



# **KALAMAZOO COUNTY GOVERNMENT**

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## **PERSONNEL POLICIES**



# PERSONNEL POLICIES

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## SECTION 1

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# ADOPTION AND ADMINISTRATION OF THE COUNTY PERSONNEL POLICIES



# PERSONNEL POLICIES

## SECTION 1

## ADOPTION AND ADMINISTRATION OF THE COUNTY PERSONNEL POLICIES

### 1.01 - PURPOSE AND INTENT

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013
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The purpose of this Personnel Policy Manual is to act as a guideline for informational purposes as to the policies that the County intends to utilize. This document is not to be construed as creating a contract between the County of Kalamazoo and its employees. The policies and/or benefits outlined in this document may be added to, expanded, modified, or deleted. Any such changes shall be solely within the discretion of the Board of Commissioners. The interpretation and operation of the benefits noted herein are within the Board of Commissioners' sole discretion. All rights and powers vested in the County or any County Elected Official shall not be, in any way whatsoever, reduced by these policies.



# PERSONNEL POLICIES

## SECTION 1

## ADOPTION AND ADMINISTRATION OF THE COUNTY PERSONNEL POLICIES

### 1.02 – COVERAGE OF THE PERSONNEL POLICIES

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	n/a
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These policies apply to all non-union employees of the County of Kalamazoo. These policies also apply to employees in recognized bargaining units represented by certified collective bargaining units only as to non-economic matters where no conflict exists between a provision of these Personnel Policies and an express provision of an applicable collective bargaining unit agreement. Further, this Personnel Manual does not apply to any offices of Elected Officials unless the applicable Elected Official adopts, in whole or in part, this manual.



# PERSONNEL POLICIES

SECTION 1		ADOPTION AND ADMINISTRATION OF THE COUNTY PERSONNEL POLICIES			
1.03 – AT-WILL					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013

No person/representative of the Employer, other than the County Board of Commissioners, has any authority to enter into any employment agreement for any specified time or make any agreement contrary to the provisions contained herein. Absent an express contract entered into by the Board of Commissioners or applicable Elected Official, employees covered under this manual are employees at will. Their employment and compensation can be terminated with or without cause. An employee cannot rely upon custom or prior practice. These policies may have been applied differently in the past and do not affect their current or future enforcement.



# PERSONNEL POLICIES

SECTION 1		ADOPTION AND ADMINISTRATION OF THE COUNTY PERSONNEL POLICIES			
1.04 – DEVELOPMENT OF THE PERSONNEL POLICIES					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013

The policies set forth herein supersede any rules previously adopted by the Kalamazoo County Board of Commissioners. Such policies shall be subject to review and revision by the Board of Commissioners in consultation with the Human Resources Director.



# PERSONNEL POLICIES

## SECTION 1

## ADOPTION AND ADMINISTRATION OF THE COUNTY PERSONNEL POLICIES

### 1.05 – ADMINISTRATION OF PERSONNEL POLICIES

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013
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As approved by the Board of Commissioners, the Human Resources Director shall be responsible for administering the Personnel Policies. Departments reporting to the County Administrator shall implement these Policies within their departments. Court Administrators/Elected Officials shall be familiar with the Personnel Policies.

Through the website posting and/or publication of an employee handbook, the Human Resources Department will set countywide rules and regulations for meeting the requirements of these policies and outline expectations for an employee's conduct. Also, each Department Head may compile a set of specific rules and regulations which cover employees' conduct as it specifically relates to their department. These departmental rules or regulations must be established in cooperation with the Human Resources Director and subject to review of Labor Counsel (except for Elected Officials and Courts). Human Resources is available to consult and assist Elected Officials and the Courts in drafting and prudent review of departmental specific rules. Certain types of rules or regulations are subject to review of the Board of Commissioners if within the Board's jurisdiction.



KALAMAZOO COUNTY GOVERNMENT

# PERSONNEL POLICIES

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## SECTION 2

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# ORGANIZATION POLICIES



# PERSONNEL POLICIES

SECTION 2		ORGANIZATION POLICIES			
2.01 – EEO POLICY					
Approved by BOC on:	06/06/2023	Effective Date:	06/06/2023	Supersedes:	09/19/2017

- A. It is the policy of the Kalamazoo County Board of Commissioners to provide equal employment opportunities to qualified persons without regard to religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, familial status, marital status, political affiliation, disability, genetic information, or any other legally protected status.
- B. Disabled employees who feel an accommodation is needed to perform their job must notify their Department Head/Court Administrator/Elected Official in writing the need for reasonable accommodation within 182 days after the date the employee knew or reasonably should have known that an accommodation was needed. Failure to properly notify Kalamazoo County will preclude any claim that Kalamazoo County failed to accommodate the disabled employee. Kalamazoo County will make accommodations that do not pose an undue hardship to the County.
- C. The County will continue efforts toward building a structure and organizational culture that removes barriers to inclusion and diversity.
- D. Corporation Counsel is designated as the EEO Compliance Officer.



# PERSONNEL POLICIES

## SECTION 2

## ORGANIZATION POLICIES

### 2.02 – ANTI-HARASSMENT POLICY

Approved by BOC on:	06/06/2023	Effective Date:	06/06/2023	Supersedes:	09/19/2017
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Kalamazoo County is committed to providing a work environment where all employees are treated with dignity and respect. Harassment in the workplace based upon religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, familial status, marital status, political affiliation, disability, genetic information, or any other protected status will not be tolerated, whether committed by or directed toward co-workers, supervisors, vendors/consultants, or those persons receiving services from the County. Harassment of others in the workplace is destructive to a good working relationship and is counterproductive to the County's goal of providing outstanding services to the public. Therefore, it is every employee's responsibility to ensure that Kalamazoo County maintains a fair and effective work environment free from harassment prohibited by law. If you have questions concerning this policy, please contact the Human Resources Department.

#### A. Sexual Harassment

The County's equal employment opportunity policy against discrimination and harassment prohibited by law includes a prohibition against sexual harassment. The law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when either:

1. Submission to or rejection of such conduct or communication is made explicitly or implicitly a term or a condition of an individual's employment; OR
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in employment decisions affecting the individual; OR
3. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile, or offensive employment environment. This includes, but is not limited to:
  - a. Sexual orientation jokes, gestures, noises, remarks, or comments about a person's sexuality or sexual experience directed at or made in the presence of an employee;
  - b. Sexual or discriminatory displays or publications; and



# PERSONNEL POLICIES

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c. Retaliation for sexual harassment complaints.

