Rights upon return to work.** On return from leave, an employee shall be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, unless the employee is no longer qualified for the position because of their physical or mental condition or the failure to maintain a necessary license or certification.

Section 5.3. Disability Leave. After completion of the twelve (12) week family and medical leave requested because of a serious health condition that made the employee unable to perform the functions of their job, a supplemental disability leave of absence will be granted to employees who are unable to continue to work for the County because of a non-work related injury, illness, pregnancy or other disability, subject to the right of the County

to require a physician's certificate establishing to the satisfaction of the County that the employee is incapacitated from the performance of work due to illness, injury, or other disability. A disability leave shall be with pay and benefits until such time as the employee has exhausted all accrued paid sick leave benefits or other paid time and thereafter shall be without pay or benefits. This disability leave will continue for the period of the employee's disability; provided, however, that an employee may not be on a disability leave for a period of more than twelve (12) consecutive months. The County may request at any time, as a condition of continuance of a disability leave of absence, proof of a continuing disability. In situations where the employee's physical or mental condition raises a question as to the employee's capacity to perform the job, the County may require a medical examination by a physician chosen by the County at the County's expense and, if appropriate, require the employee to take a leave of absence under this Section. Employees who are anticipating a leave of absence under this Section may be required to present a physician's certificate recommending that the employee continue at work and in all cases the employee's attendance and job responsibilities must be satisfactorily maintained. Employees are required to notify the County of any condition which will require a leave of absence under this Section together with the anticipated date for commencement of such leave. This notice shall be given to the County by the employee as far in advance as possible of the anticipated date to commence the disability leave. All employees returning to work from a disability leave of absence must present a physician's certificate satisfactory to the County indicating the employee is medically able to return to work.

Section 5.4. Military Training or Emergency Duty Leave. Full time and regular part-time employees required to perform active duty for training or to perform emergency duty in any reserve component of the Armed Forces of the United States or the National Guard shall be granted a leave of absence for the period of such training or emergency duty upon request and the presentation of proper documentation from the employee's Commanding Officer. For each day, up to a maximum of ten (10) days per calendar year, that an eligible employee performs such duty when the employee otherwise would have worked, the employee shall receive the employee's regular rate of pay for the number of hours that the employee would have been scheduled to work on that day, exclusive of overtime, less the amount the employee received for the military service, exclusive of travel and meal expense. The provisions of this Section do not apply to an employee's initial period of active duty for training.

Section 5.5. Jury Duty Leave. Employees summoned by a court to serve as jurors shall be given a jury leave of absence for the period of their jury duty.

For each day, up to a maximum of ten (10) days per calendar year, that an eligible employee serves as juror when the employee otherwise would have worked, the employee shall receive the employee's regular rate of pay for the number of hours that the employee would have been scheduled to work on that day, exclusive of overtime, less the amount the employee received from the court, exclusive of travel and meal expense. In order to be eligible to receive jury duty pay from the County, an employee must:

- A. Be a full time employee;
- B. Give the County reasonable advanced notice of the time that the employee is required to report for jury duty;
- C. Give satisfactory evidence that the employee served as a juror at the summons of the court on the day that the employee claims to be entitled to jury duty pay;
- D. Return to work promptly after being excused from jury duty service.

Section 5.6. Funeral Leave. Full time employees shall be granted up to three (3) and regular part-time employees up to one and one-half (1-1/2) consecutive working days leave to attend the funeral when death occurs in the employee's immediate family. "Immediate family" shall mean the employee's mother, father, brother, sister, spouse, child, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law; grandchildren and grandparents. Employees who lose work from their regularly scheduled hours shall receive pay at their straight time regular rate of pay for up to seven (7) hours per day.

