

## **Summit Township Personnel Policy**

Dear Summit Township Employee:

A challenging experience awaits you as an employee of Summit Township. The citizens of Summit Township are proud of their community and expect Township employees to enthusiastically reflect this pride. We trust you will help us provide the kind of service and dedication our tax-paying public can be proud to support. All employees project the image of our Township. Consequently, we emphasize the importance of courteous and friendly treatment of all those who come in contact with us.

We have written this manual to answer some of the questions you may have while employed with Summit Township. Please read it thoroughly and retain it for future reference. Your conduct during your employment should be governed by the guidelines described herein. The policies in this manual are subject to change at the sole discretion of the Township Board. If you have any questions, please ask your Department Head.

This Manual applies to all employees of Summit Township. If there are any conflicts between the provisions of this Manual and the provisions contained in any collective bargaining agreement, individual employment agreement or federal or state law, the provisions of the agreement or relevant law shall govern. Any situation not covered by this Manual shall be referred to the Executive Committee or their designee. This Manual does not apply to elected officials of Summit Township nor to any consultant, individuals appointed or elected to any commission, board, or advisory panel. However parts of this Manual will apply to elected officials of Summit Township, consultants, individuals appointed or elected to any commission, board, or advisory panel as may be required by federal and/or state laws or as otherwise specified in this Manual.

This Manual replaces all prior manuals, policies, and resolutions of the Summit Township Board of Trustees, which are inconsistent with this manual.

The interpretation, application, and administration of the policies and provisions of this manual have been delegated by the Township Board to the Executive Committee as the chief human resources officers of the Township. Accordingly, the decisions of the Executive Committee regarding the interpretation and application of these policies is final except as may be modified in the Complaint Resolution Procedure.

We wish you success in your position and hope that your employment with Summit Township will be a rewarding experience for all concerned.

Sincerely,

Executive Committee

Township Supervisor  
Township Clerk  
Township Treasurer

INTRODUCTION

The Township has and will continue to retain, whether exercised or not, the sole right to operate and manage its affairs in all respects and retains all its powers or authority pursuant to P.A. 349 of 1947, as amended, commonly referred to as the Township Act.

Where a provision of this Manual conflicts with a provision of any existing agreement between the Township and a state, federal granting agency or a collective bargaining agreement including

Local 1639, the agreement shall supersede the provision of this Manual.

The purpose of this manual is to introduce the employees of the Township of Summit to the key policies governing the personnel practices of the Township. This is not to be considered a legal document or employment contract and therefore it guaranties no employment for any duration.

As employees of the Township you are required to act in accordance with the policies stated herein. It is recommended that employees read the entire manual at their earliest convenience. All statements, by whoever made them, both written and oral, are hereby rescinded if they are in any way inconsistent with the statements in this Manual. The Township Board has approved this Manual.

Summit Township has established a variety of employee benefit programs designated to assist its employees in meeting the financial burdens that can result from illness, disability, and death and to help them plan for retirement, deal with job related or personal problems, and enhance their job related skills, morale, and efficiency.

This Manual is meant to highlight some features of Summit Township's benefit programs. The Township's group health insurance, life insurance, and retirement programs are described more fully in Summary Plan Description booklets, which will be provided to employees upon request. Complete descriptions of Summit Township's group health insurance programs are also contained in the Township's master insurance contracts with its insurance carriers. Complete descriptions of employee retirement related programs are also maintained, and are available for employee review upon request. The information in this handbook is intended to be a general guideline to Township employees. It should be understood that the Plan document or documents themselves are available for examination, and are the only documents which contain the accurate and complete coverage information and conditions.

Summit Township reserves the right to amend, terminate, or modify any of these programs regarding such employee benefits at its sole discretion. This reserved right may be exercised in the absence of financial necessity.

Part-time and temporary employees are ineligible for fringe benefits unless specifically designated in this Manual.

For more information regarding any of the Township's benefit programs, or to examine the plan documents please contact the Deputy Treasurer.

## Use and Maintenance of this Manual

Any employee who has a question or suggestion regarding this Manual or any policy contained herein should contact his/her immediate supervisor.

From time to time revisions to this Manual will be issued to each employee. Such revisions should be filed in the Manual in order to maintain a current description of the Township policies for your references.

## Limitations of this Manual

This Manual does not apply to elected officials of Summit Township nor to any consultants, individuals appointed or elected to any commission, board, or advisory panel except as may be required by federal and/or state law or as otherwise specified in this Manual. The policies and procedures contained in the Manual shall not be applicable to employees of the Township who are covered by a collective bargaining agreement. All other employees shall be subject to the terms and conditions of this Manual. This manual is a general guide for Township policies and also provides general Township information. It does not include all policies of the Township.

The Township Board may change, expand, or elaborate on these policies as needed and may take actions that are not set forth in this Manual. All benefit plans are governed by the terms and conditions stated in the Individual Policy documents. This Manual is only intended to provide a general introduction of such benefits.

The Township reserves the right to change or discontinue any policies or benefits or their application at any time without notice. The policies and rules in this Manual are subject to change at the sole discretion of the Township Board without prior notice. Any suggestions you may have for changes in the policies set forth in this Manual are welcome. This Manual does not constitute a contract of employment.

The following policies shall apply to all Summit Township elected officials, consultants, individuals appointed or elected to any commission, board or advisory panel:

CONFLICT OF INTEREST

FALSE COMPLAINTS

HARASSMENT

INTERNET USAGE

PERSONAL USE OF TOWNSHIP EQUIPMENT, TOOLS OR PROPERTY

SMOKE FREE ENVIRONMENT

VEHICLE USAGE

WORKPLACE THREATS AND VIOLENCE

## GENERAL POLICIES

### CONFLICT OF INTEREST

Employees shall act in the best interest of Summit Township and within appropriate legal and ethical bounds. It is important that no conflict of interest or appearance of conflict of interest exists.

Conflict of interests occur when an employee or member of his/her immediate family has a personal or financial interest, benefits or suffers from his/her participation in a contract or transaction considered by Summit Township. No employee shall have a personal, financial interest or perceived interest in a contract with the Township of which s/he is an officer, official or employee, other than his/her own contract of employment, unless full disclosure of the conflict is made to the Board of Trustees and waived by the Board.

Employees shall inform the Summit Township Board of Trustees of the facts of any situation in which they reasonably believe a conflict or appearance of conflict of interest exists. The Township Board of Trustees with the advice of the Township Attorney will determine the proper course of action.

Any employee who knowingly violates this policy shall be subject to discipline as provided for in this Manual.

#### False Complaints

Any employee who files a complaint that is knowingly false when made will be subject to discipline as provided for in this Manual.

#### Harassment

As part of the Township's policy of Equal Opportunity Employment, this Township strictly prohibits discrimination and harassment of anyone through ethnic, racist, sexist or other derogatory comments, slurs, statements, jokes or other objectionable conduct in violation of this policy. The Township believes that all employees are entitled to a workplace free of harassment, and expects that all employees will treat each other and our customers with courtesy, dignity, and respect.

It is the Township's policy that all employees are responsible for assuring that the workplace is free from any type of harassment. Because of the Township's strong disapproval of offensive or inappropriate behavior at work, all employees must avoid any action or conduct which could be viewed as harassment, including:

1. sexual advances towards another;
2. verbal or written communication to another of a harassing nature or comments of a nature which a reasonable person would interpret to be harassing, suggestive or demeaning in nature;
3. physical conduct or touching of another which a reasonable person would interpret to be harassing in purpose, suggestive or demeaning in nature;

4. other verbal or physical conduct of a harassing nature.