The preceding policies require that each individual exhibit sound judgment and respect for each employee's feelings and sensibilities in their conduct and communications. The prohibited conduct may be in the form of a sexual advance but may also be less direct verbal or non-verbal behavior. Behavior may be unwelcome even if it is not intended or perceived by the person engaged in it. The following are some examples of possible sexual harassment:

- Verbal sexual comments, innuendos, slurs, or jokes.
- Non-verbal sexual gestures, leering or staring.
- Visual displaying of sexual pictures, writings, or objects.
- Physically inappropriate touching or blocking someone's movement.
- Threats, threatening or insinuating reprisal for refusing sexual demands or conduct

**B. Other Discriminatory Harassment**

Other forms of harassment are also prohibited. Verbal or non-verbal conduct that exhibits hostility or disrespect toward an individual or group because of race, color, sex, age, religion, national origin, marital status, a person's political affiliation, sexual orientation or gender identity, height, weight, disability, genetic information, or any other protected status will not be tolerated. As with sexual harassment, the behavior of this kind may take many forms, including, but not limited to, oral or written communications, the display of printed or graphic material, slurs, gestures, jokes, and physical acts.

**C. Off-Duty Incidents**

This policy necessarily involves conduct between County employees, which has an adverse impact on the workplace and the work environment. Conduct between employees that occurs outside of the workplace may also have workplace impact or contribute to creating a hostile work environment and may be considered when enforcing this Policy.

**D. What You Should Do If You Believe You Have Been Harassed**

You may, but are not required to, speak with the offending individual directly and inform the offending individual that the behavior in question is unwelcome and must be stopped. It is the policy of Kalamazoo County that any employee who in good faith believes they have been subjected to illegal discrimination or harassment prohibited by law, or who



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believes in good faith they have observed discrimination or harassment prohibited by law, must report that fact immediately in writing to:

1. The individual's Department Head/Elected Official/Court Administrator; or
2. If the individual does not feel comfortable with their Department Head/ Elected Official/Court Administrator, they should feel free to bypass such individual and file a written complaint with the Human Resources Director.

If an employee has any questions regarding the reporting of such matters, they should contact the Human Resources Department.

## **E. What You Should Do If You Believe Another Employee Is Being Harassed**

If an employee observes or knows of an incident of harassment involving other employees, they should immediately file a written complaint with their Department Head/Elected Official/Court Administrator or the Human Resources Department.

If you are a supervisor, you must report, in writing, any observed or reported incident of harassment involving other employees immediately to your Department Head/Elected Official or the Human Resources Department.

## **F. How Complaints of Harassment Will Be Handled**

**INVESTIGATION** - The County will promptly conduct an appropriate and impartial investigation of any complaint or report of harassment.

**CONFIDENTIALITY** - To the extent possible, the County's investigation will be conducted in a manner calculated to protect the privacy of the individuals involved and the complainant's confidentiality.

**DISCIPLINARY ACTION** - If the investigation reveals that harassment has occurred, disciplinary action up to and including discharge will be taken. The nature of the discipline will depend upon the circumstances of each case. Again, all complaints and the actions taken to resolve such complaints will be treated confidentially and disclosed only when necessary to the investigation and resolution. However, no employee is promised strict or absolute confidentiality. If an investigation of harassment or unlawful discrimination reveals that the complaint was not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information.



# PERSONNEL POLICIES

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**ADMINISTRATIVE DISCRETION** - When an employee requests that no formal action be taken, administrative discretion may be used to determine further action.

- G. Protection Against Retaliation**--If a report of discrimination or harassment prohibited by law is made in good faith, the County will protect the reporting individual and those who participate in the investigation process as witnesses from retaliation or any other detrimental impact on their employment. Employees who become aware of complaints or investigations of harassment are expected to refrain from unnecessary and unprofessional discussions with coworkers concerning the individuals involved; as such discussions may themselves be a form of retaliation or harassment. If an employee believes they have been subjected to retaliation based upon a protected report or participation, the employee must immediately report that fact to the employee's Department Head/Elected Official/Court Administrator, or in the alternative, to Human Resources. Disciplinary action, up to and including discharge, will be taken against anyone who is found to have engaged in such retaliation.
- H. Supervisor/Subordinate Relationships**--Supervisors are prohibited from dating or otherwise engaging in a romantic or intimate relationship with a subordinate employee. Employees who violate this policy may be disciplined for such conduct, up to and including discharge.



# PERSONNEL POLICIES

## SECTION 2

## ORGANIZATION POLICIES

### 2.03 – REPORTING ILLEGAL ACTIVITY AND WHISTLE BLOWERS' PROTECTION

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013
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- A. Any employee who, during employment, believes that they have been requested or required to engage in an illegal or act or suspects a violation of federal, state, or local laws or regulations must report that fact immediately, in writing, to their Department Head/Elected Official/Court Administrator.
- B. If the Department Head/Elected Official/Court Administrator is the subject of the complaint, the employee shall notify the Human Resources Director.
- C. The County will undertake an appropriate and prompt investigation of the allegations and, where appropriate, undertake remedial action.
- D. The County will adhere to applicable State and Federal laws that provide job protection to employees who make such reports or participate in hearings, investigations, legislative inquiries, or court actions.



# PERSONNEL POLICIES

## SECTION 2

## ORGANIZATION POLICIES

### 2.04 – ANTI-FRAUD AND ABUSE POLICY

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	09/15/2009
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- A.** The County of Kalamazoo has a policy of maintaining the highest standards of conduct and ethics. All County employees are entrusted with the responsibility to protect and ensure proper use of County funds, resources, and property.

The County will investigate any suspected fraudulent or dishonest use of resources, funds, or property by any employee.