Section 5.7. Paid Personal Leave. Full time employees will be granted one (1) and regular part-time employees one-half (1/2) paid personal day for use each calendar year. The pay for a personal days shall be equal to the employee's straight time pay for the regular workday for which the employee was otherwise scheduled to work. Except in emergency situations such as an illness involving a child, spouse or other dependent that necessitates the employee's presence at home, paid personal leave days must be scheduled in advance at a time mutually agreeable to the County and the employee. Paid personal leave days must be used during the calendar year in which they are granted, and paid personal leave days unused at the end of the calendar year will be forfeited.

Section 5.8. Workers Compensation Leave. Upon written application, a leave of absence for a period of not more than twelve (12) months will be granted to non-probationary employees who are unable to continue to work at the County because of a work related injury or disease for which the employee is entitled to receive benefits under the Worker's Compensation laws of the State of Michigan and is receiving payments from the County, subject to the County's right to require medical proof. Paid sick leave may be utilized while on a workers compensation leave to the extent necessary to maintain the employee's net take-home pay based upon a forty (40) hour week or the employee's normal work week, whichever is lesser. The County may require at any time, as a condition of continuance of a worker's compensation leave of absence, proof of a continuing inability to perform work with the County. In the event that the County, on the advice of a physician selected by the County, determines that the employee is capable of returning to work, the employee's leave of absence shall immediately end.

Section 5.9. Severe Weather Leave. In severe weather situations when the Chairman of the Board of Commissioners declares the County Building closed, or when the building remains open and an employee reports late for work, the employee may elect to utilize accrued paid sick leave, paid personal leave or vacation time to maintain their normal pay for that day, or may elect to take unpaid leave for the time missed.

Section 5.10. Return to Work after Leave of Absence. Employees returning from approved leaves of absence will be reinstated to their former job classification if they have the necessary qualifications, skill and ability to perform the work in an effective and efficient manner.

CHAPTER VI

HOLIDAYS

Section 6.0. Recognized Holidays. The following days are recognized as holidays by the County:

New Year's Day	Labor Day
Martin Luther King Day	Thanksgiving Day
President's Day	Day After Thanksgiving Day
Good Friday	Christmas Eve*
Memorial Day	Christmas
Independence Day	New Years Eve*

It is understood that employees will be required to work on holidays in accordance with normal scheduling procedures.

Section 6.1. Holiday Observation. Whenever New Years Day, Independence Day, or Christmas fall on a Saturday, that holiday shall be observed on the preceding Friday. Whenever New Years Day, Independence Day, or Christmas fall on a Sunday, that holiday shall be observed on the following Monday. Christmas Eve and New Years Eve are only celebrated as holidays when they fall on Monday, Tuesday, Wednesday or Thursday. Employees who work in seven day a week operations shall celebrate all holidays on the actual date of the holiday.

Section 6.2. Holiday Eligibility. In order to be eligible for holiday pay an employee must satisfy all of the following conditions and qualifications:

- A. The employee must have completed their probationary period.
- B. The employee must work all their scheduled hours on the last regularly scheduled workday before the holiday and on the first regularly scheduled workday after the holiday, unless the employee is on an approved paid leave.
- C. The employee must be on the active payroll as of the date of the holiday. For purposes of this subsection a person is not on the active payroll of the County during unpaid leaves of absences, layoffs, or on a disciplinary suspension.

An otherwise eligible employee who is required to work on a recognized holiday but fails to report and work the scheduled hours shall not receive any holiday pay for such holiday.

Section 6.3. Holiday Pay. Eligible full time hourly employees shall receive seven (7) hours' pay for each recognized holiday. Eligible part-time hourly employees shall receive pay at their regular rate for one half (1/2) the number of hours in their normal daily schedule of work on the holiday for each recognized holiday. All holiday pay shall be at the employee's straight time regular rate of pay, exclusive of all premiums. Eligible salaried employees are not normally required to work on holidays, but shall continue to receive their salaries.

Section 6.4. Holiday During Vacation. Employees who are on approved vacations on a day that a holiday is observed shall be paid for the holiday,

provided that they work their entire scheduled shift prior to leaving on vacation and immediately following their vacation.

