



City of Hastings

Employee Handbook

Revised: April 2021

We Treasure the Old ... Progress with the New

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1. Welcome and Introduction

WELCOME

As an employee of the City of Hastings, you will be serving the taxpayers of this City, their elected officials, and appointed administrative officials. You will be encouraged to learn new things, to improve yourself, and to grow. This Employee Handbook is intended to outline the privileges, benefits, and responsibilities that each of us share, so that you know what the City expects of you and what you can expect from the City.

In serving our citizens, we need to maintain their confidence in us by providing them with nothing less than the finest service that personnel and equipment can provide. Therefore, in the selection of our employees, we strive to employ the persons best matched to our employment needs -- those who possess the personal qualifications and skills needed to perform the necessary duties and who exemplify our ideals of public service.

Because of the services offered by the City, some of our work sites never close. Serving the City is an operation that continues twenty-four hours a day, seven days a week. People who work for the City must understand the responsibility of such service and must be sympathetic to its cause. When you accept employment with the City of Hastings you become part of this cause.

Our primary expectation is that you will conduct yourself at all times in a manner that provides the best service possible for the citizens of the City and builds a positive and cooperative relationship with all of your fellow employees.

INTRODUCTION

This document is an outline of the procedures, policies, and benefits that existed at the time of its approval by the City Council.

It must be specifically understood by each and every employee and prospective employee that this document does not constitute a contract of employment between the City of Hastings and any employee or prospective employee, or a continuing promise of the continuation of any of the provisions contained herein. Specifically, no employee should rely upon this document or any of the provisions contained herein as a condition of continuing employment or as a condition of accepting employment.

AMENDMENTS TO THE POLICIES

The City of Hastings reserves the right, in its sole discretion, to amend the contents of these Policies at any time by action of the City Council.

Amendments to any part of these Policies will be reduced to writing, approved by the City Council, and issued to all employees. No other employee, representative, or agent of the City of Hastings has the authority to amend, alter, or change the Policies set forth herein or to enter into any agreement contrary to the terms hereof concerning the terms and conditions of your employment at the City of Hastings.

OPEN-DOOR

The City wants to continue to have an atmosphere of trust, cooperation, and respect with our employees. To achieve this, the City of Hastings has, and will continue to maintain, an open-door policy under which all employees will have the right to deal directly with their supervisors and other City administrative personnel. The open-door policy is intended to encourage open communications and to quickly settle differences, misunderstandings, and complaints. Your opinions, suggestions, and questions are important to us. We will attempt to provide you honest, straightforward responses to your questions or concerns.

Our goal at the City of Hastings is to provide a pleasant working environment for all employees. This is achieved by developing and maintaining a cooperative working relationship among employees based on mutual respect and understanding. We recognize the need for procedures that will allow employees to call attention to work-related matters that they feel need correction.

RESPONSIBILITY OF ADMINISTRATION

City Manager

The City Manager will determine all personnel policies. In all cases, the City Manager's decision on personnel matters will be final.

Personnel Appeals Board

The Personnel Appeals Board will receive, investigate, and report to the City Manager complaints made to it in writing by an employee in the administrative service who is suspended, demoted, reduced, laid off, dismissed or otherwise disciplined. The Board may render such other assistance as may be required to carry out the City's personnel policies. In its function, the Board must not limit the responsible administrative officers in securing efficient service.

Personnel Manager

This person shall serve as the Chairperson of the Personnel Appeals Board and be responsible to the City Manager for the proper administration of the City's personnel system.

Department Heads

The Department Heads are expected to effectively supervise their employees and to maintain proper working relationships. They may adopt and enforce departmental regulations consistent with the Personnel Manual. Department Heads will report upon the efficiency of their subordinates, notify the City Manager and/or Personnel of changes in duties of their employees in order that the classification plan may be maintained, and recommend salary increases in accordance with the provisions of the budget appropriations.

COMPENSATION AND EMPLOYMENT

The compensation and employment of employees shall be approved and recommended by the City Manager in accordance with the labor analysis and budget appropriations.

PERSONNEL APPEALS BOARD

The Personnel Appeals Board shall consist of three (3) members. One (1) shall be appointed by the City Manager and shall be the Personnel Manager who shall act as Chairperson. Two (2) members will be elected by the represented employees and their terms of election shall be four (4) years. Vacancies occurring shall be filled in the same manner as the original appointments were made.

Powers and Duties

The Personnel Appeals Board will receive, investigate and report to the City Manager complaints made to it in writing by an employee in the City service who is suspended, demoted, reduced, laid off, dismissed or otherwise disciplined at the request of the complainant. The Personnel Manager shall serve as Chairperson of the Personnel Appeals Board. NOTE: In cases where an employee requests a hearing because of suspension, demotion, reduction, layoff, dismissal or other punitive action, the City Attorney, or other representative chosen by the City Manager, may act as the Chairperson when this occurs. The Board shall report its findings in writing to the City Manager. The decision of the City Manager is final. At the request of the City Manager, the Board shall render such other assistance as may be required to carry out the City's personnel policies. In its function, the Board may in no way limit the responsible administrative officers in securing efficient service. The function of the Board shall in no way be construed as modifying the at-will employment relationship between employee and employer as referenced in this manual. The function of the Board shall not include the exercise of governmental authority as a governmental

function, but shall remain exclusively advisory in nature. Information discussed or discovered during meetings of the Personnel Advisory Board shall remain confidential. The City Manager shall provide for necessary clerical help and supplies.

Rules of Procedure

Complaint

Any employee who has been suspended, demoted, reduced, dismissed or otherwise disciplined is encouraged to utilize the open door policy as described in this manual. Also, the employee may file a complaint in writing with the Personnel Appeals Board in accordance with this Personnel Manual and may request a hearing thereon. Such complaint shall state the pertinent facts relating to the suspension, demotion, reduction, layoff, dismissal, or discipline; shall be subscribed by the employee and set forth his or her mailing address and shall be filed with the Personnel Department within twenty (20) days after the action complained of.

Consideration of Complaint

If no request for hearing is contained in said complaint, the Board shall promptly convene and after making such investigation as it deems necessary, shall make and file its determination with reference thereto. If a request for hearing is contained in said complaint, a hearing shall be had thereon within twenty (20) days after the filing of said complaint, at such time and place as shall be fixed by the Chairperson of the Personnel Appeals Board.

Notice of Hearing

Notice of the time and place set for hearing shall be given promptly by the Board to the complainant and at least five (5) days prior to the date of the hearing.

Adjournments

Hearings on complaints may be adjourned only upon good cause shown, and in the event that the complainant shall fail to appear in person or by counsel at the time and place set for hearing, he or she shall be presumed to have waived the right to further hearing and the Board may proceed forthwith to investigate and determine the case.

Conduct of Hearings

All hearings before the Personnel Appeals Board shall be conducted in an orderly manner

with a view to the presentation of all material facts so that a fair and impartial investigation may be made. The Chairperson of the Board shall have full authority at all times to maintain orderly procedure and to reject irrelevant matters and limit the hearing to relevant facts.

Findings

The findings and recommendations of the Personnel Appeals Board shall be promptly reduced to writing and be filed with the City Manager within ten (10) working days after the hearing. The decision of the City Manager shall be final. Employees will be entitled to receive a copy of the written findings and recommendations if requested in writing to the Personnel Department.

2. General Application

APPLICABILITY

These Policies, for all practical purposes, apply to and govern all employees of the City of Hastings, full or part-time, regular or temporary, whose compensation is derived directly from funds of the City. Exceptions include elected officials and the staff of the Hastings Public Library, to the extent that the Library Board has specified its own policies.

LABOR AGREEMENTS

In the event that valid provisions of a collective bargaining agreement, to which the City is a party, differ from these Policies, the provisions of the labor agreement shall be controlling for positions covered by that agreement. Any provision in these Policies not in conflict with a collective bargaining agreement shall apply to covered employees.

In the case of an employment contract, which has been mutually signed by and between the City and a specific management level employee, that person shall also come under all provisions of the Personnel Policies, except as specifically exempted by provisions contained within said employment contract.

CLARIFICATION

These Policies do not cover every situation and employees are expected to use good judgment in those matters not specifically covered. As questions arise, the City Manager will issue clarification of policies.

If any of these policies are in conflict with any federal, state or local laws or regulations, the law or regulation shall be followed, and the remaining policies shall continue in full force and effect.

MANAGEMENT RIGHTS

The employer is responsible for managing its business. To fulfill that responsibility, the City must have options to exercise when the occasion warrants. The areas in which the City must maintain its options include, but are not limited to, methods and means of service; safety standards; the size of the work force; hours of work; assignment and distribution of overtime; the requirement of overtime; rules of conduct; transfers; promotion and demotion; layoff and recall; filling vacancies; and wages and other benefits. The provisions of these Policies are intended to provide guidelines to the City in exercising these various functions, as they relate to individual employees. Nothing in these Policies are intended to limit the City's management rights.