Any employee who has a complaint of harassment at work by anyone including supervisors, co-workers, or visitors must bring the problem to the attention of responsible Township officials. Employees may bring their complaint to their supervisor, the Executive committee, or any member of the Board of Trustees. If the complaint involves someone in the employee's direct line of command, then the employee must go the Executive Committee or Trustees with the complaint.

All complaints will be promptly handled and thoroughly investigated. Special privacy safeguards will be applied in handling harassment complaints. All employees should be aware that privacy of the charging party and the person accused of harassment would be kept as confidential as circumstances allow during the investigation.

Harassment during Township employment will not be tolerated and any employee engaging in harassment shall be disciplined as provided for in this Manual..

**WARNING:** Harassment, including sexual harassment or other forms of prohibited conduct, may lead to personal liability. Any person engaged in such conduct may be compelled by a court to pay money damages to victims of harassment.

#### INTERNET USAGE

All employees using the Internet are responsible for reviewing and complying with this Internet Usage Policy. Use will be for the sole purpose or in support of education, research, state, local, or national government affairs, economic development, charitable activities, public service, personal communications, individual professional development.

Any information that you publish or post may not infringe on any copyright, trademark or other proprietary material, for any purpose which violates federal or state laws or to transmit any content which would likely be highly offensive to any recipients.

Illegal activities include, but are not limited to sending, transferring, or storing illegal or illegally copied software, pornography, highly offensive files, using any service to transmit threats, or soliciting others to break any federal or state laws.

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:

§ Exceeding normal user privileges

§ Creating accounts or using any account without authorization

§ Probing or tampering with any security feature or file

§ Exploiting any security vulnerability

§ Distribution of unsolicited advertising

§ Transmitting excessive amounts of non-business related e-mail

§ Propagation of computer worms or viruses

§ Transmission of any type or quantity that causes disruption of service to others.

§ Using the network to make unauthorized entry, or other unacceptable use, to other computational, information or communications devices or resources

§ Sending, receiving, transferring, storing, or using sniffers, spoofers, hacking scripts, etc. (commonly known as burglary tools)

Summit Township fully intends to comply with all federal, state, and local regulations that require reporting of illegal activities. If the Township becomes aware of a possible illegal activities any and all information will be turned over to the appropriate law enforcement agencies.

The Executive Committee will review alleged violations on a case by case basis. Clear violations of the policy will be subject to discipline as provided for in this Manual.

#### Personal use of Township Equipment, Tools or Property

Employees are prohibited from using Township equipment, tools, or property for personal purposes without the written permission of the Executive Committee or their designee.

#### POLITICAL ACTIVITY

Employees of the Township are prohibited from holding or running for any elected public office, which would, in any way, constitute a conflict of interest. Any employee who is considering running for any elected public office must immediately discuss his/her plans with the Executive Committee. If the Executive Committee deems said political activity to be a conflict of interest or creates an incompatible office as prohibited by law the employee will be instructed to cease said activity or be terminated from employment.

#### RADIO USAGE

Certain Township owned vehicles contain two-way radio equipment. Only employees with authorization from their immediate supervisor shall utilize such equipment. All usage shall conform to the rules and regulations of the FCC for appropriate operations of two-way radio equipment.

#### SAFETY

Work place safety is the responsibility of each and every employee of the Township. If an employee discovers a situation that they believe to be unsafe they should immediately report the condition to their immediate supervisor and/or the Safety Committee. If the condition is not remedied within a reasonable period of time the employee must report the condition to the Executive Committee or their designee.

The Fire Department and Department of Public Works (DPW) have an established Safety and Health Standard Policy. This policy applies to all employees. Participation in the Safety Meetings is highly recommended. A copy of Fire Department Policy P-03 is attached. (See Attachment A.)

### Severe Weather

If severe weather necessitates that Township offices be closed the Township will attempt to give each employee as much advance notice as possible under the circumstances. The policy of the Township is that if offices are closed due to severe weather employees will be paid. Employees who report for work because s/he was not notified may be given the choice of returning home or remaining at work. Those who chose to remain at work shall be given compensation time at the rate of one hour for each hour worked. Compensation time may be taken at any time with the permission of the Executive Committee and shall be taken within one year of the date earned. All earned and used compensation time shall be recorded with the Deputy Treasurer. If the Township offices are closed during the work day because of impending severe weather, those who remain at work voluntarily will not be eligible for compensation time. The Executive Committee or their designee will determine when such closures are needed. Notification of employees will be through the Executive Committee or their designee.

Department of Public Works employees will be required to report for work regardless of the Executive Committee's decision concerning severe weather. Any change in work hours resulting from severe weather will be the decision of the Superintendent of Public Works and any compensation time or overtime pay will be in compliance with the Fair Labor Standards Act.

### SMOKE FREE ENVIROMENT

In connection with Michigan Clean Indoor Act, PA 198 of 1986 and PA 296 of 1988, it shall be the policy of the Township of Summit, that the Township Hall and Offices and all Township Fire Stations and any building owned or operated by Summit Township be designated non-smoking facilities.

Smoking shall not be allowed in any area where the public and/or other non-smoking employees have access to the area, regardless of whether the individual who is a smoker is the only person occupying the room at any time.

There will not be any designated smoking area within any building owned or operated by Summit Township. Summit Township will provide and adhere to a Smoke Free Environment in all Township buildings.

Complaints concerning the violation of the No Smoking Policy shall be in writing to the Executive Committee. The complaint shall state the time, date, area, and individual in violation, and shall be signed by the complainant. The Executive Committee shall proceed to cause investigation of the alleged violation.

Should the allegation be confirmed, the Township may discipline such individual(s) as provided for in this Manual.

## VEHICLE USAGE

All employees using Township vehicles are charged with full responsibility for maintenance of such vehicles at Township expense. The Township specifically prohibits carrying any passenger or materials in Township vehicles unless such are directly related to the carrying out of Township business except with the express written permission of the Executive Committee. All employees are expected to adhere to all local and state traffic laws and regulations. The use of seat belts during operation of Township vehicles is mandatory. All vehicles must be locked when not in use. An employee must immediately report any driving violation received while using a Township vehicle to his/her immediate supervisor. Additionally, all accidents involving Township vehicles must be immediately reported to the proper policing authority and to the Executive Committee. No employee shall use any Township vehicle unless s/he possesses and carries a valid operator's license.

The Township may from time to time check the driving records of any or all employees and may consider reassigning current employees with unacceptable records to non-driving related positions.

Each department, when requested will be responsible for providing the Executive Committee or their designee with the information necessary to check driving records. Each department will provide initial and ongoing training to make sure that employees have the skills and knowledge necessary to operate motor vehicles safely and responsibly. All departments shall maintain training records for each employee and shall file an annual report with the Executive Committee showing dates and hours of the training.

## WORKPLACE THREATS AND VIOLENCE

Summit Township will not tolerate threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Summit Township property.

Violations of this policy may lead to disciplinary action as provided for in this Manual and may also include arrest and prosecution.

Any person who makes substantial threats, exhibits threatening behavior, engages in violent acts on Summit Township property shall be removed from the premises as quickly as safety permits, and shall remain off Summit Township property pending the outcome of an investigation. Summit Township will initiate an appropriate response. This response may include, but is not limited to, suspension or termination of any business relationship, reassignment of job duties, disciplinary action as provided for in this Manual, and/or prosecution of the person (s) involved.

No existing Summit Township policy, practice, or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life threatening situation from developing.

All Summit Township personnel are responsible for notifying the Executive Committee or their designee of any threats that they have witnessed, received, or have learned that another person has witnessed or received. Even without an actual

threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a Summit Township controlled site. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or were the focus of the threatening behavior.