Section 6.5. Work on Holidays. Hourly employees required to work on a recognized holiday shall receive holiday pay if otherwise eligible, in addition to pay at their regular straight time rate of pay for all hours worked on a recognized holiday.

CHAPTER VII

VACATIONS

Section 7.0. Vacation Leave. Full time and regular part-time employees shall be granted vacation leave with pay and benefits based upon their length of continuous service with the County in accordance with the following:

Full Time Employees

<u>Years of Continuous Service</u>	<u>Time Off</u>
At least one (1) but less than five (5) years	84 hours
At least five (5) but less than fifteen (15) years	120 hours
At least fifteen (15) years	140 hours

Regular Part-time Employees

<u>Years of Continuous</u>	<u>Time Off</u>
At least five (5) but less than ten (10) years	42 hours
At least ten (10) but less than thirty (30) years	60 hours
At least thirty (30) years	70 hours

Vacation leave accrues on a yearly basis and is credited to eligible employees each year on their anniversary date, based upon their years of continuous service with the County as of their anniversary date.

Section 7.1. Vacation Eligibility. Vacation leave will be earned at a rate of one-twelfth (1/12) of the annual accrual for each month of active service with the County. For purposes of this section, a full time employee has a complete month of active service when they work or receive pay for at least one

hundred forty (140) hours during any calendar month, and a regular part-time employee has a complete month of active service when they work or receive pay for at least seventy (70) hours during any calendar month. Full time employees who work for or receive pay from the County for less than one hundred forty (140) hours per month shall receive pro-rated vacation leave based upon the number of hours worked or paid divided by one hundred forty (140), rounded to the nearest one half (1/2) hour. Regular part-time employees who work for or receive pay from the County for less than seventy (70) hours per month shall receive pro-rated vacation leave based upon the number of hours worked or paid divided by seventy (70), rounded to the nearest one half (1/2) hour.

Section 7.2. Vacation Scheduling. Employees may schedule time off for vacation after vacation leave has been credited to their use upon proper notice, provided that such time off does not unreasonably interfere with efficient operation and the County's obligations to the public generally. Vacation requests must normally be submitted in writing by the employee sixty (60) days in advance of the period requested. Vacation leave will normally only be granted in periods of one week or more, but the Department Head may allow vacation leave to be taken in periods of one-half (1/2) complete day. Employees are required to take their vacation leave during the twelve (12) months following its crediting each year, and all vacation leave not used during that period shall be forfeited, provided, however, that in the event that the County is required to cancel an employee's scheduled vacation and the employee is unable to reschedule the vacation prior to their anniversary date, then the amount of vacation canceled may be carried over to the next year.

Section 7.3. Vacation Pay. Vacation pay will be computed at the straight time hourly rate an employee is earning at the time the vacation leave is taken.

Section 7.4. Vacation Pay on Termination. Employees who leave the employ of the County may receive pay for accrued and credited but unused vacation leave in any of the following circumstances:

- (a) If an employee goes on social security disability or retires in accordance with the retirement plan currently in effect.
- (b) If an employee resigns from employment and a minimum of two weeks advance notice is given to the County.

(c) If an employee is laid off and requests payment of vacation pay; provided, however, that such vacation pay shall be designated to the period of the layoff.

(d) In the event of the death of an employee, vacation pay shall be paid to the employee's spouse or estate.

CHAPTER VIII

INSURANCE

Section 8.0. Medical Insurance. The County makes available a group insurance program covering certain hospitalization, surgical and medical expenses for participating full time and regular part-time employees and their eligible dependents.

The specific terms and conditions governing the group insurance program are set forth in detail in the master policy or policies governing the program as issued by the carrier or carriers. A summary description of the program as a whole is in the Clerk/Registrar's Office.