Fraudulent or Dishonest Conduct includes, but is not limited to:

- forgery or alteration of documents
- Illegal activity during employment
- unauthorized alteration of computer files
- untrue financial reporting
- pursuit of personal gain in conflict with the interests of the County
- misappropriation of resources, funds, or property
- authorizing or receiving compensation for goods not received or services not performed
- authorizing or receiving compensation not earned or in compliance with County policies
- misrepresentation of business expenses
- intentional damage to County property
- any illegal activity involving County resources, funds, or property

**B. Employee's Responsibilities:**

1. All employees are responsible for reporting all suspected illegal activity, fraud, or fraudulent use of County funds, resources, or property.
2. Suspected misconduct shall be reported in writing to the reporting employee's Department Head/Court Administrator/Elected Official, who will report the allegation to the Human Resources Director. If the allegation is against the Department Head/Court Administrator/Elected Official, the employee shall report the allegation directly to the Human Resources Director. If the allegation is against the Human Resources Director, the employee shall report the allegation directly to the County Administrator.



# PERSONNEL POLICIES

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3. An employee will fully cooperate with any internal investigation and/or a law enforcement agency performing an investigation.

Employees may not retaliate against another employee for a good faith report under this policy.

- C. **Confidentiality:** Reports of suspected fraud and abuse will be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances and the law. Reports will only be shared with those who need to know so that the County can conduct an effective investigation and determine the appropriate action.



# PERSONNEL POLICIES

SECTION 2		ORGANIZATION POLICIES			
2.05 – POLITICAL ACTIVITY POLICY					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013

Every employee has the right to express their views as a citizen freely and to cast a vote as they may wish. Coercion for political purposes is strictly prohibited.

**A.** Employees of federally aided programs are prohibited from participation in partisan political activity under the Federal Hatch Political Activities Act (5 USC 1501-1508, as amended). These employees may not:

1. Use their official authority or influence to interfere with or affect the results of an election or nomination for office;
2. Directly or indirectly coerce, attempt to coerce, command, or advise a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes, or;
3. Be a candidate for elective office in a partisan election if the employee's total pay is paid, directly or indirectly, by loans or grants made by the United States or a Federal Agency.

However, employees subject to the provisions of the Hatch Act may:

- a. Express their opinions on political subject and candidates, and
- b. Take an active part in political management in political campaigns.

**B.** No employee shall engage in any partisan political activity or campaigning for a nonpartisan elective office during scheduled working hours or while on duty or while off duty wearing a uniform or other identifying insignia of County office or employment. However, exempt employees may engage in political activities during working hours but must carefully document their time and record political activity time as appropriate leave time. Elected Officials are not employees.

**C.** Solicitation of signatures or contributions or nominating petitions is prohibited during working hours.



# PERSONNEL POLICIES

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- D. County employees shall not engage in political activity on County time or utilizing County equipment. Employees must use annual leave time or compensatory time when participating in all political/charitable fundraisers, i.e., golf outings, luncheons.
- E. No employee shall be required to engage in a campaign for the election of any candidate.
- F. All appointed Department Heads/Court Administrators/Elected Officials (and their staff) are encouraged to exercise extreme caution in a public endorsement of or opposition to candidates for public office at the County level. Questions/concerns should be directed to Human Resources or Corporate Counsel.



# PERSONNEL POLICIES

## SECTION 2

## ORGANIZATION POLICIES

# 2.06 – STANDARDS OF CONDUCT

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013
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The purpose of these Standards is to state the rules and principles that apply to and govern Kalamazoo County employees in the performance of their public duties.

Kalamazoo County is committed to the highest standards of professional and ethical conduct by and among its employees and county officials in the performance of their public duties. Kalamazoo County believes that individual and collective adherence to high professional and ethical standards by public employees and officials is central to maintaining public trust and confidence in government.

These professional and ethical principles are best expressed as positive statements: actions that should be taken; courses that should be followed; goals that should permeate both public and private conduct. Other principles are expressed as negative statements: conduct which is prohibited or which is to be avoided.

Kalamazoo County believes that this Standard of Conduct serves as a valuable reference guide for all those in whom the public has placed its trust.

**A. Conflict of Interests:** An employee should not engage in behavior or transactions which create or may be reasonably interpreted as conflicting with the employee's "proper discharge of duties in the public interest. This includes, but is not limited to:

1. **Gifts to Employees.** A County employee should not solicit nor accept any gift, whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form, under circumstances which could reasonably be inferred or expected that the gift was intended to influence the employee in the discharge of their official duties. In place of a gift or favor, it may be suggested that letters of commendation be sent to the employee's immediate Supervisor, Department Head/Court Administrator/Elected Official, or the County Administrator. Reference should be made in the letter to the specific project or program for which the employee is commended.
2. **Financial Gain.** A County employee should not engage in any business transaction or private arrangement for financial gain for themselves or a close relative, which accrues from or is based on the employee's official position or on confidential information that the employee gained of their position. "Close relatives" are



# PERSONNEL POLICIES

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defined as any of the following and includes natural, adoptive, step or foster: Spouse, Parent or parent-in-law, Grandparent, Son, Daughter, Son-in-Law, Daughter-in-Law, Uncle, Aunt, Nephew, Niece, Brother, Sister, Brother-in-Law, Sister-in-Law, Step relatives or First Cousins.

3. ***Favoritism.*** A County employee should not grant or make available to any person any preferential consideration, treatment, advantage, or favor beyond that which is the general practice to grant or make available to others under similar circumstances, nor use the employee's position to secure a special privilege, benefit, or exemption for the employee or friends, close relatives, business associates of the employee.
4. ***Representing Private Interests.*** A County employee should not represent or act as agent for any private interests, whether for compensation or otherwise, in any transaction in which the County has a direct and substantial interest and which could reasonably be expected to result in a conflict between the private interests of the employee and the employee's official responsibilities.
5. ***Financial Interest.*** A County employee should not have any substantial interest (or the employee's close relative sharing such interest), in any business or industry concerning which the employee directly, in a significant decision-making capacity, participates on behalf of the County in the regulation, enforcement, auditing or purchasing of any goods or services.
6. ***Employment.*** A County employee should not engage in or accept employment or render services for private or public interest when that employment or service is incompatible or in conflict with the discharge of the employee's official duties or when that employment may tend to impair their independence of judgment or action in the performance of official duties.
7. ***Personal Opinions.*** A County employee should not represent their personal opinion as that of the County, Courts, or Elected Officials.