Employees who apply for or obtain a protective or restraining order which list Summit Township property or work locations as being protected areas, shall provide to the Executive Committee or their designee a copy of the petition and declarations used to seek the order and a copy of any temporary or permanent protective or restraining order which is granted.

Summit Township understands the sensitivity of the information requested and will treat the information with confidentiality which respects the privacy of the reporting employee(s).

## EMPLOYMENT POLICIES

### EQUAL OPPORTUNITY EMPLOYMENT

This Township is an Equal Opportunity Employer and prohibits discrimination and harassment of all kinds. Specifically, the Township will not tolerate harassment or discrimination on the basis of race, color, sex, age, religion, height, weight, national origin, marital or family status, or disability. Additionally this Township complies with the American's with Disability Act and the Michigan Handicapper's Civil Rights Act.

#### Employment at Will

No contract of employment exists between the Township and any employee subject to the terms of this policy either written or verbal. All employees are subject to termination without cause and any employee can terminate his/her employment at any time. The employment at will relationship may not be changed or altered by any person, supervisor, or department head either orally or by writing.

#### Applicants for Employment

All applicants for employment must complete an employment application. Applicants may be required to submit to a drug and/or alcohol test, and such test shall be at Township expense.

#### Hiring and Conditions of Employment

The Board of Trustees has the final authority on all decisions regarding hiring and other terms and conditions of employment. The Township Treasurer and Clerk shall have the right to appoint their deputies. The duties and compensation of said deputies shall be set by the Board of Trustees. No employee of the Township shall promise employment to any applicant and no employee or individual Board Member has authority to hire employees, promise employment or in any manner or fashion usurp the authority of the Township Board to hire.

## Classification of Employees

The Township classifies all employees as either regular or temporary. Employees are further classified as full-time or part-time. These classifications are further defined as follows:

1. Full-time Regular Employees - Employees hired to work the Township's normal, full-time, forty (40) hour workweek on a regular basis. Such employees may be "exempt" or "non-exempt" as defined below.
2. Part-time Regular Employees - Employees hired to work fewer than forty (40) hours per week on a regular basis. Such employees may be "exempt" or "non-exempt" as defined below. (Part-time firefighters are considered in this classification.)
3. Temporary - Employees engaged to work full-time or part-time for Summit Township with the understanding that their employment will be terminated upon completion of a specific assignment or at the conclusion of a specified time period. Such employees may be "exempt" or "non-exempt" as defined below. (Employees hired from a temporary employment agency are employees of the respective agency and not of Summit Township.)
4. Non-exempt Employees - Employees who are required to be paid overtime at the rate of one and one-half (1 - ½ times) their regular rate of pay for all hours actually worked beyond forty (40) hours in a work week in accordance with applicable federal wage and hour laws of the Fair Labor Standards Act.
5. Exempt Employees - Employees not required to be paid overtime in accordance with applicable federal wage and hour laws.

All employees will be informed of their employment classification and status as an exempt or non-exempt employee at the time of their hire. If an employee changes positions during employment with the Township as a result of a promotion, transfer, or otherwise, the Department Head will inform him/her of any change in his/her status.

Employees should direct any questions regarding their employment classification or exempt/non-exempt status to their Department Head.

## JOB DESCRIPTIONS

All positions shall be classified according to their respective duties and responsibilities as contained within their job descriptions. A complete set of job descriptions for all classifications shall be maintained by the Executive Committee, which shall include appropriate titles, description of duties, responsibilities, and minimum job qualifications. These descriptions shall be reviewed periodically by the Executive Committee to maintain their accuracy.

## VACANCIES

At such time as a vacancy occurs and/or the Executive Committee has determined that a position should be filled, notice of such employment opportunity may be posted indicating the position, the job description, job classification, etc., so that current Township employees interested in such a position may file an application for consideration. If such a notice is posted, it shall remain posted a minimum of seven (7) consecutive calendar days.

#### Non Discrimination

The Township of Summit maintains a policy of non-discrimination in hiring, promotion, pay and discipline or discharge. All aspects of employment decisions will be made on the basis of merit, competence and qualification and are not influenced or in any manner affected by race, color, religion, sex, age, national origin, or non-job related physical handicap, mental handicap, weight or marital status.

#### TERMINATION OF EMPLOYMENT

Employees desiring to terminate their employment relationship with Summit Township must notify the Township at least two weeks in advance of their intended termination date. Such notice shall be given in writing to the employee's Department Head.

Employees who plan to retire are urged to provide Summit Township with a minimum of two months' written notice. This will allow ample time for the processing of appropriate pension forms to ensure that any retirement benefits to which an employee may be entitled commence in a timely manner.

Exit interviews with the employee's Department Head are normally scheduled for outgoing employees after the Department Head has received notice of resignation or intent to retire and for employees whose termination is initiated by the Township. The purpose of these interviews is to review eligibility for benefit continuation and conversion, to ensure that all necessary forms are completed, to collect all property belonging to Summit Township that may be in the employee's possession, and to provide employees with an opportunity to discuss their job related experiences.

#### INVOLUNTARY TERMINATION

Any employees of the Township may be terminated for unsatisfactory performance or conduct which is unacceptable to the Township or for any other reason deemed by the Township to be appropriate.

#### Non-Retaliation

The Township trusts that all employees will continue to act responsibly to establish a working environment free of discrimination. The Township encourages employees to raise any questions they may have regarding discrimination with management.

The Township not only prohibits harassment, but also strictly prohibits any retaliation against any employee who, in good faith, has registered a complaint under this procedure. Any employee of the Township who, after investigation, has been determined to have retaliated against an employee for utilizing the complaint

procedure will be subject to appropriate discipline up to and including discharge. Any employee, who believes s/he has been retaliated against for exercising the rights guaranteed under this policy, should utilize the complaint procedure or notify the Executive Committee. Complaints shall be in writing, if a form is developed for this procedure it will be available in the Deputy Treasurer Office.

Upon receipt of the complaint, an impartial investigation of all complaints will be undertaken immediately. Any employee who has been found, after appropriate investigation by the Township, to have harassed or discriminated against another employee will be subject to discipline as provided for in this Manual.

## PERSONNEL POLICIES

### EMPLOYEE EVALUATION REPORTS

To ensure all employees perform their jobs to the best of their ability, it is important that they be recognized for good performance and that they receive appropriate suggestions and training for improvements when necessary. Consistent with this goal, an employee's performance will be evaluated by his/her supervisor on an ongoing basis. Full-time employees should receive evaluations of their performance on an annual basis. Part-time employees will be evaluated at the discretion of the employee's Department Head. In addition, all employees promoted or transferred to new positions will be normally evaluated in writing after having been in the new job for six (6) months.

All performance reviews will be based on the employee's overall performance in relation to his/her job responsibilities and will also take into account his/her conduct, demeanor, record of attendance and tardiness, skills developed, responsibility accepted, quantity and quality of work performed, knowledge of job, personality, initiative demonstrated, housekeeping, cooperation, courtesy, compatibility, attitude, judgment demonstrated, safety, leadership (if relevant) and overall job performance.

In addition to the regular performance evaluations described previously, special written performance evaluations may be conducted by an employee's supervisor at any time.

### EMPLOYEE RECORDS

The Treasurers Office retains the principal personnel file for all employees. The Township will attempt to keep these records confidential to the extent allowed by law. They will be available for the employee to review at reasonable intervals with the employee's Department Head or the Executive Committee. All employees desiring to review their personnel records should make a written request for an appointment to the Executive Committee.

#### Employee Personnel and Pay Records

The Treasurer's Office will maintain all employee personnel and pay records in confidence. Township officials or employees having legitimate business related reason(s) to have access to these files will be granted such access. The Township will not release any information to members of the public without consent of the

employee, except in response to local, state or federal court or administrative subpoena or Freedom of Information request made and justified under the State Freedom of Information Law.