SEVERABILITY

If any section, sentence, clause or phrase of these Policies shall be held for any reason to be inoperative or unconstitutional, void or invalid, the validity of the remaining portions of these Policies shall not be affected thereby, it being the intention of the City Council in adopting these Policies that no portion thereof or provision herein shall become inoperative or fall by reason of the unconstitutionality or invalidity of any other portion or provision and the City Council of the City of Hastings, Michigan, does hereby declare that it would have severally passed and adopted the provisions contained herein, separately and apart one from the other.

3. Employment

AT WILL EMPLOYMENT

At the City of Hastings, your employment is “at will”. This means that you are free to terminate your employment at any time, for any reason or no reason, with or without cause, and the City of Hastings retains the same rights.

No individual employee of the City of Hastings has the authority to modify this condition of your employment. No amendment or exception to the at-will employment policy set forth above can be made at any time, for any reason, except by official action of the City Council. Any such action will be reduced to writing, directed to you personally, and signed by an authorized agent of the City Council.

EQUAL EMPLOYMENT OPPORTUNITY

City of Hastings provides equal employment opportunities to all employees and applicants for employment without regard to race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, or service in the military. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

City of Hastings expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is absolutely not tolerated.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of supervisor, City Manager, or Personnel Department. The City will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If an employee feels he or she has been subjected to any such retaliation, he or she should bring it to the attention of supervisor, City Manager, or Personnel Department.

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. “Adverse conduct” includes but is not limited to:

- (1) shunning and avoiding an individual who reports harassment, discrimination or retaliation;
- (2) express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; or
- (3) denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.

Complaints of discrimination should be filed according to the procedures described in the Harassment and Complaint Procedure.

AMERICANS WITH DISABILITIES ACT (ADA), AMERICANS WITH DISABILITIES AMENDMENTS ACT (ADAAA) AND REASONABLE ACCOMMODATION

To ensure equal employment opportunities to qualified individuals with a disability, the City of Hastings will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the business would result. Employees who may require a reasonable accommodation should contact the supervisor, Personnel Department, or City Manager.

COMMITMENT TO DIVERSITY

The City of Hastings is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the business and are valued for their skills, experience, and unique perspectives. This commitment is embodied in city policy and the way we do business at the City of Hastings.

ANTI-HARASSMENT

All employees have the right to work in an environment that is free of offensive kinds of behavior. Any employee conduct, whether intentional or unintentional, that results in the harassment of another employee is prohibited. Such harassment robs the employee/victim of self-esteem, violates state and federal civil rights laws and is against City policy.

Specifically, sexual harassment refers to behavior, which is not welcome, is personally offensive, undermines morale and interferes with the work performance and effectiveness of its victims. Sexual harassment has been defined generally as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Giving in to such conduct is made to be, or implied to be, a condition of your employment;
- Giving in to or refusing such conduct is used in decisions about your employment; or

- The purpose or effect of such conduct unreasonably interferes with your job performance or creates a fearful, hostile, or offensive working climate.

Sexual harassment may take many forms, including lewd or sexually suggestive comments, jokes of a sexual nature, sexual advances or propositions, sexual flirtations, frequent and repeated inquiries about an employee's personal activities, displaying sexually suggestive photographs or objects, obscene gestures, and unwanted physical contact such as touching or pinching.

All employees are responsible for assuring that our workplace is free from prohibited harassment. This policy applies to all aspects of employment, including recruiting, testing, hiring, transfers, work assignments, wage increases, on-site behavior and off-site behavior associated with City business or which otherwise may impact the City or its employees. If the City becomes aware that harassment might exist, it is obligated by law to take prompt and appropriate action, whether or not the victim wants the City to do so.

If you feel you have been subjected to harassment, including sexual harassment, you should advise your Department Head, or the City Manager immediately. If you become aware of an incident or possible incident of unlawful harassment, whether by witnessing the incident or being told of it, must report it immediately to their Department Head, Personnel Department or the City Manager. All complaints will be investigated immediately and, to the greatest extent possible, kept confidential. If the harassment is substantiated, the offending employee will be subject to corrective action up to and including discharge. The City of Hastings will not retaliate against any employee who makes a good faith report of alleged harassment. However, false accusations of harassment may have an equally devastating effect upon persons unjustly charged with this behavior. As a result, anyone who unjustly charges someone of harassment will be subject to the same corrective action measures as a person determined to be responsible for committing an act of harassment.

COMPLAINT PROCEDURE.

Any employee who believes he or she has been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, is requested and encouraged to make a complaint. You may complain directly to your immediate supervisor or Department Head, the City Manager, or any other member of management with whom you feel comfortable bringing such a complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported

immediately to one of the persons identified above.

All complaints will be investigated promptly and, to the extent possible, with regard for confidentiality.

If the investigation confirms conduct contrary to this policy has occurred, the City of Hastings will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

I-9 IMMIGRATION REFORM – EMPLOYMENT ELIGIBILITY VERIFICATION

At time of hire, eligibility for employment must be verified according to the Immigration Reform and Control Act of 1986. The I-9 form must be completed by the employer and the prospective employee within three business days of hire.

DEFINITION OF EMPLOYEE STATUS

These policies apply to all employees. Many of the benefits contained in these Policies apply only to regular full-time employees. When hired, an employee will be classified using the following:

1. A "regular full-time employee" is one who is regularly scheduled to work forty (40) hours or more per week.
2. A "regular part-time employee" is one who has an ongoing, established employment relationship lasting, or expected to last, indefinitely, who is regularly scheduled to work less than forty (40) hours per week. Regular part-time employees shall not work more than nine (9) - eight (8) hour days in a calendar month. Regular part-time employees are eligible to share in benefits only as specifically provided in these Policies.
3. Casual, seasonal, or temporary, employees work a schedule for a limited period of time during the year. Casual, seasonal, or temporary employees shall not work more than nine (9) - eight (8) hour days in a calendar month. Casual, seasonal, or temporary employees are not eligible for benefits, even though they may occasionally work forty (40) hours or more in a given week.
4. "Hourly" employees have their rate of pay designated as such by the City Council in the annual budget process. All hourly employees are considered "non-exempt" for purposes of State and Federal wage and hours laws.
5. "Salaried" employees are paid an annual amount as designated by the City Council

in the annual budget process and are considered “exempt” for wage and hours purposes.

TERMINATION

Because your employment with the City is “at-will”, either the employee or the City can sever the employment relationship at any time, for any reason, or no reason. A termination occurs when a City employee resigns, retires, is discharged, separated by reduction in force (layoff), or dies. See individual policies on vacation and sick time for information on pay-out at termination.

VOLUNTARY RESIGNATION WITH NOTICE

To terminate in good standing, it is requested that employees notify their Supervisor and the City Manager, in writing, at least two weeks (10 work- days) prior to the last intended workday of a voluntary resignation. A notice of resignation should include the last day of work, the effective date of the resignation, and the reason for the resignation.

VOLUNTARY RESIGNATION WITHOUT NOTICE

If a City employee fails to report to work for a period of at least three consecutive workdays without giving verbal or written notice to their Supervisor, that employee is considered to have abandoned their employment and to have voluntarily resigned their employment from the City. Notice of such termination will be issued to the employee at the last known address.

LAYOFF AND RECALL

In the event it becomes necessary to reduce the workforce, the City will determine which employees will be affected based on a few factors including skill, ability, attitude, productivity, and/or length of service. When other factors are equal, length of service will be a controlling factor. Employees will be recalled in accordance with their ability, length of service and the needs of the City at time of recall. They will be placed in positions available provided they can perform the work assigned. Notice of recall will be made by certified mail to the employee's last known address. A recalled employee who does not report to work within seven (7) days after service of notice will be considered to have voluntarily resigned. No vacation, holiday, personal leave, or sick leave will be earned during layoff.

RETIREMENT

To be eligible for benefits afforded retirees, the following conditions must be met:

- Employees anticipating retirement are requested to provide notice of at least two (10 working days).
- Employees retiring must be eligible to draw full benefits under the Municipal Employees Retirement System (MERS) and begin drawing such benefits immediately upon leaving the employ of the City of Hastings.
- Employees retiring will have attained at least the age of sixty (60) with at least ten (10) years of full time service with the City of Hastings, or, have attained at least the age of fifty-five (55) with at least twenty-five (25) years of full time service with the City of Hastings.
- Retirees will not be considered for re-employment with the City of Hastings until a period of thirty (30) days has elapsed after leaving employment with the City.

OUTSIDE EMPLOYMENT

If you have, or are considering a second job, self-employment or personal business ownership please discuss it with us before you accept the position. Activities away from the job must not adversely affect your job performance, be a conflict of interest, or compromise the City's interest and will not be considered an excuse for poor job performance, absenteeism, tardiness, or refusal to work different hours or overtime. All employees are expressly prohibited from engaging in any activity that competes with any activity of the City of Hastings or from being paid for working for ~~both the Department of Public Works and the City Fire Department~~ **multiple departments** at the same time.