**B. County employees shall:**

1. ***Appearance in Public.*** Conduct themselves in a manner both in County-owned buildings and away from County-owned buildings that will not create an appearance of any wrongdoing, illegal action, or immoral conduct. An employee should not engage in activities that could cause an adverse reflection on their position or Kalamazoo County.



# PERSONNEL POLICIES

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2. **Workplace Professionalism.** Perform their duties professionally and respectfully. Personal insults and degradations are not acceptable. This includes the duty to provide fair and non-discriminatory treatment to all persons interacting with Kalamazoo County.
  3. **Report Violations.** Report any conduct or activity that the employee believes to violate this policy.
  4. **Professionalism and Customer Service.** Treat all customers, clients, coworkers, supervisors, Department Heads/Elected Officials/Court Administrators courteously and professionally. Conduct all Kalamazoo County business fairly and honestly. Effectively and efficiently work with governmental agencies, political subdivisions, and other organizations to further the interest of Kalamazoo County.
  5. **County and Taxpayer Resources.** Use the resources, property, and funds of Kalamazoo County judiciously and solely following prescribed laws, grant requirements, and/or County procedures.
  6. **Honesty.** Perform their duties with honesty and integrity.
  7. **Privacy.** Use care and discretion and comply with all applicable laws and regulations when handling confidential information received or maintained by Kalamazoo County.
- C. **Baseless Accusations:** Allegations made by an employee with reckless disregard for the truth will subject the employee to disciplinary action by the County and result in legal action by the accused.
- D. **Disclosure of Interest.** The County requires that an employee make advanced written disclosure of any interests of the employee or the employee's close relatives, which may violate this policy or which may otherwise reasonably appear to impact or conflict with the performance of the employee's official County duties.
- E. **Disciplinary Action.** This policy has been formalized to protect the County and its employees from undue criticism, harm, or the possibility of involvement in a conflict of interest. Violation of this policy shall be subject to disciplinary action.



# PERSONNEL POLICIES

SECTION 2		ORGANIZATION POLICIES			
2.07 – ANTI-NEPOTISM					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013

Close relatives, partners, or members of the same household (including, but not limited to, significant others in a cohabitating relationship) are not permitted to be in positions that have a reporting responsibility to each other less than three supervisory levels apart, as authorized by the Human Resources Director. “Close relatives” are defined as any of the following and includes natural, adoptive, step or foster: Spouse, Parent or parent-in-law, Grandparent, Son, Daughter, Son-in-Law, Daughter-in-Law, Uncle, Aunt, Nephew, Niece, Brother, Sister, Brother-in-Law, Sister-in-Law, Step relatives or First Cousins.

- A.** Individuals will not be hired, promoted, demoted, or transferred into positions that would create a County policy conflict. If employees become relatives, significant others, or members of the same household, and the employees have a reporting responsibility to each other less than three supervisory levels apart; the supervisory employee must inform management and the Human Resources Director of the relationship. The employees will have 60 days from creating the conflict to resolve the situation on their own.

After 60 days, if the employees have not yet resolved the situation independently through a transfer or employment outside of the County, the employee’s supervisors will work with Human Resources to determine the most appropriate action for the specific situation. This may include transfer or, if necessary, termination of one of the employees.

- B.** If there is a situation where an action of the County, such as reduction in force, results in an involuntary circumstance where two close relatives, partners, or members of the same household have a reporting responsibility to each other less than three supervisory levels apart, one of the employees will be reassigned within 60 days. During those 60 days, the supervisory employee will not have involvement or direct input in the other employee's employment decisions.

- C.** Any exceptions to this policy will be made on a case-by-case basis, not to be considered precedence for establishing the practice, and must be approved in writing by the Department Head/Court Administrator/Elected Official and the Human Resources Director. Written justification for the exception must be submitted to Human Resources prior to any employment decisions. In any case, where an exception is made, the affected supervisor in the reporting relationship must recuse themselves from performance and discipline issues related to the other employee and be replaced by one of their peers.



# PERSONNEL POLICIES

SECTION 2		ORGANIZATION POLICIES			
2.08 – SAFE WORKPLACE POLICY					
Approved by BOC on:	11/19/2019	Effective Date:	11/20/2019	Supersedes:	02/05/2019

Kalamazoo County Government seeks to provide a safe environment for working and conducting business. The County will not tolerate acts of violence, threats of violence, or workplace bullying committed by or against employees on County property or any County work location.

Kalamazoo County also seeks to promote early intervention to prevent or minimize the occurrence and effects of domestic violence, harassment, sexual assault, or stalking in the workplace. A protective order, a criminal proceeding, or law enforcement involvement is unnecessary to invoke this policy.

## A. Definition

Kalamazoo County will not tolerate threatening behavior or actual workplace violence, which is intimidating, hostile, abusive, or offensive, including, but not limited to:

1. Threatening injury or damage against a person or property;
2. Fighting or threatening to fight with another person;
3. Displaying or threatening to use a firearm or any other weapon (other than as authorized by policy);
4. Abusing or injuring another person;
5. Abusing or damaging property;
6. Workplace bullying is defined as persistent, malicious, unwelcome, severe, and pervasive mistreatment that harms, intimidates, offends, degrades, or humiliates an employee, whether verbal, physical or otherwise, at the employee's place of work and/or in the course of their employment.
7. Using obscene or abusive language or gestures in a threatening manner;
8. Raising voices in a threatening manner; and/or
9. Harassing behavior inconsistent with an average work relationship or stalking.

Because of the potential for misunderstanding, joking about any of the above misconduct is also prohibited.

## B. Possible Behavioral Indicators of the Potentially Violent Employee

The following behavioral indicators have been identified in past incidents of workplace violence. Some of these "red flags" require further assessment.



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1. "Veiled" or indirect threats;
2. "Conditional" threats;
3. Excessive and intimidating references to other violent events, serial killers, mass murders, etc.;
4. Inappropriate communications to co-workers such as "I'm so angry I could kill them."
5. Intimidating or frightening comments about weapons;
6. "Documenting" of other people who are "causes" of one's problems;
  - a. keeps "notes" or lists of people they are angry with;
  - b. makes "lists";
  - c. conducts "surveillance", "interviews";
7. Paranoia / mental health issues;
  - a. plots, conspiracies;
  - b. externalizes, blames others;
8. Repeatedly accusing others of causing one's problems;
9. Suicidal thinking;
10. Non-specific anger, resentment, irritability;
11. Litigious, filing of numerous grievances;
12. Domestic abuse, harassment;
13. Specific threats of harm to identifiable targets such as discussing a plan, including, but not limited to, time, place, motive, etc.;
14. Bringing, brandishing weapons at work;
15. Festering conflicts that one cannot seem to resolve or compromise; and/or
16. Verbal bullying: Persistent, severe, and malicious slandering, ridiculing, taunting, or maligning an employee, including, for example, persistent name-calling, which is hurtful, insulting, humiliating, abusive, and offensive.