#### CHANGE IN EMPLOYEE STATUS

Employees must have their current address and phone number on record with the Township. Any change in an employee's tax withholdings, home address, name, number of dependents, emergency contact or relevant insurance information must be reported immediately to the Treasurer's Office in writing.

#### Dissemination of Information

The release of any information relating to employees to persons not in the employ of the Township or to persons in the employ of the Township must be made in accordance with this policy.

A request for information from a non-Township employee to provide information, a reference, or in any manner comment about a past or present employee shall

1. A request is from persons, if not employed by the Township, said inquiring person shall be informed that all requests for information and or references must be placed in writing and sent to the attention of the Township Clerk. Each request must be accompanied by signed release from the person whom they seek information about. Such release must authorize the Township to release any and all information requested and must contain a statement holding the Township harmless from any and all liability resulting from the release of the requested information.
2. If the request is from an employee of the Township seeking information about a present or past employee, said requesting employee shall be furnished the requested information only if as a part of the requesting employee's job duties s/he has a need to know. If the requesting employee has no need to know as a part of their job responsibilities then they should be refused the requested information and referred to the Township Clerk.

Employees furnishing information in violation of this policy shall be subject to discipline as provided for in this Manual.

#### EMPLOYMENT OF RELATIVES

Summit Township permits the employment of qualified relatives of employees as long as such employment does not, in the opinion of Summit Township, create actual or perceived conflicts of interest. For purposes of this policy, "relative" is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, niece, nephew, corresponding in-law, or "step" relation. The Township will exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

1. Individuals who are related by blood or marriage are permitted to work in the same facility, provided no direct reporting or supervisory/management relationship exists. That is, no employee is permitted to work within the "chain of command" of a

relative such that one relative's work responsibilities, salary, discipline or the other relative could influence career progress.

2. No relatives are permitted to work in the same department or any other positions in which the Executive Committee believes an inherent conflict of interest may exist.

3. Employees who marry while employed are treated in accordance with these guidelines. That is, if, in the opinion of the Executive Committee, a conflict or an apparent conflict arises as the result of the marriage, one of the employees will be transferred at the earliest practical time.

This policy applies to all categories of employment at Summit Township.

An applicant or employee shall notify the Township in either the application for employment, in the case of an applicant, or in writing to the Executive Committee, if presently employed by the Township, of such a relationship.

#### TRANSFERS AND PROMOTIONS

It is the policy of the Board to fill all job openings with the most qualified person. Therefore, when a job opening occurs the Executive Committee will accept requests for transfers or promotions from existing employees as well as applications from non-employees. Job openings will be filled based upon job-related skill, ability, education, past job performance, and past work reliability. All things being equal, employees will be preferred over non-employees when filling a vacancy.

#### PAYROLL POLICIES

##### RATES OF PAY

The Executive Committee establishes wage rates for all classifications of employment. These rates are reviewed periodically and may be adjusted by the Executive Committee with approval of The Board of Trustees. The Executive Committee, upon the recommendation of the Department Head, may start an employee at a higher rate of compensation if deemed appropriate.

##### HOURS OF WORK

Normal workdays for regular full-time employees shall be eight hours per day, excluding a lunch period. The normal workweek for regular full-time employees shall be five work days, totaling 40 hours within the period commencing and ending at midnight each Saturday. Nothing in these policies shall be construed as a guarantee of any number of hours of work per day or week or pay per day or per week. The Township reserves the right to change the workweek and the length of the workday at any time.

The Department Head will schedule employee's hours of work. Overtime will be scheduled as necessary at the sole discretion of the Department Head, and an employee so directed to work overtime will be required to work such overtime.

##### Overtime and Compensatory Time

The Township complies with all applicable state and federal requirements of the Fair Labor Standards Act. Accordingly, all employees are classified as either exempt or non-exempt from the provisions of the Act at the time of employment. The rules for classifying employees are set by the Act and depend upon the nature of the work performed.

Generally, employees in supervisory, executive, or administrative positions are exempt. Employees who are classified as "exempt" are not subject to the overtime provisions of the Act. Non-exempt employees are subject to the provisions of the Act and are paid in direct proportion to the number of hours worked. For the non-exempt employees this payment of overtime and/or the granting or compensatory time in lieu thereof shall be in accordance with the applicable law. The employee shall take compensatory time off during the pay period in which it is earned.

The Township shall have the right to require employees to work overtime when it deems said overtime necessary. Exempt employees may be expected to work overtime without additional compensation. Non-exempt employees will be paid or receive compensatory time off at the rate of one and one half times their regular straight time hourly rate for all hours actually worked in excess of 40 hours per week.

#### PAYROLL

Summit Township has a biweekly pay period. The normal payday has been established as the Friday following the end of the pay period.

If an employee desires additional payroll deductions from his/her paycheck in order to allow for participation in a savings plan, etc., such request shall be made in writing to the Treasurer's Office.

In the event a holiday interferes with distribution of paychecks on the scheduled date, every effort will be made to effect distribution on the day prior to the holiday.

#### TIME SHEETS

Only the employee's supervisor shall correct any changes necessary to be made on the employee's time card or time sheet. The employee is personally responsible for accurately reporting payroll hours worked.

Department Heads are responsible for maintaining the integrity and accuracy of employee time reporting within their respective operations.

#### REGULATIONS GOVERNING EMPLOYMENT

##### PERSONAL APPEARANCE AND DEMEANOR

Discretion in style of dress and behavior is essential to efficient operation of Summit Township. Employees are, therefore, required to dress in appropriate business attire and to behave in a professional, business-like manner. Please use good judgment in your choice of work clothes and remember to conduct yourself at all times in a way that best represents you and the Township. Where the Township supplies uniforms,

they are provided for reasons of identification, cleanliness, or safety and not to be used for street wear. Failure to adhere to such shall result in disciplinary action as provided for in this Manual. Each employee is expected to render friendly, courteous, and honest service to all. Employees failing to adhere to proper Township standards with respect to appearance and demeanor are subject to discipline as provided for in this Manual.

## APPROPRIATE CONDUCT

Employees are expected to accept certain responsibilities, adhere to acceptable business principles and manners of personal conduct, and exhibit a high degree of personal integrity at all times. This involves sincere respect for the rights and feelings of others and demands that in your business and personal life, you refrain from any behavior that might be harmful to you, your co-workers, Summit Township, or that might be viewed unfavorably by the public at large.

Whether you are on duty or off, your conduct reflects on Summit Township. You are, consequently, encouraged to observe the highest standards of professionalism at all times.

By way of example, but not limited to, the following are considered inappropriate conduct and subject to discipline as provided for in this Manual

1. Gross neglect of duty or refusal to comply with a supervisor's instructions, including insubordination.
2. Theft or intentional destruction of Township, a private party, the public or another employee's property
3. Violation of any part of the Township's policy on drugs and alcohol.
4. Conviction of a felony while an employee of the Township.
5. Carelessness, inattentiveness or negligence which causes serious damage or injury to the Township's equipment or property and/or that of a private party or the public or to any person.
6. Abusive, insolent, threatening or coercive treatment of a supervisor or another employee.
7. Conviction of any moving traffic violation for which an employee receives six (6) or more points during a twelve (12) month period, while driving Township vehicles. The employee must report any traffic citation received while operating Township equipment.
8. Suspension or loss of driver's license and/or obtaining a driving record which is the basis for an insurance carrier's recommendation to remove the employee from driving the Township's equipment. This applies only to persons who operate Township vehicles.