Employees electing to participate in the group insurance plan shall advise the County in writing of this intent by filling out the applicable insurance forms and shall make arrangements satisfactory to the County for the payment of the required monthly premium, if any. No employee shall be eligible to participate in the group insurance program if the employee is covered by other insurance for the same purposes. Employees should contact the Clerk/Registrar's Office to determine the portion of the insurance premium currently paid by the County on behalf of eligible employees.

Section 8.1. Reimbursement of Medical Expenses. In the event that an employee covered by the group insurance program incurs medical expenses that are not paid by the insurance carrier solely due to the deductible provisions of Rider DRI-275, the County reimburses the employee for these expenses, up to a yearly maximum of \$275 per person or \$550 per family.

Section 8.2. Duplication of Insurance Benefits. The County shall have no obligation to duplicate any benefit an employee receives or is eligible to receive under any other policy or plan notwithstanding the circumstances of eligibility, amount or duration of benefit. Employees are required to inform the County of any and all hospitalization or medical benefit coverage they

have or are eligible to have as a condition to receipt of coverage under the County's medical insurance plans.

Section 8.3. Continuation of Insurance Premiums. In the event that an employee eligible for insurance coverage is discharged, quits, retires, resigns, is laid off, or commences an unpaid leave of absence, the County shall have no obligation or liability whatsoever for making any insurance premium payment for any such employee or their lawful dependents beyond the month in which the discharge, quit, retirement, resignation, layoff, or unpaid leave of absence commences. Employees on County approved leaves of absence, or who have retired may continue insurance benefits on a month-by-month basis by paying to the County, in advance, the amount of the next month's premium for that employee and/or their lawful dependents, subject to the approval of the insurance program. The County shall resume payment of insurance premiums for eligible employees who return to work from layoff or unpaid leaves of absence as of the first (1st) day of the premium month following the date of the employee's return to work. The provisions of this section notwithstanding, the County shall continue the payment of insurance premiums for employees on workers compensation leave for a period of six (6) months.

Section 8.4. Workers Compensation. Workers compensation coverage is provided for all employees.

Section 8.5. Unemployment Compensation. All employees are covered under Michigan's unemployment compensation system.

Section 8.6. Social Security. All employees are covered under social security.

CHAPTER IX

GRIEVANCE PROCEDURE

Section 9.0. Grievances. The County endeavors to apply its policies, benefits, and rules in a uniform and equitable manner. In the event that an employee considers that they are not receiving fair treatment or not receiving all the benefits due to them as an employee, the grievance procedure is available to attempt to resolve the complaint.

Section 9.1. Grievance Procedure. All grievances shall be handled in the following manner:

Step 1. Oral Procedure to Supervisor. An employee with a complaint shall discuss the matter with their immediate supervisor, or designated representative, within two (2) working days from the time of the occurrence of the events giving rise to the complaint or within two (2) working days from the time the employee involved first knew or could have known of the facts giving rise to the complaint in situations where it was impossible for the employee involved to have known at the time of the actual occurrence of the events giving rise to the complaint. The immediate supervisor, or designated representative, will endeavor to give an oral answer to the complaint within two (2) working days of the discussion with the employee concerned. Every effort shall be made to settle the complaint in this manner.

Step 2. Written Procedure to Department Head. If the complaint is not satisfactorily settled in the Step 1, Oral Procedure, the complaint shall be reduced to a written grievance within five (5) working days from the time of the oral answer. The written grievance shall adequately set forth the facts giving rise to the complaint and shall be signed by the employee. The preparation of a written grievance shall not occur during working time. The grievance shall be submitted to the employee's Department Head, or designated representative. Within five (5) working days after the grievance has been appealed, a meeting shall be held between representatives of the County and the employee. If the meeting cannot be held within the five (5) working day period, it shall be scheduled for a date mutually convenient for the parties. The Department Head, or designated representative, shall place a written disposition on the grievance within five (5) working days following the date of this meeting, and return it to the employee.