ETHICS POLICY

This policy applies to all public officials, employees, boards, committees, appointed positions, consultants, vendors, contractors, or outside agencies doing business with employees and /or other parties with a business relationship with the City of Hastings.

The purpose of this policy is to ensure that all public officials, employees, boards, committees, appointed positions, consultants, vendors, contractors, or outside agencies doing business with employees and /or other parties with a business relationship are conducting themselves in a manner which upholds the public trust. This policy will outline the minimal levels of integrity expected of all affected individuals and avoid the appearance of impropriety. This policy is not intended to replace any other policy governing employee behavior or rights and/or remedies guaranteed under a collective bargaining agreement.

1. Individuals are required to report any potential conflict of interests. If an individual is part of a decision-making process to any financial transaction and there is conflict of interest, that individual should report it as a conflict and recuse themselves from the decision.
2. Individuals may accept gifts or services from current or potential vendors with a value of no more than \$25.00/year. Any gifts or services received must be reported to the City Manager.
3. Individuals will not engage in fraudulent behavior.
4. Individuals will be honest, fair and respectful of all persons and property with which they have contact. Individuals will treat individuals in an equitable manner free of any partisanship. Above all, individuals should avoid conduct that creates the appearance of impropriety or that undermines respect for organizational officials, individuals, or the City as a whole.
5. Individuals shall not divulge to any unauthorized person, confidential information acquired in the course of employment in advance of the time prescribed for the authorized release to the public.
6. Individuals shall not use their position to secure, request, or grant unreasonably any special consideration, privilege, exemption, advantage, contract or preferential treatment for themselves or others, beyond that which is available to every other citizen.

All public officials, employees, boards, committees, and appointed positions will be required to sign an annual Conflict of Interest Statement disclosing any and all potential conflicts with the City of Hastings.

Individuals are required to report violations of the ethics policy to the City Manager. Names of individuals reporting violations will be kept confidential.

An individual found to be in violation of this policy will be disciplined from a verbal warning up to and including termination in accordance with the City of Hastings' policy and contracts, including the current adopted bargaining agreements.

Conflict of Interest – A conflict of interest exists if a covered individual's position or authority at the City, including the right to vote at a council, board or committee meeting, may be used to influence a City decision, transaction or arrangement that leads or may lead to any form of financial or personal gain or advantage for the covered individual, their family, or their employer other than the City.

Fraudulent Behavior – Fraudulent behavior includes, but is not limited to:

- a) any dishonest or duplicitous act;
- b) forgery or alteration of any document or account belonging to the City of Hastings;
- c) forgery or alteration of a check, bank draft, or any other financial document;

- d) misappropriation of funds, securities, supplies or other assets; impropriety in the handling or reporting of money or financial transactions;
- e) Profiteering as a result of insider knowledge as a result of employment with City of Hastings;
- f) disclosing confidential and proprietary information for gain to outside parties;
- g) accepting or seeking anything of material value from contractors, vendors or persons providing services/materials to City of Hastings contrary to federal law, state law, local law or City of Hastings policy;
- h) destruction, removal or inappropriate use of records, furniture, fixtures, and equipment;
- i) any similar inappropriate conduct as determined by City of Hastings.

CONFIDENTIAL INFORMATION

The protection of confidential business information is vital to the interests and success of the City of Hastings. Confidential information is any and all information disclosed to or known by you because of employment with the company that is not generally known to people outside the company about its business.

An employee who improperly uses or discloses confidential business information will be subject to disciplinary action up to and including termination of employment and legal action, even if he or she does not actually benefit from the disclosed information.

All inquiries from the media must be referred to the City Manager. This provision is not intended to, and should not be interpreted to, prohibit employees from discussing wages and other terms and conditions of employment if they so choose.

4. Employee Benefits

EMPLOYEE BENEFITS FOR EMPLOYEES TRANSFERRING FROM A BARGAINING UNIT POSITION TO A NON-BARGAINING UNIT POSITION

Employees who transfer from employment positions that are included in a collective bargaining unit to employment positions that are not included in a collective bargaining unit may be allowed to continue to receive benefits granted under the labor agreement for the prior position or the equivalent thereof, subject to the approval of the City Manager. Approval of any continued or transferred benefit as referenced above shall be specifically documented in writing prior to the employee transferring between positions and the documentation shall be placed in the employee's personnel file.

TIME OFF

HOLIDAYS

The City observes the following holidays:

New Year's Eve	Veteran's Day
New Year's Day	Thanksgiving Day
Good Friday	Day After Thanksgiving Day
Memorial Day	Christmas Eve
Fourth of July	Christmas Day
Labor Day	

All regular full-time employees will receive eight (8) hours of straight time base rate pay for the holiday. If one of these holidays falls on a Saturday, the holiday will be observed the preceding Friday, unless Friday itself is a holiday in which case the holiday will be observed on the following Monday. If one of these holidays falls on a Sunday, the holiday will be observed the following Monday, unless Monday itself is a holiday, in which case the holiday will be observed on the preceding Friday.

For work performed by an hourly, non-exempt employee during time for which they are receiving holiday pay, they shall receive holiday pay and, for the work, shall be paid at two (2) times their regular rate (without pyramiding the regular overtime premium). Double-time shall only be paid for work performed during the city designated holiday. For the

purposes of this section, the holiday will start at 12:01 a.m. and will end at 11:59 p.m. on the observed holiday. Any work performed on a holiday must be approved in advance by the Department Head.

PERSONAL DAYS

Each regular full-time employee will be given two (2) Personal Days on July 1st to be used by the end of the fiscal year (June 30th). Employees should request the time and obtain approval from their Department Head except in emergency situations, when normal call-in procedures are required. New hires will be given Personal Days under the following conditions: If hired prior to December 1st employee will be given two (2) Personal Days; otherwise employee will be awarded one (1) Personal Day. In both cases, the Personal Days to be used by the end of the fiscal year (June 30th).

SICK TIME

Full-time employees shall receive eighty (80) hours of credit to be used as sick time leave on July 1st and may accumulate an unlimited number of hours. Use of sick time shall be reported on all employees' time records for the pay period it was used. New employees will earn eight (8) hours of paid Sick Time per month following the first month of service to a maximum of eighty (80) hours. In the judgement of the City, an employee's continued presence must pose no significant risk to the health of the employee, other employees or customers, otherwise use of Sick Time will be required. If an employee disputes the City's determination that such a risk exists, the employee must submit a statement from his or her health care provider that the employee's continued presence poses no significant risk to the employee, other employees or customers.

Sick time shall be used for personal illness, medical reasons or disability due to an off-the-job injury to the extent it is available, or any reason covered under the Michigan Paid Medical Leave Act. The City may request a statement from a medical provider verifying the illness.

Upon retirement, exempt, salaried employees shall be entitled to be paid for fifty (50%) percent, and all other full time employees shall be entitled to be paid for thirty (30%) percent of a maximum of eight hundred (800) accumulated Sick Time hours at the end of their employment with the City.

Exempt, salaried employees will account for sick on their record of time worked which will be submitted to the Department Head and City Manager on the first day worked following the leave.

VACATION

The amount of paid vacation for which regular full-time employees become eligible is as follows:

Length of Continuous Service	Number of Vacation Hours
During First Year	May earn up to 80 hours
1 Year	80 hours
5 Years	120 hours
10 Years	160 hours
12 Years	176 hours
15 Years	184 hours
17 Years	192 hours
20 Years	200 hours

Vacation will be awarded on July 1st of each year and eligibility will be computed on the basis of years of service as of July 1st.

Every attempt will be made to grant vacation days as requested, dependent on other employee requests and workload within the office as determined by the Department Head. All vacation days must be utilized within the year in which they are accrued, except that twenty-four (24) hours of vacation time may be carried forward to the following year, to be used prior to October 1st. In the event that an employee leaves the employ of the City of Hastings in accord with all other provisions of these Policies, payment of accrued, unused vacation for the year of separation will be made.

For July 2021 only:

- Each employee will have one-half (1/2) of eligible vacation days added to their current balance of vacation days on July 1, 2021.
- Employee will have until June 30, 2022 to use this balance of vacation days.

Employees who are hired after July 1 of any given year will be credited with eight (8) hours of vacation time per full month worked, up to a maximum of eighty (80) hours of earned vacation time, such vacation time to be taken before June 30th. Effective the next July 1, the employee will be deemed eligible for eighty (80) hours of vacation that following year and in future years will have their eligibility for vacations determined on the basis of full years of service, with a full year of credit for that first partial year of employment.

Exempt, salaried employees will account for vacation time in their time records. Such records of use of leave time will be submitted to the Department Head and the City Manager for the pay period during which the compensation is to be received.

FAMILY AND MEDICAL LEAVE

The City of Hastings complies with the federal Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. The company also abides by any state and local leave laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws.

Please note there are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Contact the Personnel department to discuss these requirements, qualifications, and expectations.