Each of these behaviors is a "red flag" that something may be wrong. None should be ignored. Early intervention and "helping employees help themselves" keeps morale high and the workplace safe.

## **C. Responsibilities**

Every employee is responsible for immediately reporting to their supervisor and/or the Human Resources Department any violent incident or threat they have witnessed or received.

Even without an actual threat, personnel should 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 County property.



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## **D. Procedures**

1. The County will investigate all reports of workplace violence, threats, or bullying. Reports should be made, in writing, to the Human Resources Department. Employees should not feel obligated to first report their complaints or concerns to their immediate supervisor – the Human Resources Department can be contacted at any time. However, the availability of this complaint procedure does not preclude individuals who believe they are being subjected to bullying conduct from promptly advising the offender that their behavior is unwelcome and requesting that such behavior immediately stop.
2. Any person who exhibits unsafe behaviors will be removed from County premises as quickly as safety permits and shall remain off County premises pending an investigation.
3. Employees will cooperate in all investigations, and a failure to cooperate may result in disciplinary action, up to and including discharge. A report or complaint will be promptly investigated if a report is made in good faith. The employee will be protected from retaliation or any other detrimental impact on their employment.
4. The County will take appropriate corrective or disciplinary action when determining a County employee has violated this directive. Violations of this policy could result in the reassignment of job duties, suspension, termination, and/or criminal prosecution.

## **E. Personal Protection Order**

1. All employees who have been granted a Personal Protection Order (PPO) or restraining order (collectively the “Order”), which lists County locations as being protected areas, must provide (within the next regular business day) a copy of the Order to their supervisor and the Human Resources Department. A County employee served with an Order is required to report that information to the Human Resources Director along with the Order’s conditions.
2. Supervisors will:
  - a. Immediately evaluate any report of workplace violence. Where possible, appropriate action will be taken to protect the employee from further violence. Actions taken will include, but are not limited to:



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- i. Summoning a sworn officer or calling 9-1-1 if an immediate danger exists;
  - ii. Relocating (in a non-punitive way) the employee's work station from public access if necessary;
  - iii. Arranging for the screening of phone calls by person, caller ID, or voice mail, as necessary; and/or
  - iv. If necessary, a photograph of the respondent to the Order should be conspicuously posted at entrances to the victim employee's workplace.
- b. Encourage the victim employee to develop a safety plan, which may include:
  - i. Reviewing the safety of parking arrangements and escorts to and from the parking area and workplace;
  - ii. Carpooling or choosing different routes of travel to and from work; and/or
  - iii. Sharing emergency contact information with supervisors and the Human Resources Department should the employee fail to arrive at work.

## **F. Discrimination**

1. This policy prohibits discrimination and retaliation against an employee who is a victim of domestic violence, harassment, sexual assault, or stalking or who requests or uses any provision of this policy. If any employee suffers retaliation or discrimination, the employee may file a complaint with the Human Resources Director for investigation and appropriate action.
2. Kalamazoo County shall not refuse to hire an otherwise qualified individual; or discharge, threaten to discharge, demote, suspend or in any manner discriminate or retaliate against an individual with regard to promotion, compensation, or other terms, conditions or privileges of employment because the individual is a victim of domestic violence, harassment, sexual assault or stalking.



# PERSONNEL POLICIES

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3. This policy prohibits the threat of or commission of domestic violence, harassment, sexual assault, or stalking by a County employee on County premises or during working hours or at a County-sponsored event. The County has the authority to impose discipline or take other appropriate action for conduct that involves the threat or commission of domestic violence, harassment, sexual assault, or stalking by a County employee in off-duty hours, in certain circumstances.

## **G. Confidential Request and Referral**

1. A Department Head/Court Administrator/Elected Official, supervisor, and/or Human Resources staff must keep the following information confidential to the fullest extent permitted by law:
  - a. An employee's request for resource or referral information about domestic violence, harassment, sexual assault, stalking, and additional security in the workplace;
  - b. Witness reports of a threat or incident of domestic violence, harassment, sexual assault, or stalking;
  - c. An employee's request for other related assistance from the Department Head/Court Administrator/Elected Official, supervisor, and/or Human Resources staff member;
  - d. All records and information kept by the County regarding a reasonable safety accommodation made for an individual, including requests for a reasonable safety accommodation, are confidential and may not be released without the express permission of the individual unless otherwise provided by law; and
  - e. The report that an employee is a victim of domestic violence, harassment, sexual assault, or stalking.
2. If the law or certain circumstances require disclosure of the above in (1)(a)-(e), the Department Head/Court Administrator/Elected Official, supervisor, or Human Resources staff member will give advance notice to the employee whenever possible before making the disclosure.



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## **H. Employee Safety and Support**

The County shall take appropriate action to keep all staff safe in the workplace. If a Department Head/Court Administrator/Elected Official, supervisor, and/or Human Resources staff member learns of a threat or possibility of workplace domestic violence, harassment, sexual assault, or stalking, they must immediately report it to the Building Security Manager and/or 911.

## **I. Reasonable Safety Accommodations**

Within the limitations of staffing and organizational needs, make every effort to accommodate the needs of the victim employee to:

1. Vary hours of work to:
  - Meet with advocates, counselors, and prosecutors;
  - Relocate their residence; and/or
  - Attend court appearances.
2. Use a pseudo name and email account for the employee to conduct County business.
3. Use alternate parking accommodations (if available);
4. Work from an alternate location within a County building or move the employee's workstation to another location within the Department;
5. Suppressing, at the employee's request, their personnel information from public records requests as per 1976 PA 442, MCL 15.231 et seq;
6. Providing local advocacy and safety planning resource information;
7. Screening telephone calls and visitors;
8. Change work telephone number(s); and/or
9. Provide alternate methods of receiving a paycheck.