9. Permitting any person who is not an employee to enter the Township premises, facilities, equipment during authorized times or to enter or ride in Township or the employee's vehicle while it is being used for and on behalf of the Township without the express authorization of the Township.

10. Possession and/or control of any device, object or substance which a reasonable prudent person would consider a weapon while in/on the Township's premises, facilities, equipment.

11. Any offense of equal magnitude to the above.

#### Disciplinary Action

The Township has established regulations and procedures concerning employee conduct necessary to insure the orderly and efficient operation of Township business. The Executive Committee shall assure that all disciplinary actions are administered in a fair and consistent manner. The types of disciplinary action will depend upon:

1. The nature and severity of the offense.
2. The employee's disciplinary and work record.
3. The employee's length of service.
4. The Township's past practice in similar cases and any mitigating circumstances.

It is the policy of the Township to avoid unwarranted discharges. However, the existence of this Policy does not destroy the at will employment relationship and the Township is not bound to follow this procedure in any one or all-disciplinary situations, except where required by law.

#### Procedures for Disciplinary Actions

The Township may impose any of the following types of actions to respond fairly to employee misconduct. The Township may take a disciplinary action that is not outlined below. Prior to any disciplinary action the Executive Committee or their designee shall conduct a thorough investigation into the alleged offense. Depending on the seriousness of the incident all of the following disciplinary steps are not necessary and any one or more of the steps may be taken:

##### 1. Verbal Counseling

a. The Department Head or Executive Committee will discuss the offense with the employee.

b. The employee will be informed of what action may be taken if the misconduct continues.

c. A memo will be placed in the employee's personal file documenting the verbal counseling.

## 2. Written Warning

- a. The Department Head or Executive Committee will discuss the offense with the employee.
- b. The employee will be told what potential action may be taken if another violation occurs.
- c. The Department Head or Executive Committee will prepare a warning memo stating the offense and potential action. The Executive Committee will then review the reprimand memo with the employee. The employee will receive a copy and a copy will be placed in the employee's personnel file. Signatures of the Executive Committee and employee will appear on the memo indicating the employee has read and received the memo. The employee's signature does not imply agreement with the action taken it merely acknowledges receipt.

## 3. Suspension

- a. The Executive Committee will review the offense with the employee.
- b. The Executive Committee will prepare a record of the meeting stating the offense and length of suspension. The suspension memo will be reviewed with the employee. The employee will receive a copy and a copy will be placed in the employee's personnel file. The employee will sign the memo indicating s/he has read and received the suspension memo.
- c. The employee will be suspended for a specified period upon approval of the Executive Committee.

## 4. Discharge

- a. A record of the meeting will be prepared stating the offense and the action to be taken. The employee will receive a copy and a copy will be placed in the employee's personnel file. The employee will sign the memo indicating s/he has read and received the discharge memo.
- b. The Executive Committee or their designee will terminate the employee.
- c. The Board of Trustees will review the offense with the employee upon the written request of the employee and in accordance with the Open Meeting Act..

## ATTENDANCE AND ABSENTEEISM

Summit Township expects all employees to assume diligent responsibility for their attendance and promptness. Should an employee be unable to report to work for any reason, s/he must notify his/her immediate supervisor or Department Head as soon as s/he becomes aware of the reason that s/he cannot report to work. The employee's supervisor must receive such notice ONE HOUR before the employee's normal starting time. Personnel may use the Voice Mail System at 788-4113 Ext. 221. Failure to properly notify the employee's immediate supervisor results in an unexcused absence.

A Department Head, may require an employee absent from work due to injury or illness to submit a statement from his/her physician regarding the nature of the injury or illness and certifying that the employee is capable of returning to work and resuming his/her full duty responsibilities. Summit Township also reserves the right to require an employee to submit to an examination by a physician designated by the Township at its discretion. In addition, Summit Township may require the employee to either submit a statement from his/her physician or to be examined by a Township-designated physician in other instances where abuse is suspected. (For example, where an employee's record indicates a pattern of short absences and/or frequent absences before or after holidays and weekends.)

Absenteeism or tardiness that is unexcused or excessive in the judgment of Summit Township may result in the time being deducted from personal leave time and is grounds for discipline as provided for in this Manual. The Township shall consider any unauthorized consecutive three (3)-day absences as a voluntary termination of employment.

## EMPLOYEE BENEFITS

### Eligibility for Benefits

An employee is eligible for insurance benefits after thirty (30) days of service, and for vacation and personal/sick time benefits after the probationary period.

### Probationary Period

All newly hired employees shall be on employment probation until they have actually been physically present on the job and worked one thousand forty (1,040) hours. This probationary period shall apply to regular full-time and regular part-time employees. The purpose of the probationary period is to provide management and the Board the opportunity to evaluate the employee's skills and other attributes so that they can determine whether the employee can become a successful regular employee.

During the probationary period his/her supervisor shall evaluate, in writing, each employee's performance at least twice. The Executive Committee of the Board may extend the probationary period if they deem said extension to be in the best interest of the Township.

## VACATION

### Vacation Schedule

One – Five Years of Service Two Weeks ..... 80 hours

Five – Ten Years of Service Two Weeks and two days .....96 hours

Ten – Fifteen Years of Service Three Weeks .....120 hours

Fifteen – Twenty Years of Service

Four Weeks ..... 160 hours revised

Twenty Five Years of Service.....Five Weeks...200 hours

Thirty Years of Service .....Six Weeks .....240 hours

ONLY one week's vacation may be carried to the following year. No vacation will be allowed from December 1- December 31 of each year, without written permission from the Executive Committee.

Vacation eligibility is the anniversary date of the employee's hire date effective January 1, 1999.

Employees hired prior to January 1, 1999 are eligible for vacation on January 1 of each year.

Eligibility for additional vacation days resulting from years of service is the anniversary date of the employee's hire date.

Each Department Head shall prepare the vacation schedules and it shall be his/her responsibility not to allow conflicts of vacations for employees within that department. All departments shall coordinate vacation schedules with the person designated by the Executive Committee who will assure appropriate vacation scheduling that will maintain continued service to the public. Vacations may be taken as weekly periods, individual full or half days as long as the periods chosen meet with departmental approval. All employees should submit a vacation request at least two (2) weeks prior to the date they wish their vacation to begin.

#### HOLIDAYS

All full-time regular employees shall receive the following days as paid holidays:

New Year's Day

Memorial Day

Independence Day

Labor Day

Veteran's Day

Thanksgiving Day and the day after Thanksgiving

Half a day on Christmas Eve

Christmas Day

When a holiday falls on a Saturday, the proceeding Friday shall be considered the paid holiday. When a holiday falls on a Sunday, the following Monday shall be

considered the paid holiday. If a holiday falls on a Saturday or Sunday and is part of a dual holiday the Executive Committee will determine the day of the extended holiday. The Executive Committee in its sole discretion may schedule extended holidays as necessary to assure continued uninterrupted service to the public.

#### PERSONAL/SICK TIME

Personal Time Two hours per month

Personal Day One per year

Sick Time One per month with a maximum of 120 days

Sick Time Over 120 Days.....Paid Annually at the current hourly rate

Sick Time Unused at Retirement.....Paid at the current hourly rate

NOTE: Hourly Rate is based on a 40 hour work week which equals 2080 hours per year

#### Employee Assistance Program

The Employee Assistance Program provides confidential counseling and referral services for any type of personal concern at no cost to the employee. This program is available to all employees, volunteers, and family members.