The FMLA requires private employers with 50 or more employees and all public agencies, including state, local, and federal employers, and local education agencies (schools), to provide eligible employees up to 12 weeks of unpaid, job-protected leave in any 12-month period for certain family and medical reasons. The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave, except for leaves to care for a covered servicemember with a serious illness or injury. For those leaves, the leave entitlement is 26 weeks in a single 12-month period, measured forward from the date an employee first takes that type of leave.

Basic Leave Entitlement. The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons: (1) for incapacity due to pregnancy, prenatal medical care, or child birth; (2) to care for the employee's child after birth or placement for adoption or foster care; (3) to care for the employee's spouse, son or daughter, or parent who has a serious health condition; or (4) for a serious health condition that makes the employee unable to work.

Military Family Leave Entitlements. Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include addressing issues that arise from (1) short notice of deployment (limited to up to seven days of leave); (2) attending certain military events and related activity; (3) arranging childcare and school activities; (4) addressing certain financial and legal arrangements; (5) attending certain counseling sessions; (6) spending time with covered military family members on short-term temporary rest and recuperation leave (limited to up to five days of leave); (7) attending post-deployment reintegration briefings; (8) arranging care for or providing care to a parent who is incapable of self-care; and (9) any additional activities agreed upon by the employer and employee that arise out of the military member's active duty or call to active duty. The FMLA also includes a special leave entitlement that permits eligible employees to take up to

26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties and for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections During FMLA Leave. During FMLA leave, the City will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. However, an employee on FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Certain highly compensated key employees also may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the City's operations. A "key" employee is an eligible salaried employee who is among the highest paid ten percent of the City's employees within 75 miles of the worksite. Employees will be notified of their status as a key employee, when applicable, after they request FMLA leave.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employee Eligibility. The FMLA defines eligible employees as employees who: (1) have worked for the City for at least 12 months; and (2) have worked for the City for at least 1,250 hours in the previous 12 months.

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

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave. An employee does not need to use this leave entitlement in one block. Leave can be

taken intermittently or on a reduced work schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies also may be taken on an intermittent or reduced work schedule basis.

Substitution of Paid Leave for Unpaid Leave. Employees may choose or employers may require the use of accrued paid leave while taking FMLA leave. Accordingly, the City requires employees to use any accrued paid vacation, personal, and sick days during an unpaid FMLA leave taken because of the employee's own serious health condition or the serious health condition of a family member or to care for a seriously ill or injured family member in the military. In addition, the employee must use any accrued paid vacation or personal days (but not sick days) during FMLA leave taken to care for a newborn or newly placed child or for a qualifying exigency arising out of a family member's active duty or call to active duty status in support of a contingency operation. In order to use paid leave for FMLA leave, employees must develop plan with the Personnel Department for paid leave use prior to the beginning of the leave.

Employee Responsibilities. Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the City's normal call-in procedures. The City may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave, absent unusual circumstances preventing the notice.

Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the City if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also are required to provide a certification and periodic recertification supporting the need for leave. The City also may require a second, and if necessary, a third opinion (at the City's expense) and, when the leave is a result of the employee's own serious health condition, a fitness for duty report to return to work. The City also may delay or deny approval of leave for lack of proper medical certification.

City Responsibilities. The City will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If employees are not eligible, the City will provide a reason for the ineligibility.

The City will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's FMLA leave entitlement. If the City determines that the

leave is not FMLA-protected, the City will notify the employee.

Other Provisions. Employees may not perform work for self-employment or for any other employer during an approved leave of absence, except when the leave is for military or public service or when the City has approved the employment under its Outside Employment policy and the employee's reason for FMLA leave does not preclude the outside employment.

Unlawful Acts by Employers. The FMLA makes it unlawful for any employer (1) to interfere with, restrain, or deny the exercise of any right provided under the FMLA; or (2) to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Enforcement. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

MILITARY LEAVE

The City of Hastings supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. Any employee who needs time off for uniformed service should immediately notify the Personnel department and his or her supervisor, who will provide details regarding the leave. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the supervisor as soon as possible.

Upon return from military leave, employees will be granted the same seniority, pay, and benefits as if they had worked continuously. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary termination.

All employees who enter military service may accumulate a total absence of 5 years and still retain employment rights.

BEREAVEMENT LEAVE

An employee may receive up to a maximum of five (5) days per occurrence of bereavement leave with pay to arrange for and/or attend the funeral of an employee's family member.

Family Member means a person who is a spouse, former spouse, child, stepchild, grandchild, parent, stepparent, grandparent, niece, nephew, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother, sister, brother-in-law, or sister-in-law, including adoptive relationships, of the employee, any person sharing the employee's household (other than a tenant or employee)

A maximum of three (3) days per occurrence of the employee's accumulated sick leave may be used for emotional convalescence to extend the maximum bereavement leave provided above for a member of the employee's family (as defined in this section) or to attend a funeral of a significant person to the employee.

JURY DUTY/COURT APPEARANCE

A regular, full-time employee who is called to serve and does serve on jury duty shall be paid the difference between the employee's regular wage and jury duty pay that an employee receives from the Court, excluding mileage and travel fees. The employee will provide the City Clerk/Treasurer with verification of any pay received from the Court.

An employee who is excused from jury duty by noon is expected to return to work at the City, although an employee's combined hours of work and jury duty should not exceed eight hours for that day.

PERSONAL LEAVE

The City recognizes that there may be compelling personal reasons for an employee to request a leave of absence, not covered under FMLA. An employee may request a personal leave of absence for up to sixty (60) days. A request for personal leave of absence will be granted at the discretion of the City Manager, depending upon workload and business considerations.

A request for a leave must be in writing and must be presented to the Department Head and the City Manager at least thirty (30) days in advance of the requested departure date or as soon as practical. The leave will be unpaid, unless other benefit time (sick, vacation, personal) is available. Time off benefits will not continue to accumulate during any unpaid portion of the leave. Employees who have insurance coverage through the City may continue that coverage during the leave providing the employee pays the required premiums. Re-employment will be considered and is dependent upon the availability of an appropriate position, but not is guaranteed.

WORKERS' COMPENSATION

Workers' compensation is a "no-fault" system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment.

The City of Hastings pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

The City abides by all applicable state workers' compensation laws and regulations. If an employee sustains a job-related injury or illness, it is important to notify the supervisor and Personnel Department immediately. The supervisor will complete an injury report with input from the employee and return the form to the Personnel department. Personnel Manager will file the claim with the insurance company. In cases of true medical emergencies, report to the nearest emergency room.

Workers' compensation benefits (paid or unpaid) will run concurrently with FMLA leave, if applicable, where permitted by state and federal law. In addition, employees will not be paid vacation or sick leave for approved absences covered by the City's workers' compensation program, except to supplement the workers' compensation benefits such as when the plan only covers a portion of the employee's salary as allowed by state law.

EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP) is a resource designed to provide highly confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance. The City of Hastings wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life's challenges.

The City encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services are assured the information disclosed in their sessions is confidential and not available to the City, nor is the City given any information on who chooses to use the services. For questions or additional information about this program, employees may contact the Personnel department.

SAFETY AND ACCIDENTS

The City will adhere to all OSHA and MIOSHA standards. Accidents can be serious, cause pain and result in loss of work, time, and income. If you see unsafe conditions, report them immediately to your supervisor so they can be corrected.

Follow this procedure if you are involved in or observe an accident on City property:

1. Report the accident to your supervisor immediately. If your supervisor is not available report it to the next responsible person.
2. Assist injured people, but do not risk aggravating an injury through ill-advised attempts at treatment.

SOCIAL SECURITY BENEFITS

In addition to the amounts deducted from your pay, the City of Hastings also contributes to your Social Security benefits. These benefits include retirement income, survivor benefits and Medicare. Further information may be obtained from the Social Security Administration.

UNEMPLOYMENT BENEFITS

The City provides for unemployment compensation benefits to eligible individuals according to state requirements. Further information may be obtained from the Michigan Department of Labor.

PENSION

In addition to payments made toward your Social Security benefits, the City of Hastings has also established a retirement pension plan. Complete details of the approved Municipal Employee's Retirement System (MERS) plan, and its eligibility requirements, and the extent of retirement coverage are outlined in the summary plan description, which may be obtained from the Personnel Department.

For employees hired on or before June 30, 2008, the City will provide a traditional defined benefit pension plan administered by MERS. For service from the date of hire until June 30, 2011, benefits under the plan will be based on MERS Program B-4 Plan with F55/25 rider. For service after July 1, 2011, benefits under the plan will be MERS Program B-2 with F55/25 rider. Final average compensation will be "frozen"; that is, it will be calculated separately for each part of the pension formula. The combination of these two programs is referred to as a "bridge" plan.