Step 3. Written Procedure to Salary and Personnel Committee. If the complaint is not satisfactorily settled in the Step 2, Written Procedure, the complaint may be submitted to the Salary and Personnel Committee. Within five (5) working days after the grievance has been appealed to the Salary and Personnel Committee, a meeting shall be held between representatives of the County and the employee. If the meeting cannot be held within the five (5) working day period, it shall be scheduled for a date mutually convenient for the parties. The Chairperson of the Salary and Personnel Committee, or designated representative, shall place a written disposition on the grievance within ten (10) working days following the date of this meeting, and return it to the employee. The

answer to the grievance by Chairperson of the Salary and Personnel Committee shall be the County's final disposition of dispute.

CHAPTER X

MISCELLANEOUS

Section 10.0. Personal Use of County Property. No property belonging to the County may be borrowed for personal use by employees.

Section 10.1. Employees shall not accept loans, gifts of money or goods, services or any other proffered arrangements for personal benefit under any circumstance directly or indirectly involving possible influence or appearance of influence upon the manner in which they perform work, makes decisions, or otherwise discharge their duties as a County employee.

Section 10.2. Solicitation. The County has always been interested in community fund raising drives. However, in order to maintain efficiency and to prevent littering, the following rules for solicitation and the distribution of literature must be followed:

1. Oral solicitations by employees are prohibited during working time in work areas. Employees are, however, permitted to engage in oral solicitations during their authorized break periods, meal times and other times when they are not required to be working, as long as the individuals being solicited are also on authorized break periods, meal time or otherwise not required to be working at the time the solicitation occurs.

2. The distribution by employees of printed or written materials of any kind is prohibited in work areas. Printed or written materials may only be distributed in non-work areas, and then only during authorized break periods, meal times and other times when the employee distributing the printed or written material is not required to be working.

3. Persons who are not employees are not allowed to be in County working areas at any time to engage in either oral solicitation or distribution of printed or written materials.

Section 10.3. Smoking. All areas of buildings controlled by the County shall be posted as "Smoking Prohibited" except the offices of individual staff

members who wish to have their individual office be designated "Smoking Allowed." Whenever two or more staff members share office space, it shall be designated "Smoking Allowed" only if all of the occupants of that office indicate such preference to their Department Head, otherwise such office space shall be designated "Smoking Prohibited."

Section 10.4. Harassment. The County prohibits any sexual, racial, ethnic, age or other harassment by any employee. Such harassment is a serious violation of County rules.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

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

The County also discourages romantic relationships between supervisors and subordinates and prohibits any such conduct that is unwelcome. Anyone who is an unwilling participant in such a relationship must notify their Department Head or the Chairperson of the Salary and Personnel Committee immediately.

Violation of this rule prohibiting harassment will subject the violator to discipline, including the possibility of immediate discharge.

An employee who believes he or she has been harassed should immediately report such harassment to the employee's Department Head or to the Chairperson of the Salary and Personnel Committee. Supervisors are required to be alert to stop any harassment from occurring in our workplace and will forward reports to the Chairperson of the Salary and Personnel Committee. All reports of harassment will be investigated.

Section 10.5. Personal Appearance and Conduct. Employees are expected to present a suitable and well groomed appearance at all times and that their dress will be appropriate for their position. Employees shall refrain from conduct which will reflect adversely on their personal reputation and/or that of the County.

CHAPTER XI

DISCIPLINARY ACTION

Section 11.0. General Policy. All employees are expected to conduct their private and professional lives in a manner which reflects positively upon the County. Employees shall be courteous in their dealings with the public and other employees. Employees shall avoid any action that gives the appearance of impropriety. Adherence to this policy is essential for the County to maintain the public support necessary to carry out its functions.