# PERSONNEL POLICIES

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## J. Violations

1. The County may impose disciplinary action, up to and including dismissal, against violators of this policy.
2. The County may impose discipline or take other appropriate action for conduct that involves the threat or commission of domestic violence, harassment, sexual assault, or stalking by a County employee during off-duty hours, in certain circumstances.



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SECTION 2		ORGANIZATION POLICIES			
2.09 – VETERANS POLICY					
Approved by BOC on:	02/05/2019	Effective Date:	02/06/2019	Supersedes:	N/A

It is the policy of the County to provide eligible veterans the following statutory rights consistent with Michigan law:

**Hiring:** The County will give preference to veterans in appointments or employment if the veteran possesses the requisite qualifications for the position and has comparable qualifications to other non-veteran applicants. The County need not appoint or hire a veteran where other non-veteran applicants are better qualified for the position. MCL 35.401 et seq.

**Discharge:** Before discharge, the County will provide employees covered under the Veterans Preference Act with a list of charges against them, a pre-determination meeting, followed by a determination hearing. An employee covered by the Veterans Preference Act will not be removed, suspended, or transferred except after a full hearing. MCL 35.402.



KALAMAZOO COUNTY GOVERNMENT

# PERSONNEL POLICIES

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## SECTION 3

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## WORKPLACE ENVIRONMENT POLICIES



# PERSONNEL POLICIES

## SECTION 3

## WORKPLACE ENVIRONMENT

### 3.01 – WEAPONS POLICY

Approved by BOC on:	10/04/2022	Effective Date:	10/05/2022	Supersedes:	09/19/2017
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- A. Policy.** The County of Kalamazoo prohibits all employees from carrying prohibited weapons of any kind while conducting County business (on or off County property) regardless of whether the employee is licensed to carry the weapon or not.

This policy applies to all Kalamazoo County employees, contract and temporary employees on Kalamazoo County property regardless of whether they are licensed to carry a concealed weapon. This policy also prohibits employee weapons at any Kalamazoo County-sponsored functions.

The only exceptions to this policy are Sheriff's Department staff, Adult Probation Officers, Elected Officials, Prosecuting Attorney staff (as approved by the Prosecuting Attorney), or Airport staff for wildlife management purposes (as approved by the Airport Director).

- B. Prohibited weapons.** Prohibited weapons include any form of weapon or explosive restricted under local, state, and federal regulation. This includes all firearms, illegal knives, or other weapons covered by the law

Employees are responsible for ensuring that any items they possess are not prohibited by this policy. If you question whether this policy covers an item, please contact Human Resources.

Kalamazoo County property covered by this policy includes, without limitations, all County-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways, and parking lots under the County's ownership or control. Kalamazoo County vehicles are covered by this policy at all times regardless of whether they are on County property at the time.

- C. Chemical Dispensing Devices.** Employees are allowed to carry legal, chemical-dispensing devices sold commercially for personal protection (i.e., pepper spray) while conducting County business on or off County property.
- D. Searches.** The County of Kalamazoo reserves the right to conduct searches of any person, County-owned or leased vehicle or object on County property consistent with the law. No employee shall expect privacy in lockers, desks, County-owned or leased vehicles, or other county property areas where a weapon may be hidden.



# PERSONNEL POLICIES

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- E. **Violations.** Failure to abide by all terms and conditions of the policies described above may result in discipline up to and including termination.

***THIS POLICY SHALL NOT BE CONSTRUED TO CREATE ANY DUTY OR OBLIGATIONS ON THE PART OF THE COUNTY TO TAKE ANY ACTIONS BEYOND THOSE REQUIRED OF AN EMPLOYER BY EXISTING LAW.***

If you become aware of anyone violating this policy, please report it to Human Resources immediately.



# PERSONNEL POLICIES

## SECTION 3

## WORKPLACE ENVIRONMENT

### 3.02 – DRUG-FREE WORKPLACE

Approved by BOC on: 09/19/2017 Effective Date: 01/01/2018 Supersedes: 09/15/2009

**A. Drug-Free Workplace.** To provide a safe, healthy, productive environment for members of the public doing business with the County and for County employees, the County insists upon a workplace free of drugs, alcohol, and illegal controlled substances. To ensure a safe and efficient workplace, Kalamazoo County will strictly enforce the following rules:

1. Employees in safety-sensitive positions or performing safety-sensitive functions (such as, but not limited to, law enforcement, corrections, dispatchers, nurses, medical providers, DOT drivers, or employees operating county vehicles or heavy equipment) are prohibited from being under the influence of a legally prescribed medication which adversely impairs their ability to work in a constant state of alertness and in a safe manner.
2. No employee shall possess, distribute, use, or be impaired by alcohol or illegally prohibited drugs on Kalamazoo County property, while on Kalamazoo County business, or during working hours, including rest and meal periods. “Illegally prohibited drugs” are those substances under State or Federal law that are illegal to sell or possess. Drugs include not only illegal drugs but also legally available drugs that have not been legally obtained.
3. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited.
4. Where management has reason to believe that an employee may be under the influence of drugs or alcohol, Kalamazoo County, at its discretion, may require the employee to submit to breath, urine, or blood testing, at Kalamazoo County’s expense, to determine the presence of drugs or alcohol. Refusal to submit to such testing may result in immediate dismissal.
5. Employees subject to the Drug-Free Work Place Act who are convicted of any criminal drug violation in the workplace must report such conviction to their supervisor within five (5) days of the conviction.

**B. Violations.** Employees found to violate this policy, including testing positive for a drug, illegal controlled substance, or alcohol, will be subject to disciplinary action up to and



# PERSONNEL POLICIES

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including discharge for a first offense and/or other remedial measures the individual circumstances warrant.

**C. Violations of Law.** Employees are required to notify the Department Head/Court Administrator/Elected Official and the Human Resources Director no later than five (5) days after a charge of any violation of a drug or alcohol criminal statute. The employee must also notify the Department Head/Court Administrator/Elected Official and the Human Resources Director no later than five (5) days after a conviction of any violation of a drug or alcohol criminal statute.