Full-time employees hired after July 1, 2008 and after the adoption date of the Plan will be covered by the MERS Hybrid Plan H (Plan). The Plan will consist of a Defined Benefit (DB) component

with a 1.0% Benefit Multiplier and a Defined Contribution (DC) component. The City will contribute to the Defined Contribution (DC) component of the Plan in an amount equal to 10% of the employee's payroll less the cost to the City of the Defined Benefit (DB) component of the Plan. The employee will be responsible for a minimum 1% contribution to the DC component of the Plan and will be allowed to make additional contributions as allowed under the Plan, MERS regulations, and any applicable laws. Employees will be 100% vested for employer contributions to the DC component of the Plan after five (5) years of service. Employees will be vested in the DB component after six (6) years of service.

BENEFITS

All City sponsored employee benefits are provided for each employee who is regularly scheduled to work at least 30 or more hours per week. Such coverage shall be effective the first of the month following the commencement of employment and discontinue upon termination date. All terms and conditions of benefits are subject to the specifications of the policy as detailed in the Summary Plan Description. See the Personnel Department for further information on coverages.

Some coverage may be provided by the City or may include a shared premium with the employee and some coverage is voluntary and paid by the employee. The level of all benefits, co-payments, funding mechanisms for the benefit programs, and/or carriers may change periodically.

Employees may opt-out of the City's Health Benefit program by signing a waiver of enrollment and providing proof of other health insurance coverage. Employees opting out of the City's Health Benefit program shall receive additional monthly wage compensation.

Future retirees hired on or prior to April 3, 2006 and their eligible dependents may continue to be covered by the City's health benefits after the effective date of their retirement. Retirees with at least 10 years of employment with the City, who are fully vested in the MERS plan, who are eligible for, and who enroll for and receive MERS un-reduced retirement benefits immediately following the termination of their employment with the City of Hastings, will be granted an benefits plan subject to any restrictions, limitations, or requirements of the health benefits carrier(s), State, and Federal Law. Only those dependents that were the employees' dependents at the time of retirement are eligible for any portion of their premium to be paid by the City. Premiums for such health benefits for retirees and their eligible dependents shall be shared between the City and the retiree as follows:

<u>Years of City Employment</u>	<u>City Share</u>	<u>Retiree Share</u>
At least 10 but less than 15	50%	50%
At least 15 but less than 20	70%	30%
20 or more	90%	10%

Eligible retirees may opt out of the health benefits and receive a monthly stipend.

Employees who are not fully vested and/or do not enroll in the MERS Plan to receive un-reduced MERS retirement benefits immediately following termination of employment with the City of Hastings, will not be entitled to post-retirement health benefits.

CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT ("COBRA")

The City complies with COBRA a federal law which gives covered employees (and their dependents) who have lost health benefits the right to continue group health plans for limited periods of time under certain circumstances (called "qualifying events"). All administrative rules and processes as well as changes in plan benefits and premiums apply to those on continuation coverage.

If you are covered by the City health benefits plan upon termination of employment, you will be provided with a Certificate of Credible Coverage by the City's COBRA plan administrator (Personnel). This certificate provides evidence of your prior health care coverage through the City.

TUITION REIMBURSEMENT

The purpose of tuition reimbursement is to help provide employees with the opportunity to further their work-related opportunities. Reimbursement shall only be provided when the funds are available in the City budget. Such reimbursements shall be made only to the extent classes are related to the employee's job performance and are reasonable in their amount. The employee will not be allowed time off with pay to attend courses unless previously approved by the City Manager.

Reimbursement will only be in accordance with the following guidelines:

- A. The employee must be a regular full-time employee who has successfully completed at least one year of continuous employment with the City.
- B. The employee may not be on a leave of absence when enrolled in a class. The employee must be employed by the City at the completion of the course.
- C. The class must be a college or alternative education class not covered by normal departmental training funds.
- D. Procedure:
 1. Employees will be reimbursed for tuition expenses at 100% of costs, provided that funds are available in the budget. In a "Pass/Fail" grading system, a passing grade will be required, in a level grading system, a grade of "C" or better must be attained.
 2. All courses must be approved in writing by the Department Head and City Manager in advance of course registration for reimbursement to be considered.

- Supervisory personnel course work must be approved in writing by the City Manager in advance of course registration for reimbursement to be considered.
3. A tuition form for reimbursement will be used.
 4. After course completion, the original request is to be submitted to the Department Head, or, in the case of an appointed official, to the City Manager, along with proof of payment of the tuition and a written grade report.
 5. The City will provide reimbursement only if payment was made by the employee and reimbursement is not available from another source.
 6. The City will not provide reimbursement if the tuition was covered by scholarship, veteran's benefits, fellowship monies, etc.
 7. The request for reimbursement must be made within ninety (90) days of completion of the course.
- E. The City will not reimburse for mileage, books, meals, lodging or other expenses associated with the course work.

INDEMNIFICATION OF OFFICIALS AND EMPLOYEES OF THE CITY OF HASTINGS

Each appointed official and employee of the City of Hastings now or hereafter serving as such, shall be indemnified by the City of Hastings against any and all claims and liabilities to which they have or shall become subject by reason of serving or having served as such official or employee, or by reason of any action alleged to have been taken, omitted, or neglected by them as such official or employee which occurred in the course of their employment and within the scope of their authority. The City shall provide legal representation through its insurance carrier for each such person for all legal expenses reasonably incurred by them in connection with any such claim or liability, provided however, that no such person shall be indemnified against, or be reimbursed for any expense incurred in connection with any claim that results in a judgment, final adjudication or admission that any official or employee has committed any criminal, dishonest, intentionally malicious or fraudulent act or violation of the Ethics Policy.

The amount paid to any official or employee by way of indemnification shall not exceed his actual, reasonable and necessary expenses incurred in connection with the matter involved, and such additional amount as may be fixed by the Council for the City and any determination so made shall be prima facie evidence of the reasonableness of the amount fixed or binding on the indemnified official or employee.

The right of indemnification herein above provided for shall not be exclusive of any rights to which any official or employee of the City may otherwise be entitled by law.

5. City Policies, Procedures, and Expectations

ATTENDANCE

Employees shall follow their department guidelines to report any absence or late arrival or to leave a shift early. Employees shall have a legitimate excuse for their absence; and their absenteeism shall not be excessive, regardless of whether it is excused or un-excused. The City may require proof of an employee's excuse for absence.

HOURS OF WORK

The work schedule of each employee shall be determined by the Department Head. This shall not be construed as a guarantee by the City of any amount of work in any period of time or as a limitation on the City's right to schedule work in excess of the normal workday or the normal workweek.

LUNCH

The City of Hastings allows one non-paid lunch period; however, the Department Head may vary this dependent on work needs.

NURSING MOTHERS

Employees who need to express milk for the purposes of breast feeding up to one year after a child's birth will be provided a private area to do so as well as a location to store expressed milk. Supervisors may consider flexible working arrangements if time in addition to lunch is needed. Any time beyond lunch period will be unpaid time.

PERSONAL APPEARANCE

Employees must take into consideration their position, the work and the business of the day and dress appropriately.

OVERTIME

While it is the City's policy to avoid overtime, there are situations or community demands that sometimes require overtime work. In these cases, the supervisor will attempt to give enough notice concerning scheduled overtime.

Overtime is paid to non-exempt employees at the rate of time and one-half for all hours you have been authorized to work in excess of forty (40) hours in any work week. Vacation, sick, **and** personal ~~and holiday~~ hours not actually worked will not be considered as hours worked for the purpose of computing overtime pay. Employees who work unauthorized over time may be subject to corrective action.

FLEXIBLE WORK TIME

Full-time, regular hourly employees may arrange a flexible schedule to accommodate particular needs in occasional circumstances by making up time off by working additional hours (outside the normal schedule) within the same payroll week (Tuesday through Monday) with the approval of the Department Head. Time off and make up time worked shall be equal amounts.

TIME RECORDS

Time records are used as a means of accurately recording hours worked, overtime, absences, and vacation. Accordingly, all hourly employees, file time records with Department Heads and obtain approval. Time records shall show hours worked and any leave time hours by category (e.g. vacation hours, sick hours, personal, etc.) for that pay period. Under no circumstances are you to complete another employee's timecard or permit another employee to complete yours. Non-exempt, hourly employees may not work any time that is not recorded on their time record. Exempt, salaried employees, including Department Heads, shall submit time records for time off, prior to the next pay period to the City Manager.

On call ("volunteer") fire personnel shall file quarterly time records approved by the Fire Chief.

PAYROLL DEDUCTIONS

Mandatory deductions will be made from each payroll for federal, state and city taxes and required child support payments, tax liens, insurance premiums and pension plan contributions. Optional deductions may also be made. The City attempts to make such options available as a convenience to its employees, but must reserve the right to limit, change, or discontinue the availability of any optional payroll deduction.

An employee will be paid by direct deposit (or use of a pay card) to a participating financial institution by filling out the appropriate form.

IMPROPER PAY DEDUCTIONS FOR SALARIED EMPLOYEES

It is the Company's policy to comply with all state and federal wage and hour laws and regulations. Improper pay deductions may not be made under the law for exempt employees under the Fair Labor Standards Act. An exempt employee, who believes that an improper deduction has occurred, should notify the Personnel Department and City Manager in writing of this discrepancy. Any complaint will be resolved within a reasonable time given the facts and circumstances. If an investigation reveals an improper deduction, then the employee will be reimbursed by the City and the City will take steps to ensure that the oversight does not occur again in the future.