Section 11.1. General Work Rules. The following rules are provided for the guidance of all employees:

1. Employees should be at their work stations prior to the commencement of the work day.
2. Employees must secure permission from their supervisor to leave work prior to the scheduled end of their work day.
3. All known needed repairs and/or safety hazards on equipment and property must be reported to your supervisor as soon as possible.
4. Any accident involving personal injury must be reported to your supervisor.
5. All damage to County equipment, vehicles, tools or property must be reported to your supervisor.
6. All federal, state and local safety rules and regulations must be followed.

Section 11.2. Unacceptable Employee Conduct. The County expects that the personal and professional conduct of its employees will conform to acceptable standards. In instances where an employee fails to comply with these

standards, an attempt may be made to correct an employee's conduct through the use of progressive discipline, but commission of the following offenses or any other improper employee actions may result in disciplinary action up to and including discharge, depending upon the seriousness of the offense in the judgement of the County. This list of unacceptable employee conduct does not include all examples of improper conduct, but is provided for the guidance of employees. Employees with questions concerning the propriety of any contemplated action should consult with their supervisor, their Department Head or the Chairperson of the Salary and Personnel Committee before engaging in the activity.

1. Using intoxicating beverages, marijuana, narcotics or any controlled substance while at work or on County property.
2. Sale of intoxicating beverages, marijuana, narcotics or any controlled substance while at work or while on County property.
3. Possession of intoxicating beverages, marijuana, narcotics or any controlled substance while at work or while on County property.
4. Using intoxicating beverages, marijuana, narcotics or any controlled substance at such time before work that will interfere with one's mental or physical ability to satisfactorily perform assigned duties.
5. Stealing, abusing, misusing, removing or deliberately destroying County property or the property of its employees.
6. Violation of safety regulations.
7. Failure to carry out instructions, orders, or work assignments.
8. Refusal to answer questions of the Department Head/designee or submit reports pertaining to the performance of official duties.
9. Any communication or action intended to threaten, intimidate or coerce another employee or a member of the general public.

10. Engaging in sexual harassment.
11. Marring, marking or defacing any surface of any County building.
12. Failing to notify your supervisor that you are using prescribed medication or a non-prescription drug that could interfere with your ability to perform your assigned duties in a safe and efficient manner.
13. Conducting or betting on any game of chance involving money or any representation of value while on duty or while on County property.
14. Unauthorized possession of firearms, weapons and/or explosives while on duty or while on County property.
15. Using abusive language, threatening, intimidating, coercing and/or fighting with employees, supervision or the general public.
16. Engaging in obscene or indecent conduct.
17. Sleeping, loafing, idling or loitering during working hours.
18. Horseplay, creating a distraction, interfering with an employee or causing unsafe or unsanitary working conditions.
19. Falsifying records, reports, documents, or knowingly misrepresenting any information requested by supervision.
20. Conducting personal business while on duty.
21. Failing to properly advise the County when not reporting to work.
22. Failing to provide a reason acceptable to the County for absence from work or tardiness for work.
23. Excessive tardiness or absences.

24. Using your position of employment with the County to directly or indirectly gain benefits, favors, money, advantages, privileges or anything of value other than regular compensation.
25. Disregarding or refusing to obey an order, either written or verbal, from a supervisor or Department Head.
26. Destroying, altering or removing any materials or information posted by the County.
27. Supporting a restriction of output, slowdown or any unauthorized interruption of assigned duties.
28. Submission of false time reports and/or sick leave requests.
29. Failure to advise the County of the names, addresses and telephone numbers of the dependents of the employee, or a change in the employee's name, address or telephone number, or of a change in the name, address or telephone number of a dependent of the employee.
30. Soliciting or receiving any gift, service, gratuity, loan, fee, or anything else of value which is offered or may be offered as a consequence of County employment.
31. Failing to comply with any provision in this Personnel Policies and Procedures Manual, with any provision of a Departmental Policies and Procedures Manual, or with any provision of the County Safety Policy.
32. Taking any other actions which interfere with the proper performance of the employee's assigned work or which would reflect discredit upon the County.