**D. Testing.**

1. Any employee who is exhibiting suspicious behavior or activity consistent with the use of illegal drugs or alcohol may be subject to drug testing paid for by the County ("Reasonable Suspicion" testing).
2. Accident or Unsafe Practice Testing. The County is committed to providing a safe and secure work environment and a safe and secure environment for the County program participants. Employees involved in on-the-job accidents or who engage in hazardous job-related activities that pose a danger to others or the overall operation of the County may be subject to screening and confirmation testing. Based on the circumstances of the accident or unsafe act and according to State and Federal law, the employee's supervisor or the Human Resources may initiate laboratory testing when such circumstances involve:
  - a. An on the job accident that causes an injury to the employee or another person requiring medical attention other than on-site first aid;
  - b. A death or personal injury involving immediate hospitalization;
  - c. Any employee involved in a workplace accident or that results in property damages; or
  - d. A motor vehicle collision
3. Employees holding a CDL may be required to undergo random testing to the extent required by applicable state or federal law.
4. An employee who refuses or fails to participate in the drug and alcohol testing process fully will be deemed to have tested positive.



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5. All testing will be paid for by the County. Employees will be paid for all time necessary for test administration, and such time will be considered as time worked for purposes of pay, overtime, and other benefits.
  - a. When an employee is directed to submit to a test based on reasonable suspicion, the employee will not drive a vehicle to the testing site and will not perform any additional work on the day of the test. The County will provide transportation to and from the testing site and pay the employee for the remainder of the day.
  - b. Concerning urine testing, the laboratory used must be a certified lab selected by the County. No disciplinary action shall be taken based on the initial EMIT test but may only be taken after confirmation test results. A positive specimen will be maintained according to the protocols of the laboratory. Negative test results will be destroyed.

The detection level for alcohol is 0.04% of Blood Alcohol Content.

## **E. Confirmed Positive Drug or Alcohol Test.**

1. An employee who has a confirmed positive test for illegal or controlled drugs (not prescribed by a treating physician) shall be subject to discipline up to and including employment discharge.
2. If an employee registers a blood alcohol level (B.A.C.) of 0.04% or greater, the employee shall be immediately removed from duty and not be allowed to return to work for at least twenty-four (24) hours. The employee shall be required to register a B.A.C. of less than 0.02% before resuming their duties. The employee is also subject to discipline, up to and including employment discharge.
3. An employee with a confirmed positive test who is at the discretion of the County or Elected Official not discharged will be required as a condition of continued employment to complete the course of treatment established for them through the Employee Assistance Program (EAP), will be required to sign an authorization permitting the EAP or any service providers to confirm whether or not the employee has completed the established course of treatment, and will be subject to random drug tests for not less than 12 months.
4. The County will promptly notify the employee of the test results. All records from the testing agency showing a test result will be considered confidential



# PERSONNEL POLICIES

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and shared only with persons involved in decisions concerning the affected employee.

**F. Medical Marijuana.** The Michigan Medical Marijuana Act, MCL 333.26421 *et seq.*, permits the manufacturing, possession, and use of marijuana under limited circumstances to address certain debilitating medical conditions. However, the use of medical marijuana while working or being under the influence of medical marijuana while working is strictly prohibited even for those staff who are legally qualified for the use of medical marijuana under the Act, MCL 333.26427(b)(1) and (c) (2). A violation of this Drug-Free Workplace policy will result in discipline, including termination of employment.

**G. Self-Recognized Substance Abuse Dependence.**

1. Employees with drug or alcohol dependency issues that have not resulted in or are not the immediate subject of disciplinary action may request a leave of absence (the request cannot be made when the employee is directed to submit to an appropriate test).
2. The employee must enroll in a County recognized rehabilitation or treatment program for the leave to be granted. The employee will pay the cost if not covered by insurance.
3. Absences for rehabilitation treatment for substance abuse may be counted against an employee's FMLA leave entitlement. When FMLA leave is taken for alcohol/drug rehabilitation purposes, the employee may use Paid Medical Leave (PML), compensatory time, and/or annual leave.
4. Upon completing the rehabilitation program and passing an appropriate drug or alcohol test, the employee will be returned to work. After returning to work, the employee will remain on probation for one (1) year. During this probationary period, the employee will be subject to unannounced testing. Should the employee test positive, they will be subject to disciplinary action, up to and including termination.
5. If the employee fails to adhere to the program's requirements or complete the program, they may be subject to discipline, up to and including termination.



# PERSONNEL POLICIES

SECTION 3		WORKPLACE ENVIRONMENT			
3.03 - SMOKE-FREE WORKPLACE					
Approved by BOC on:	03/05/2024	Effective Date:	03/06/2024	Supersedes:	09/19/2017

- A. PURPOSE.** The County is committed to providing a safe and healthy workplace and to promoting the health and well-being of its employees and our community.
- B. POLICY.** It is the policy of Kalamazoo County Government to prohibit smoking and vaping on all County premises and within County vehicles to provide a safe and healthy work environment for all employees. Smoking is defined as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind." Vaping refers to the use of an electronic smoking device used to deliver nicotine, cannabis (THC or CBD), flavorings, chemicals and other substances (such as e-cigarettes, e-pipes, e-hookahs and e-cigars, vape pens, etc).
- C. SCOPE.** This policy applies to:
- All areas of buildings occupied by County employees.
  - All County-sponsored offsite conferences and meetings.
  - All vehicles owned or leased by the County.
  - All County employees.
  - All visitors (customers and vendors) on County premises.
  - All contractors and consultants and/or their employees working on County premises.
  - All temporary employees.
  - All student interns or volunteers.
- D. PROCEDURES.**
1. Employees who violate this policy may be subject to disciplinary action, up to and including termination.
  2. If employees wish to report violations of this policy, they can call or email the Human Resources Department or file a complaint with their direct supervisor. The complaint should provide detailed information including date, time, location, witnesses, etc. The complaint will be investigated and resolved according to policy.
  3. No employee shall suffer any form of retaliation for raising a complaint or asking a question about this policy.