SOCIAL SECURITY NUMBERS

All employees provide their social security numbers to the City for tax reporting. The City is committed to protecting the confidentiality of social security numbers that are obtained by anyone during City business. Documents containing a social security number will be kept in confidential files, such as employee personnel files and payroll records for which access is limited, and such as client files which are treated as confidential. Except as required for necessary and legitimate business purposes, no employee is permitted to have access to social security numbers or to keep, view, use, copy, share or distribute another person's social security number, or in any other way disclose another's social security number. Access is limited to those persons who have a need to know, and only to those persons. Employees with this limited access must take care to not openly reveal social security numbers on computer screens or on their desks. Anyone with access to a social security number for necessary and legitimate business purposes may not use it for any other purpose and may not allow any unauthorized individual to obtain it. When a document containing a social security number is no longer needed and is to be discarded, the document must be disposed of in a manner that ensures the confidentiality of the social security number. Documents must be shredded or electronically destroyed, or otherwise disposed of in a way that prevents unauthorized disclosure of a social security number. Violation of this policy is subject to Corrective Action, up to and including discharge.

PERFORMANCE REVIEWS

Performance reviews may be completed by the supervisor, Department Head, or City Manager. Your supervisor will work with you on an ongoing basis to help you improve at your job. If you have any questions about your performance, you should feel free to talk to your supervisor or City Manager at any time.

DISCIPLINARY PROCEDURE

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

Under normal circumstances, the City endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit. This policy does not modify the status of employees as employees-at-will or in any way restrict the City's right to bypass the disciplinary procedures suggested.

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

Step 1: Informal Discussion.

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

Step 2: Counseling.

If a private informal discussion with the employee has not resulted in corrective action, following a thorough investigation, the supervisor should meet with the employee and

- (a) review the problem,
- (b) permit the employee to present his or her views on the problem,
- (c) advise the employee that the problem must be corrected,
- (d) inform the employee that failure to correct the problem will result in further disciplinary action which may include discharge, and
- (e) issue a counseling notice to the employee.

Step 3: Reprimand.

If satisfactory performance and corrective action are not achieved under Steps 1 and 2, the supervisor and his or her superior should meet with the employee in private and proceed via (a) through (d) above, and issue a reprimand notice to the employee.

Step 4: Suspension.

Supervisors have the authority to temporarily remove employees from the workplace, with or without pay, if approved in advance by the department director and the City Manager.

An exempt employee generally may not be suspended without pay for less than a full day, and the suspension must be related to written workplace conduct rules applicable to all employees, e.g., such as a written policy prohibiting sexual harassment or workplace violence.

Step 5: Failure to improve.

Failure to improve performance or behavior after the written warning or suspension can result in termination.

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

In cases involving serious misconduct, or any time the supervisor determines it is necessary, such as a major breach of policy or violation of law, the procedures contained above may be disregarded. Typically, the supervisor should suspend the employee immediately (with or without pay) and an investigation of the incidents leading up to the suspension should be conducted to determine if any further action, such as termination, should be taken.

TRAVEL AND OTHER OFFICIAL EXPENDITURES

To receive reimbursement for meals, mileage, official travel, conferences or training expenses, employees must submit an expense request on the appropriate form. Reimbursement requests must be submitted within one week of the end of the month for which the expense is being claimed. All reimbursements must be authorized and approved. Personal expenses will not be reimbursed.

Mileage Allowance

If an employee uses their own vehicle for City business, the City will reimburse the employee upon presentation of an authorized travel voucher showing miles traveled, destination, and purpose of travel. The mileage allowance will be equal to the mileage allowance determined by the Internal Revenue Service as an appropriate amount for tax purposes.

The distance between your home and your regular job not deductible and cannot be included in mileage reimbursements. If you travel from your home for business to a site other than your normal work site and the distance to the business event is less than your normal commute, then mileage is not reimbursable. However, if the distance between the business event and your home is greater than your normal commute, you may submit mileage for the difference between your regular home to work commute and home to

business event site.

Meal Allowance

The City will reimburse for meals purchased while on authorized City business, under the following conditions:

- The employee presents a receipt for the meal along with a voucher for payment stating the purpose.
- The employee cannot be reimbursed for the purchase of alcohol.
- The request for reimbursement shall not exceed an amount deemed to be necessary and reasonable, which shall be approved by the employee's Department Head, or in the case of a supervisory employee or City Council member, approved by the City Manager.

TRAINING REQUIREMENTS

Employees may be required to attend professional development training sessions specific to their area of employment. Training sessions shall be approved by the Department Head and/or by the City Manager.

TECHNOLOGY USE AND ELECTRONIC RECORDS POLICY

PURPOSE.

The purpose of this Technology Use and Electronic Records Policy is to establish guidelines and policies for use of the computer, Internet, and e-mail systems owned by the City of Hastings, as well as for the preservation of the public records created and received using these systems.

This Policy is developed in recognition of the current work environment, where a large portion of communications between public employees transacting public business on behalf of the City is done through electronic means. Although there are many benefits to working in an electronic forum, there are also many challenges, including the ability to easily modify electronic documents and concerns about the security of public records. Adherence to this Policy will provide consistency, efficiency, and openness to the public and help lessen any potential negative impacts to the City as it increases its reliance on electronic methods of conducting City business.

DEFINITIONS.

Electronic mail (e-mail): A means of exchanging electronic messages and documents using telecommunications links. A complete e-mail message not only includes the contents of the communication, but also the transactional information, aka metadata (dates and times that messages were sent, received, opened, deleted, etc., as well as aliases and names of members of groups), and any attachments. Transactional information can be found and printed or saved from the e-mail system.

Electronic records: Electronic records include e-mail messages, word documents, electronic spreadsheets, digital images, and databases. Electronic records are kept in computer networks, Geographic Information System (GIS) databases, digital image storage systems, etc.

Records Retention and Disposal Schedule: The listings of records or records series that are maintained by the City of Hastings in the course of conducting its official business that identify how long the records must be kept, when they may be destroyed, and when certain records can be sent to the Archives of Michigan for permanent preservation. In accordance with Michigan law (www.michigan.gov/hal), records cannot be destroyed unless their disposal is authorized by the approved State Retention and Disposal Schedule. The City's Records Retention and Disposal Schedule was adopted November 12, 2019.

Public Record or Record: Recorded information that is prepared, owned, used, in the possession of, or retained by the City in the performance of an official function, as more fully defined and interpreted under the Freedom of Information Act ("FOIA"), being MCL 15.231.

Transitory record: Records relating to activities of the City or its employees or elected or appointed officials that have temporary value and do not need to be retained once their intended purposed has been fulfilled. A transitory record is that which does not set policy, establish guidelines or procedures certify a transaction, or become a receipt.

Non-records: Recorded information in the possession of the City that is not needed to document the performance of an official function, such as drafts, duplicates, convenience copies, publications, and other materials that do not document agency activities.

Personal records: Records that document strictly non-governmental business or activities.

ELECTRONIC COMMUNICATIONS AND INTERNET USE.

Purpose.

The purpose of this Technology Use and Electronic Records Policy is to assist the City of

Hastings employees in their day-to-day conduct of business activities. This Policy sets forth the City's policies regarding the use of e-mail, Internet, telephones, voicemail, fax machines, external electronic bulletin boards, wire services, and other telephonic communication equipment. All authorized users are expected to be familiar with and comply with this policy. Violation of this policy can lead to system privileges being revoked and/or disciplinary action, including, but not limited to, termination of employment.

The City of Hastings encourages the use of these media and associated services, as they can make communication more efficient and effective, and because they can provide valuable information about vendors, customers, technology, and new products and services. However, all employees and others connected with the City should remember that electronic media and services provided by the City are public property and their purpose is to facilitate and support City business. All users of these systems have a duty to use these resources in a professional and lawful manner.

The computer network and e-mail systems are the property of City of Hastings. All electronic communication and other information transmitted by, received from, or stored in these systems are the property of the City.

Prohibited Uses.

Electronic media shall not be used for knowingly transmitting, retrieving, or storing any communication that:

- i. Is in violation of state or federal law;
- ii. Shares technology in a way that violates federal copyright laws;
- iii. Circumvents the Open Meetings Act;
- iv. Misrepresents the user's identity, except where authorized as part of a law enforcement operation, task or purpose.
- v. Results in a hostile workplace environment;
- vi. Contains an offensive, disruptive or malicious message;
- vii. Is discriminatory or harassing;
- viii. Is defamatory or threatening;
- ix. Is for political or religious purposes;
- x. Is for purposes of lobbying or solicitation;
- xi. Creates or forwards chain letters;
- xii. Violates license governing the use of software; and/or
- xiii. Creates any liability for City of Hastings.