#### INSURANCE

Medical BC/BS or Blue Care with \$10/20 Drug Card or in lieu of \$185 per month

Medical Retired 20 years of service – Age 55 or combination of service and age equaling 80 with a min. of 15 years of service – Employee 100%, spouse 50% - Surviving spouse 50% of single person rate for life or until remarried with medical insurance coverage. Current single retirees only will be reimbursed \$150 annually each December 1 for life in lieu of the increased deductibles for prescriptions

Life Insurance \$20,000

Pension 20 years of service and 55 years of age – MERS

Vesting 8 years (V-8) adopted April 11, 2000

Final average 3 years (FAC-3) adopted April 11, 2000

Rate Factor max 32 years 2.5% per year

Inflation Factor 2.5% annual, automatic non-compounded adjustment

Flex Plan To cover additional medical expenses (\$1950 per year)

Deferred Compensation Etna

## MISCELLIANOUS

Training As approved by the Township

## BEREAVEMENT LEAVE

If you are a full-time regular employee and a death occurs in your family, you will be compensated for up to three days off from your regular work schedule in accordance with the following guidelines:

You will be granted up to three days off work, on or before the funeral, with pay, in the event of the death of your current spouse, child, father, mother, sister, brother, grandparent, step-mother, step-father, grandchild, current spouse's father or mother, step-child, foster parents, also guardians, brother-in-law, sister-in-law, or any dependent who resides permanently within the employee's household. Additional available leave time may be used to extend the time off.

## LEAVES OF ABSENCE.

An unpaid, personal leave of absence may be granted for a period of up to 30 days for justifiable reasons at the sole discretion of Executive Committee, provided the leave does not seriously disrupt the Township's operations. The Executive Committee may, extend such leave of absence beyond a 30-day period if circumstances so warrant

Full-time regular employees who have completed three months of continuous service may request an unpaid personal leave of absence. An employee must make such requests for personal leave of absence in writing to the Executive Committee, via the Department Head, at least two weeks prior to the time such leave is to commence. If the personal leave is necessitated by an emergency, the employee or a member of his/her immediate family must notify the employee's supervisor as soon as practicable. This must be followed up with a written explanation of the nature of the leave and the expected length of the absence. In such emergency situations, the written explanation should normally be submitted within three days of the beginning of the leave. Personal leaves of absence are not to be granted until all accrued unused vacation and personal days have been exhausted.

Summit Township endeavors to place the returning employee in his/her former position or a position comparable in status and pay subject to budgetary restrictions, the need to fill the vacancy, and the ability of the Township to find a qualified temporary replacement.

During his/her leave of absence, an employee may arrange for continuation of health and life insurance at the employee's expense. Personal leaves of absence, if granted, shall not count as time earned for seniority. An employee on a personal leave of absence does not accrue any sick time credits, vacation credits, and/or any other benefits. Any employee who fails to report to work at the end of an approved leave will be deemed to have voluntarily resigned.

## SICK LEAVE REQUIRING A PHYSICIAN'S STATEMENT

All personnel desiring to be placed on sick leave shall notify the Department Head no later than ONE HOUR before the start of the work period or personnel may use the Voice Mail System at 788-4113 Ext. 221.

The following information will be given:

§ Nature of the illness or injury

§ The amount of time expected to be on sick leave

§ The telephone number and address where the employee can be contacted if other than home

§ The name of the attending physician (s) if appropriate

§ If the reason for the request is for an illness or for extended funeral leave in the family, the relationship of that member to the employee and the nature of the problem.

A physician (s) certificate is required if:

§ An absence of more than four consecutive days stating diagnosis and prognosis

§ An employee has more than four separate incidents of unexcused illness in any previous 12 month period

In the event it is not possible for an employee to obtain a doctor's certificate before returning to work, individual consideration may be given upon request and notification to the Department Head.

## EMPLOYEES ON WORKERS COMPENSATION

Employees on workers compensation shall be required to furnish a doctor's certificate stating diagnosis and prognosis and approximate length of time the employee will be unable to perform his/her duties. The employee shall be available to report to a physician or facility for evaluation and refrain from activities that may further aggravate the injury. In all worker compensation related cases, a physician (s) certificate shall be required before an employee is allowed to return to work.

In the event of a job-related injury or disease, it is the responsibility of the employee to report such incident to his/her supervisor immediately, and to provide such accurate information as is required to complete all forms. It is the Department Head or the Executive Committee designee responsibility to complete the appropriate forms.

An employee whose absence results from injuries and illness arising out of and in the course of employment shall not have sick leave days deducted from his/her accumulated sick leave days, and an employee shall be paid his/her regular pay, plus benefits, less workers' compensation benefits, during the period of such injury or

illness for a maximum period of six-(6) months following the onset of such injury or illness. Once an employee returns to work following such absence, any subsequent absence resulting from injury or illness arising out of and in the course of employment, even if a recurrence or aggravation of a prior such injury or illness, shall be treated as a new absence commencing a new six-(6) month maximum leave as provided above. Further, during any six- (6) month maximum leave under this provision, the same pension contribution will be made on behalf of the employee as if s/he were still working in their normal capacity. From and after six- (6) months an employee may use accumulated sick leave days and vacation days to supplement his/her workers' compensation benefits.

#### RESTRICTED DUTY

Summit Township recognizes that from time to time a work related injury or illness may cause an employee to be unable to perform his/her normal work duties and that in the best interest of the employee and the Township a restricted duty job classification may be created, provided such work is available and with the recommendation of the Department Head and the Executive Committee or their designee and subject to the following conditions:

1. Any restricted duty classification created to accommodate an employee shall not exceed six-(6) weeks in duration;
2. Any restricted duties shall be as recommended by the attending physician (s) for the employee/or the Township's designated health care provider and that all restrictions be in writing. Should opposing opinions concerning restrictions be presented the Township's health care provider opinion shall prevail;
3. Any written restrictions recommended by the physician(s) shall be followed by the employee and signed by the employee;
4. Any work assigned by the Township will be within the restrictions recommended by the physician(s) and signed for by the employee;
5. Any restricted work will be within the employee's department, if available and as recommended by the Department Head;
6. An employee on restricted work may temporarily be assigned to another department based on the recommendation of the involved Department Heads and the Executive Committee or their designee and will remain under the supervision of their regular Department Head;
7. Any employee on restricted work will continue to receive his/her regular rate of pay and fringe benefits but shall not work any hours requiring overtime payment;
8. Any or all of the above conditions shall be agreed to in writing before any restricted work begins, including the physician (s) restrictions and the signing and dating of such;

#### TREATMENT AND TRANSPORT OF INJURED EMPLOYEES

Any person not transported from work or an incident directly to an emergency facility for treatment will be sent to the health care provider as selected by the Township. The employee shall obtain authorization, from their Department Head, Executive Committee or their designee, to seek medical treatment for alleged work related injury or illness.

#### JURY DUTY AND SUBPOENAS

If you are a full-time regular employee who is summoned to jury duty, Summit Township will pay your regular salary up to a maximum of 30 calendar days per year. The allowance you receive from the Court for such jury duty service will be turned over to the Township. The employee must turn over to the Township all monies and documentation received from the Court for jury service in order to be eligible for supplemental pay.

If you are not a full-time regular employee, you are given time off without pay while serving jury duty. All employees are allowed unpaid time off if subpoenaed to appear in court as a witness. To qualify for jury duty or witness leave, you must submit to your immediate supervisor a copy of the jury summons or witness subpoena to serve as soon as it is received. In addition, proof of service must be submitted to your immediate supervisor when your period of jury or witness duty is completed.

All employees who are subpoenaed to appear in court on behalf of Summit Township will be granted the time necessary to comply with such subpoena. Such employees will be paid their regular wage and any fee paid to the employee pursuant to such service will be turned over to the Township.

#### MILITARY LEAVE

Leaves of absence without pay for military or reserve duty are granted to full-time regular and part-time regular employees. If you are called to active military duty or to Reserve or National Guard training, or if you volunteer for the same, you should submit copies of your military orders to your supervisor as soon as practical. You will be granted a military leave of absence without pay for the period of military service, in accordance with applicable federal and state laws. If you are a Reservist or a member of the National Guard, you are granted time off without pay for required military training. Your eligibility for reinstatement after your military duty or training is completed is determined in accordance with applicable federal and state laws.

#### MEDICAL EXAMINATIONS

Subject to the Sick Leave Policy and prior to returning to work from a medical leave, the Township shall require that an employee present to his/her Department Head, Executive Committee or their designee a medical report from the attending physician (s) certifying that the employee is able to return to work and perform the essential job functions of his/her position.

The Township may require an employee to submit at any time to a physical examination to determine the existence and extent of any limitations and the effect such limitations will have on the employee's ability to perform the essential functions of his/her position and, further, to determine the appropriate accommodation.

## FAMILY AND MEDICAL LEAVE

Federal law provides that most employers, including the Township, must provide leaves of absence for a number of specified reasons, which are set forth below. The rules regarding leaves of absence under the Family Medical and Leave Act are as follows:

### Requests for Leave

Requests for all leaves of absence must be made in writing at least one week in advance. All requests must be sent to and approved by the Department Head. Requests must specify the reason for the leave, the date such leave will begin, if known, and the expected duration of the leave, provided such period shall not exceed 12 work weeks. The 12 work weeks shall be within a twelve month period as measured forward from an employee's first use of a Family Medical Leave.

### Types of Leave

Eligible employees are entitled to a maximum total of 12 weeks of unpaid leave during a 12 month period for one or more of the following:

1. The birth of a son or daughter and in order to care for the child (the right expires 12 months after the birth).
2. The placement for adoption or foster care of a son or daughter (the right expires 12 months after the placement).
3. To care for a spouse, son, daughter, or parent of the employee if the relative has a serious health condition.
4. The serious health condition of the employee.

If the leave is for the serious health condition of a family member, the following certification may be required:

1. The date on which the health conditions began.
2. The probable duration of the condition.
3. The appropriate medical facts.
4. A statement that the employee is needed to care for the patient. An estimate of the amount of time s/he is needed to care for the patient. In a request for intermittent or reduced schedule leave, a statement that the schedule is necessary to care for the patient or will assist in the recovery, and the expected duration.

If the leave is for a serious health condition of the employee, the following certification may be required:

1. The date on which the health conditions began.

2. The probable duration of the condition.
3. The appropriate medical facts.
4. A statement that the employee is unable to perform the functions of his/her position.
5. In a request for intermittent or reduced schedule leave, a statement of the medical necessity for the schedule and expected duration.

The Township may require, in the case of a serious health condition, a second opinion by a provider designated or approved by the Township. This examination shall be at the Township's expense.

Compensation and Benefits – An employee will not receive compensation while on leave unless previously earned sick, vacation or other available leave benefits are used: however, an employee will be required to use sick, vacation or other available leave while on Family or Medical leave. If an employee is on the health insurance plan, the Township will continue to pay the same portion of the benefits during the leave as it paid prior to the leave. All other benefits will not be paid including in lieu of health insurance payments except if the employee has utilized accumulated paid leave time.

Restoration to Position – An employee who returns to work at the end of the leave of absence will be returned to the position held at the beginning of the leave or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Such a person will not be credited with “service time” for the period of leave except for that portion of such time during which the employee utilized accumulated paid time as authorized under the policy. An employee who leaves a full-time position may not return to that position on a part-time basis unless in the discretion of the Executive Committee the position can be performed by one or more part-time employees.

Extension of Leave – Requests for extension of a leave of absence will be considered if they are received by the Executive Committee in writing before the expiration of an approved leave, are supported by proof of continued need, and the requested extension does not cause the total period of absence to exceed twelve (12) weeks. Any employee who fails to report to work at the end of an approved leave will be deemed to have voluntarily resigned.

#### Termination Benefits

If the employee gives the required two weeks' notice of his/her intent to terminate his/her employment relationship, s/he will receive payment in full for all sick time and vacation time credits as the employee has available. Such payment will be at the employee's straight time hourly rate in effect at the time of termination. Likewise, all compensatory time accrued by the employee will be paid at the appropriate rate in effect at the time of termination. The employee forfeits all rights to sick time and vacation leave payments if the requisite two weeks' notice of intent to terminate is not given or if termination is involuntary. The employee will not be compensated for any unused personal leave days at termination, whether voluntary or involuntary.

Health insurance will be discontinued as of the date of termination. The employee may, pursuant to any applicable federal law, arrange to extend such coverage beyond termination at his/her expense.

#### COMPLAINT RESOLUTION PROCEDURE

Misunderstandings or conflicts can arise in any organization. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Most incidents resolve themselves naturally; however, should a situation persist that cannot be resolved informally, an employee should pursue the complaint by following the procedure below.

The procedure should not be construed, however, as preventing, limiting, or delaying Summit Township from taking disciplinary action against any individual, up to and including termination, in situations where the Township deems disciplinary action is appropriate.

#### REGULAR, FULL-TIME EMPLOYEES AND REGULAR, PART-TIME EMPLOYEES

Step 1 - The employee should discuss his/her problem with his/her immediate supervisor within two days of the date of its occurrence. If, however, the problem involves a conflict with the immediate supervisor and s/he does not believe a discussion with such supervisor is appropriate, s/he may proceed directly to Step 2. The employee's immediate supervisor will give a verbal response to the employee.

Step 2 - If the problem is not resolved after discussion with the employee's immediate supervisor, or if the employee feels that such discussion with the supervisor is inappropriate, the employee may request a meeting with his/her Department Head or the next highest person within the Township organization. Such request shall be in writing and filed with the Department Head within five (5) days of the employee's receipt of the response from his/her supervisor. If the employee did not have a discussion with his/her supervisor, his/her written request to the Department Head must be filed within five (5) days of the occurrence of the problem. All such requests must be in writing and contain the date of the occurrence of the problem, the policies or procedures allegedly violated a written description of the factual circumstances of the complaint, and a statement of the requested remedy. The Department Head will consider the complaint, conduct an investigation into the facts, and give a written response to the employee within ten (10) workdays.

Step 3 - If the employee is not satisfied with the Department Head's decision and wishes to pursue the problem or complaint further, s/he may forward the written complaint to the Executive Committee. This must be done within five (5) days of his/her receipt of the Department Head's decision. The Executive Committee, after a full examination of the facts, will advise the employee of the Supervisor's decision in writing within ten (10) workdays. The decision of the Executive Committee shall be final.

If the complaint is about the Supervisor's conduct, it should be made with the Executive Committee.

## SUBSTANCE ABUSE AND DRUG/ALCOHOL TESTING POLICY FOR ALL EMPLOYEES

In continuing to provide for the health and safety of its employees, and to ensure the health and safety of others, the Township has established the following drug/alcohol testing policy.

### Drugs and Alcohol

The Township is charged with the responsibility of maintaining a safe workplace for its employees. Therefore, drinking, possession, ingesting, reporting for work while under the influence of alcohol, drugs or other controlled substances without a current valid prescription is strictly prohibited on Township time, premises or equipment.

All employees engaged in inappropriate drug/alcohol use are encouraged to identify themselves to the Executive Committee or their immediate supervisor. The Township may refer such employees to a rehabilitation program and allow continued employment where appropriate.

When inappropriate drug or alcohol use is suspected, the basis for the suspicion shall be documented and provided to the Executive Committee or designee who is responsible for determining the proper course of action thereafter.