The Internet and/or World Wide Web shall not be used for the following purposes:

- i. Browsing or use of restricted content sites or pornography;
- ii. Commercial purposes other than the business of the City;
- iii. Participating in gambling, betting pools or investment clubs;
- iv. Downloading non-business related data, and/or
- v. Downloading non-approved applications programs.

Personal Use.

The computers, electronic media, and associated services provided by the City of Hastings are primarily for business use to assist employees in the performance of their jobs. Limited, occasional, or incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the systems' use for their business purposes. However, employees are expected to demonstrate a sense of responsibility and not abuse this privilege.

E-Mail.

Only City of Hastings employees who have an e-mail account and password are permitted to use these systems. However, passwords do not imply confidentiality, nor do they grant the user an expectation of privacy. Upon separation of an employee from City employment, that user's e-mail account will be terminated.

Electronic Records may be subject to the Michigan Freedom of Information Act and discovery in litigation to the same extent as and with the same exemptions as those applicable to paper documents. The City reserves the right to inspect any e-mail found in its system for its business activities, and to disclose the contents of any e-mail to appropriate personnel.

Employees should also consider that e-mail messages can be read by persons other than the addressee and that the message may be later disclosed to outside parties or a court in connection with litigation. Therefore, employees are required to maintain the highest standards of good grammar, courtesy, and professionalism when creating and transmitting electronic records.

For purposes of record retention, Electronic Records related to an email account are subject to the same retention/disposal schedule applicable to City paper files and documents of like type.

It is the responsibility of each employee to organize, extract, and purge e-mail at their workstation in accordance with the applicable record retention schedule within a six-

month timeframe. E-mail older than six months could be purged automatically from each user's e-mail account to accommodate storage capacity. Employees will be notified in advance of such action.

The City may establish a maximum email account size for each employee. It is the responsibility of each employee to manage their e-mail account to minimize storage usage.

Internet/World Wide Web.

Use of the Internet shall be for the purpose of, or in support of education; research; state, local or national government affairs; economic development; City-related charitable activities; public service; personal communications; and individual professional development.

Employees should not have any expectation of privacy regarding web sites accessed through the computer system. Computer systems may leave "tracks" at web sites visited. Therefore, any incidental use of the Internet for personal use must be conducted with the highest level of professionalism. Personal use should be limited and not interfere with work responsibilities or work time.

It is unacceptable to interfere with, or disrupt another network's users, or service equipment. Such interference or disruption includes, but is not limited to:

- i. Exceeding normal user privileges.
- ii. Creating accounts or using any account without authorization.
- iii. Probing or tampering with any security feature or file.
- iv. Exploiting any security vulnerability.
- v. Distribution of unsolicited advertising.
- vi. Transmitting excessive amounts of non-business related e-mail.
- vii. Propagation of computer worms or viruses.
- viii. Transmission of any type or quantity that causes disruption of service to others.
- ix. Using the network to make unauthorized entry, or other acceptable use, to other computational, information, or communications devices or resources.
- x. Sending, receiving, transferring, storing, or using sniffers, spoofers, hacking scripts, etc.

Employees who share their passwords with others and/or leave their computers unattended with an open web browser may be held responsible for any resulting unauthorized usage.

Software.

The City prohibits the unauthorized use of City software. The City expects its employees to conduct themselves responsibly in this regard. Employees will refrain from making or using unauthorized copies of software programs. Employees may not install or run outside software. Software requests must be approved, purchased, and installed by Information Technology staff.

Reporting Violations.

Use of the computer system to engage in any communications that are in violation of any City policy, including, but not limited to, the acquisition, possession, or transmission of defamatory, obscene, offensive, or harassing material, is strictly prohibited. If you are harassed or discriminated against through the use of the City computer system, you must immediately report this to your supervisor or the City Manager. Any employee who violates this Policy may be subject to discipline as set forth in this Policy.

ELECTRONIC RECORDS RETENTION.

Purpose.

In order for the City of Hastings to function administratively, undergo periodic audits, provide for its legal requirements, and document its heritage, it must manage its records properly. Therefore, the City of Hastings requires its employees to retain and destroy Electronic Records that are created, sent and received in the course of conducting official business in accordance with the City's approved Records Retention and Disposal Schedule. This schedule is kept in the City Clerk's Department.

Anything, on any medium that is created for any governmental purpose, as defined herein, is subject to disclosure as a public record. Consequently, all Electronic Records created, sent, and/or received for a government purpose are public records and are subject to the Records Retention and Disposal Schedule. Electronic mail systems can transmit a wide variety of information; therefore, the length of time that an Electronic Record has to be retained varies according to the content of the Electronic Record. In short, the content and not the medium determine how long the Electronic Record has to be retained.

All employees of the City of Hastings, including part-time and temporary workers, and all others who have been granted access to, or who use or administer, the electronic mail resources of the City, or who transact public business via e-mail on behalf of the City are covered by this Policy and must comply with associated guidelines and procedures.

Retention Requirements.

All public records, including e-mails and other documents created, received, or maintained in an electronic format, are required by law to be retained and disposed of in accordance with the City's duly adopted Records Retention and Disposal Schedule. Each employee of the City of Hastings is responsible for familiarizing themselves with the retention and disposal schedule for the public records with which they deal on a daily basis, and maintaining those public records in accordance with the Records Retention and Disposal Schedule and this Policy.

Transitory records have limited administrative value and should be retained only until they no longer serve a purpose. For example, e-mails sent for the purpose of scheduling a meeting are no longer needed once the meeting has been held, and should be deleted immediately thereafter.

Non-records should be retained and disposed of in accordance with the City's Records Retention and Disposal Schedule.

Personal e-mails and SPAM are not to be retained on City-owned computers and should be deleted immediately. Failure to delete these e-mails not only takes up valuable storage space on the City's computer system, but also, in certain circumstances, may result in such records being produced in response to a FOIA request, litigation discovery request, or subpoena.

Employee Responsibilities.

Each employee is responsible for managing all the Electronic Records they create, send, and receive; managing those e-mails means that each employee must sort, file, retrieve, and archive or delete the e-mail in accordance with this policy.

- i. Sorting involves promptly deleting Electronic Records as allowed by this policy. Sorting also involves routinely filing Electronic Records that must be retained for the applicable retention period.
- ii. Filing Electronic Records for short term storage involves moving the Electronic Records into appropriate folders created within the computer system. For Electronic Records that must be retained for longer timeframes, it may also mean printing and filing hard copies of Electronic Records in a paper file or converting the email into another software format for long-term electronic filing.
- iii. Retrieving means that, upon request, employees must promptly retrieve Electronic Records for which they are exclusively responsible (that is, sent or received from outside the City). Electronic Records that are retrieved must include the transmission properties of the e-mail (i.e. metadata). Upon receipt of a FOIA or litigation discovery request, the employee responsible for the requested Electronic

- Record must find and retrieve it in a timely matter.
- iv. Archiving or deleting filed Electronic Records must be done in accordance with the City's Record Retention and Disposal Schedule. Archiving means the long-term storage of an Electronic Record according to the applicable retention schedule. As always, the transmission properties of the Electronic Record are considered part of the Electronic and must be archived.
 - a. The content of the Electronic Record determines the applicable retention schedule.
 - b. Electronic records should be deleted or archived as soon as possible in accordance with this Policy. However, records relevant to pending or reasonably anticipated litigation or responsive to a FOIA request must be preserved even if the record retention schedule allows for its destruction.

Senders and recipients of Electronic Documents shall evaluate each document to determine if they need to keep it as documentation of their role in a business process and in accordance with this Policy and the approved Records Retention and Disposal Schedule.

Senders are generally considered to be the person of record for an Electronic Record, and as such are responsible for maintaining the original as the official record for the City. However, if recipients of the message take action as a result of the message, they should also retain it as a record as long as it serves a useful purpose. Employees who receive Electronic Record as a "cc" or "bcc" do not need to retain those communications or documents.

Employees should retain only the final message in a communication thread or string that documents the contents of all previous communications. This is preferable to retaining each individual message, which contain duplicate content. E-mail threads or strings should be retained in accordance with the subject matter of the discussion rather than based on the subject line of the emails. Drafts of Electronic Records generally do not need to be retained once the final version has been sent or approved, unless otherwise required by the City.

Employees shall become familiar with the Records Retention and Disposal Schedule applicable to their department and/or work area.

Employees shall retain Electronic Records that have not fulfilled the legally-mandated retention period.

Employees shall organize their Electronic Records so they can be readily located and used.

Employees shall dispose of transitory, non-record, and personal e-mail messages from the e-mail system as soon as possible, and in accordance with this Policy.

Employees shall provide access to their e-mail to the FOIA Coordinator or City Manager upon request.

Recognizing that e-mail messages that are sent and received using the City of Hastings' e-mail system are not private, employees are encouraged to manually delete personal appointments (such as sick leave or annual leave) from the e-mail system after the event takes place. Employees should have no expectation of privacy when using City-owned computers.

Employees shall not delete Electronic Records that constitute a public record under this policy and Michigan law except in accordance with the City's approved Records Retention and Disposal Schedule.

Employees shall make every effort to ensure that electronic records deemed "confidential" or that are exempt from disclosure by law are protected. Questions about an Electronic Record and its status as confidential or exempt should be directed to the City Attorney. An Electronic Record that is intentionally or accidentally forwarded to a party outside the City can lose its confidential/exempt status.

City of Hastings' Responsibilities

The City shall ensure that its Records Retention and Disposal Schedule is in conformance with the laws governing record retention.

The City shall ensure that employees with computer privileges have the means and opportunity to make themselves aware of and implement this Policy.

The City shall ensure that Electronic Records are preserved in an electronic format and will be maintained in a manner that ensures their authenticity, reliability, and integrity. They must be maintained with sufficient data about the creation, routing, and receipt of the Electronic Records, as well as other objects such as text files, embedded documents, images, or hyperlink references. The City shall ensure that all Electronic Records are maintained in a usable manner throughout the required retention period.

The City shall ensure that when Electronic Records with long-term retention requirements are migrated, they are moved to a storage medium and format that protects the content, metadata, attachments, hyperlink references, and proof of delivery receipt, where applicable.

Respective department heads shall notify the Information Technology when an employee

has left the employment of the City of Hastings so that their network account and related information can be closed in the appropriate manner.

It is the responsibility of the individual department heads to insure that electronic Records of exiting employees are retained in accordance with approved Retention and Disposal Schedules.

The FOIA Coordinator shall notify the Information Technology when an agency becomes involved in litigation or receives a FOIA request.

FOIA Coordinator Responsibilities.

The FOIA Coordinator shall verify that responses to FOIA requests received from the various departments include all responsive Electronic Records.

The FOIA Coordinator shall notify affected employees that a FOIA request involving Electronic Records was received to prevent the destruction of responsive Electronic Records

The FOIA Coordinator may, in appropriate instances, notify the City Manager that a FOIA request involving Electronic Records was received to prevent the destruction of relevant messages.

PERSONAL CALLS

Proper service to the community requires your uninterrupted attention to your job. Therefore, personal business during the workday, such as telephone calls or visits should be kept to an absolute minimum. Use of personal cell phones for personal reasons should be kept to a minimum during work hours.

SOLICITATION

Solicitation on City premises during working time is not allowed, except for small school or group fund raisers and are subject to the permission of the City Manager.

Employees are not allowed to solicit other employees during working time. The distribution of any literature in working areas and non-working areas during working time is not allowed. Non-employees and outsiders are not permitted to solicit or distribute literature on City premises at any time.

VEHICLE ACCIDENTS

If you are driving a City vehicle and are involved in an accident, make every effort to obtain names, addresses and telephone numbers of all other individuals involved, as well as any witnesses. Immediately report any accident to the Supervisor to support prompt notice to the insurance company.

Employees may not operate a City vehicle or equipment or drive on City business if they are impaired in any way. Failure to observe this restriction will be grounds for corrective action up to and including discharge.

If involved in a vehicle accident a breathalyzer should be administered at the time of the accident.

NO-SMOKING

All City property is "smoke-free" including use of any tobacco products, e-cigarettes, and vaping. This includes City vehicles and work locations throughout the City.

DRUGS AND ALCOHOL

It is the policy of the City of Hastings to maintain an alcohol and drug-free (including marijuana) workplace. When an employee is involved in the use, possession, transfer, or sale of a substance in violation of this policy, the employer may notify appropriate authorities. Such notice will be given only after such an incident has been investigated and reviewed by the employee's supervisor, or, in the case of a Department Head, by the City Manager.

The City may require a blood test, urinalysis, or other drug/alcohol screening of any employee upon reasonable suspicion, in the employer's judgment, that the employee is in violation of this policy. In addition, the employer may require such testing or screening of any employee who was involved in an accident while at work. An employee's consent to such testing is required as a condition of continued employment, and the employee's refusal of consent may result in disciplinary action up to and including discharge.

If an employee's violation of this policy is related to substance abuse, the employer may require such employee to undergo a program of rehabilitation. Such action may also be required of employees who are experiencing other performance or disciplinary problems due to substance abuse. The rehabilitation program may be required in addition or in lieu of disciplinary action. In some cases, disciplinary action may be suspended, or the employee placed on probation, pending successful completion of the rehabilitation program.

All information related to alcohol or drug testing will be kept confidential and will not be disclosed to any persons within the employer, except those persons who have a legitimate, business-related interest in such information.

PERSONAL CHANGES

For your protection, convenience, and benefit, you are requested to notify Personnel, immediately of any change in your name, address, telephone number, dependent information or other personal information. Keeping this information current enables The City to reach you in an emergency, forward your mail and W-2 forms, maintain your insurance and other benefits and compute your payroll deductions.

RULES OF CONDUCT

The City has certain rules of conduct that must be followed. Your cooperation is essential, and we urge you to familiarize yourself with those rules of prohibited conduct listed below so you know what is and is not acceptable behavior.

Violations of the following rules which prohibit the indicated behavior will, in the discretion of the City, result in disciplinary action up to and including discharge:

1. Insubordination.
2. Under the influence of alcohol or drugs (including marijuana), or bringing, having, or consuming alcoholic beverages or drugs while at work.
3. Violations of safety standards or causing hazardous or unsafe working conditions.
4. Falsification of personnel or other records.
5. Use of property and equipment belonging to the City for personal use or gain.
6. Threatening, intimidating, coercing or interfering with employees.
7. Improper recording of hours worked or leave time taken.
8. Engaging in other employment during a medical leave or personal leave without prior approval by the City.
9. Defacing City property.
10. Failure to cooperate in the investigation of an offense or in the maintenance of a safe workplace.
11. Using, removing, or disclosing confidential information of any nature without prior written authorization from the City.

The above list of rules is for the purpose of illustration and is not intended to be all inclusive of the proper standards of conduct or other obligations of the employee. The City reserves the right to take corrective action for other offenses not specifically listed here.

PROBLEM RESOLUTION OR CONCERN

If an employee has a problem or a concern, they should follow these steps:

- Step 1. Verbal discussion with immediate supervisor and the employee should take place first.
- Step 2. If a decision is unsatisfactory to the employee, they will be referred to the Department Head with the concern outlined in writing. This writing should contain all facts pertinent to the problem or concern. The Department Head will give a decision in a timely fashion. The City Manager will be informed of the decision, preferably in writing.
- Step 3. If the decision is still unsatisfactory to the employee, employee shall contact the City Manager in writing with a carbon copy to employee's Department Head. The City Manager may investigate the problem or concern, in its discretion, and will give a final decision or engage the Personnel Appeals Board for input before making the final decision.

If an employee has a problem with an immediate supervisor, then employee shall report up the chain of command to the Department Head either verbally or in writing. If the problem is with the Department Head, then employee shall report up to the City Manager, in writing. If the problem is with the City Manager, then employee shall report to the City Council, in writing.

There should be a sincere desire on the part of each of the parties to resolve concerns in the shortest possible time. No salary deduction will be made if any employee is called in to a meeting during working hours at the request of the City.

WHISTLE BLOWERS ACT

The City will not threaten, discharge, or otherwise discriminate against employees regarding compensation, terms, conditions, location, or privileges of employment because an employee or a person acting on behalf of the employee, reports or is about to report a violation or a suspected violation of federal, state, or local laws, rules or regulations to a public body, or participate in a public hearing, investigation, inquiry or court action. Employees should direct any reporting of a violation or suspected violation of federal, state, or local laws under the Whistle Blowers Act to the City Manager.

EMPLOYMENT OF RELATIVES AND DOMESTIC PARTNERS

Relatives and domestic partners of an employee will be considered for employment based on their qualifications. Caution in the hiring of relatives and domestic partners should be taken, however, if this would:

- Create a supervisor/subordinate relationship with a family member;
- Have the potential for creating an adverse impact on work performance; or
- Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy will also be taken into consideration when assigning, transferring, or promoting an employee.

Employees who marry or establish a close personal relationship may continue employment under consideration of the cautions listed above. If a conflict should occur, attempts will be made to find a suitable position within the City to which one of the employees will transfer. If, in the sole discretion of the City, accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign within ninety (90) days of the date of notification. If the employees themselves fail and/or refuse to make this decision, then the City will make the decision.

6. Employee Acknowledgement of Receipt of Policies

All City employees will sign a verification of receipt of a copy of these policies at the time of employment and from time to time as revisions are made.

TO WHOM IT MAY CONCERN:

The undersigned hereby acknowledges receipt of a copy of the City of Hastings Personnel Policies.

Upon receiving these policies, I understand that it is my duty and responsibility to me and my employer to read all the rules and regulations contained therein. Failure to do so or to abide by said rules and regulations, after the effective date of these Personnel Policies, whether by unawareness or extenuating circumstances shall not absolve me of my inherent responsibilities as a City employee.

Printed Name

Signature

Date

Printed Name: Witness

Signature

Date