Management will ensure supervisory personnel are given training to recognize and deal with behavior changes typical with drug/alcohol use, and that all employees, including new hires, are made aware of this policy.

This policy does not contemplate the use of drug screening analysis on a random basis.

### DRUG/ALCOHOL TESTING POLICY

Any employee involved in either a job-related accident or job related incident, which caused or could have resulted in personal injury, or caused property damage, may be subject to drug/alcohol testing. Any refusal to submit to such testing will subject the employee to immediate discharge.

An employee who is off work for an extended period of thirty (30) or more days due to disability, layoff, job-related injury, or personal leave must, at the request and sole discretion of the Township, submit to a drug/alcohol test as a condition of returning to work from the leave of absence.

Any other testing of employees not described in A or B above for the presence of controlled substances or illegal drugs and alcohol must be based upon reasonable suspicion that an employee has taken, consumed or used such substances. The standard for determining reasonable suspicion will be guided by the following:

The Executive Committee or designee must require the test.

Reasonable suspicion shall be based upon specific objective facts and reasonable inferences drawn from those facts in light of experience and/or training.

Where the reasonable suspicion is based upon personal observation by a supervisor, the objective facts must be articulate and may include a person's appearance or behavior.

When an informant has supplied information, the informant's veracity, reliability, and basis of knowledge will be relevant considerations. If the informant is a subordinate of a supervisor suspected to be under the influence, s/he may approach any other supervisor or the Executive Committee to provide such information without regard to the normal supervisory structure.

The facts forming the basis for the reasonable suspicion shall be disclosed to the employee at the time that demand for testing is made, and the employee shall, at that time, be given the opportunity to explain his/her behavior or actions. In addition, where drug testing is recommended, the employee shall be allowed to make such explanation to the Executive Committee or designee in person and also allowed to commit any explanation to written form. Any refusal to take the test, however, will result in immediate discharge.

Within five calendar days after the demand for testing, the facts forming the basis for reasonable suspicion and reasonable inferences drawn from those facts, including the employee's statement, if any, shall be reduced to written form, and a copy shall be given to the employee.

The use of medications prescribed by a physician is not intended to be prohibited by this policy. However, employees using such medications are responsible for the potential effects such drugs may have. Use of medications that may impair physical or mental ability, judgment or work performance must be reported to your supervisor when reporting for work.

#### RELEASE FROM DUTY

An employee, based upon reasonable suspicion, ordered to be tested while on duty, shall not drive any vehicle or perform any job duties or functions, unless so authorized by the Executive Committee or designee. The employee will be compensated according to his/her salary/wage schedule for all time spent in the testing process to a maximum of the balance of his/her regular workday. When possible, such testing will be conducted during the employee's scheduled work hours.

#### LABORATORY TEST

Arrangements will be made to transport the person taking the test to the hospital or independent laboratory to perform the test. A proper chain of custody will be maintained on all tests.

In the case of urine testing, the National Institute on Drug Abuse (NIDA) must certify the laboratory used. The initial screen test will be of the immunological assay type and will be conducted using the "EMIT" test. No disciplinary action shall be taken based upon the initial screen test. If the initial test is positive, a follow-up test will be immediately conducted on the same sample using the gas chromatography/mass spectrometry method.

Decision levels are set sufficiently high enough to preclude any other possible reason for a drug's presence except illicit use. The following decision levels, reported in nanograms per milliliter, are proposed for deciding the point at which the presence of a drug on an EMIT test would be reported as positive, i.e., the point at which a confirmation test (GC/MS) will be performed on the same sample.

If an EMIT test detects the presence of a drug equal to or above the confirmation level of the test result, the test will be considered as failed.

Upon completion of all testing, the employee will be notified of the results of the testing as soon as practical after the Township receives such notification. If the results of confirmation testing are positive, the results will be reported to the Executive Committee.

If an employee is requested to undergo a blood/alcohol test and the test reveals a minimum level of .07, the employee will have failed the test.

It is the intent of this program to test for those agents that are most frequently contained in the drugs of abuse. Therefore, the preceding list of drugs included in the table is subject to continual review and possible modification.

#### REHABILITATION AND LAST CHANCE

An employee who fails the tests described above for the first time shall, as a condition of continued employment, become involved in a rehabilitation program approved by the Executive Committee or designee.

An employee must, if able, continue working while in a rehabilitative program if, in the Executive Committee's opinion, s/he is capable of satisfactory performance and if the employee agrees to be tested for drugs/alcohol at the Township's discretion.

An employee who must discontinue work while in a rehabilitative program may take an unpaid medical leave of absence. Medical documentation by a physician approved by the Township as to diagnosis, dates, and duration of treatment and rehabilitation is required.

Upon satisfactory completion of the rehabilitation program by the employee, it will be a condition of re-employment that the employee agrees to be tested for drugs/alcohol at the Township's discretion for a reasonable period not to exceed eighteen (18) months.

The employee must remain in the rehabilitation program for an adequate period of time as determined by the program professionals. The employee must provide to the Township, at time intervals determined by the Executive Committee or designee, reports of satisfactory participation in the program. In addition, a report of satisfactory completion of the program at the termination of active treatment is required. These reports should come from the Head of the program or other appropriate persons affiliated with the program. The failure to complete the program will result in immediate discharge.

The employee acknowledges that enrollment in a rehabilitation program is for the purpose of treatment and counseling against the illegal use or possession of controlled substances or inappropriate alcohol use. Any illegal use, sale or possession of illegal drugs or inappropriate alcohol use following treatment or counseling will result in immediate dismissal. All employees must acknowledge that the rehabilitation program is a "last chance" program.

#### EMPLOYEES DETERMINED TO BE IN NEED OF REHABILITATIVE ASSISTANCE

An active employee on medical leave who drops out of an approved rehabilitation program against the recommendation of the program director or other appropriate persons affiliated with the program will be immediately terminated and will be ineligible for re-employment.

An employee who refuses to become involved in an approved rehabilitation program; or agrees to become involved in an approved rehabilitation program but fails to start the program within 15 days; or does not agree to submit to periodic re-examination or testing at the discretion of the Township will be terminated.

An employee who has successfully completed a rehabilitation program, or otherwise remains employed or becomes re-employed after having tested positive for the presence of drugs/alcohol, will be terminated if the employee is subsequently found to be under the influence of drugs/alcohol or suffering from the side effects of drugs or inappropriate alcohol use, or if s/he tests positive for the presence of drugs or alcohol.

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

#### SUMMIT TOWNSHIP PERSONNEL POLICY AND PROCEDURE MANUAL

##### RECEIPT AND ACKNOWLEDGEMENT

I have received a copy of the Summit Township Personnel Policy and Procedure Manual on the date set forth below.

I acknowledge my obligation to read and understand the contents of the manual and further acknowledge and agree that:

1. The Manual identified by the effective date below supersedes any previous manual which may have been issued by the Township.
2. Neither the Manual nor any other written or unwritten policy or practice of the Township creates, or is intended to create, any express or implied contract, promise or representation of continued employment for any employee.
3. I understand that my employment is at-will (for no fixed term) and may be terminated by the Township at any time with or without notice. Likewise, I understand that I may resign at any time with or without stating any reason. I also

acknowledge that I am expected to give two weeks notice to my employer as set forth in the Manual.

4. The Township reserves the sole right to add, change, or rescind any policy or practice at any time except that any such modification shall not alter my right, or the right of the Township, to terminate employment without cause.

5. The effective date of the Manual to which this receipt and acknowledgement relates is

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

Employee Signature \_\_\_\_\_

Employee Name (Please print) \_\_\_\_\_

Social Security Number \_\_\_\_\_

Date \_\_\_\_\_