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## SECTION 3

## WORKPLACE ENVIRONMENT

### 3.04 – INFORMATION TECHNOLOGY

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013
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- A. The Board of Commissioners authorizes the County, through the Human Resources and Information Technology Departments, to implement policies and procedures necessary to regulate the use of and assure the security of the County technology resources and communications systems.
- B. Such policies shall comply with State and Federal law and authorize monitoring County technology resources and communication systems where appropriate to assure that technology resources and communications systems are utilized in compliance with the law and exclusively for legitimate County business purposes.
- C. Because of the necessity of such monitoring, users should not expect that information maintained or transmitted through County IT or communication resources is private (other than data subject to confidentiality and privacy laws).
- D. Human Resources and the Information Technology Department shall revise such policies, as necessary, from time to time to assure their efficacy.
- E. Due to the seriousness and costs of potential harm to County assets, information, and the integrity of its operations caused by law violations or security breaches, persons who violate the policies and procedures may be subject to discipline, up to and including discharge.



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## SECTION 3

## WORKPLACE ENVIRONMENT

### 3.05 – SOLICITATION ON COUNTY PROPERTY

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013
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- A.** To eliminate the possibility of disruption of operations and annoyance of employees, the following conduct is prohibited unless otherwise specifically authorized:
1. Solicitation by employees of their fellow employees during working time, on behalf of any individual, organization, club, or cause.
  2. Distribution of any literature, pamphlets, or material to employees during working time or at any time in any working area.
- B.** "Working time" does not include scheduled rest or lunch periods.
- C.** This policy does not apply to vendors participating in the routine County purchasing procedures or the County's annual United Way Campaign.



# PERSONNEL POLICIES

## SECTION 3

## WORKPLACE ENVIRONMENT

### 3.06 – CLOSING OF COUNTY BUILDINGS

Approved by BOC on:	10/04/2022	Effective Date:	10/05/2022	Supersedes:	09/19/2017
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#### A. Weather-Related Emergencies

When it is deemed to be in the best interest of the employees to close County buildings or curtail services because of snowstorms, tornadoes, or other weather-related emergencies, the determination shall be made by the Chairman of the Board of Commissioners and/or the designated representative.

The closing of buildings will be announced to the public through the Public Information Officer. Employees will be notified by Administration's centralized communication system (i.e., Blackboard).

#### B. Non-Weather-Related Emergencies

When it is deemed to be in the best interest of the employees to close a County building or curtail services because of non-weather-related emergencies, the determination shall be made by the County Administrator.

The closing of buildings will be announced to the public through the Public Information Officer. Employees will be notified by Administration's centralized communication system (i.e., Blackboard).

#### C. Scheduled Building/Office Closure

If a building is scheduled to close due to a maintenance issue, the Buildings and Grounds Director will coordinate the closure with Administration.

If a Department Head would like to close their office/building on a future date, the Department Head must obtain prior approval from the County Administrator.

#### D. Building/Office Closed only to the Public

If a Department Head would like to close their office/building to the public, the Department Head must obtain prior approval from the County Administrator.



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If a building or office is closed only to the public, regular employees are expected to work their regularly scheduled shift or use paid leave time.



# PERSONNEL POLICIES

SECTION 3		WORKPLACE ENVIRONMENT			
3.07 – WORKING HOURS					
Approved by BOC on:	08/15/2023	Effective Date:	08/15/2023	Supersedes:	09/19/2017

- A. The County's regular hours of operation are from 8:00 am to 5:00 pm daily, unless otherwise changed by the employee's Department Head/Court Administrator/Elected Official.
  - a. Department Heads must obtain prior approval from the County Administrator (or their designee) prior to changing their Department's hours of operation.
- B. The Department Head/Court Administrator/Elected Official will advise employees of their Department's hours of operation..
- C. Staffing and operational needs may necessitate variations in a Department's starting and ending times and variations in the total hours employees are scheduled each day and week.



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SECTION 3		WORKPLACE ENVIRONMENT			
3.08 – VISITORS IN WORKING AREAS					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	n/a

Friends, relatives, and children of employees are not allowed in the working areas without the Department Head/Elected Official/Court Administrator or their designee's approval.



# PERSONNEL POLICIES

## SECTION 3

## WORKPLACE ENVIRONMENT

### 3.09 – TRAUMA-INFORMED ORGANIZATION

Approved by BOC on:	05/01/2018	Effective Date:	05/01/2018	Supersedes:	n/a
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- A. Kalamazoo County Government is committed to being a trauma-informed organization. We assume that everyone may have experienced trauma, including the people we serve, employees, and anyone else we encounter while conducting County business.
- B. Definitions of trauma: Individual trauma results from an event, series of events, or ongoing situation that is experienced by an individual as physically or emotionally harmful or threatening and has lasting adverse effects on the individuals' functioning and physical, social, emotional well-being resulting in extreme stress that overwhelms a person's ability to cope and may have short-or long-term effects. Vicarious trauma ("VT") results from the occupational exposure of staff employed in victim services, emergency medical services, law enforcement, healthcare, etc., to the traumatic experiences of others.
- C. We believe that healthy relationships are a vehicle for healing trauma. Therefore, it is our intention to:
1. Raise awareness of employees and supervisors of recognizing warning signs or symptoms of individual trauma and VT. This will include training and professional development to identify the symptoms of, which promotes the understanding of, traumatic stress. The goal is to assist employees and supervisors in recognizing symptoms and behaviors that are often attempts to cope with trauma and to maintain self-awareness of our behavior, attitudes, and emotions and their impact on the people around us.
  2. Promote a workplace culture of caring, emotional and social support from co-employees and supervisors. This will include workplace culture:
    - a. which accepts individual differences and adjusts responses in a way that acknowledges and appreciates the other person's perspective.
    - b. that recognizes, respects, and builds upon individuals' strengths, abilities, and potentials; and
    - c. seeks to maintain an environment that fosters connection and cohesion among employees.
- D. Inform employees of sources of support available to reduce traumatic stress or to reduce the effects of individual trauma or VT. This will include, but is not limited to:



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1. Raising employees' awareness of professional and personal self-care strategies for addressing VT.
  2. Encourage employees to practice self-care and provide opportunities and resources that promote and support self-care.
  3. Encourage relationships that are a vehicle for healing.
  4. Ensure that employees do not have to disclose trauma to receive trauma-informed services.
  5. Provide a confidential employee assistance program to address individual trauma and VT issues and provide referrals to helpful services.
- E.** To facilitate this policy, the County will:
1. Periodically evaluate the extent to which the County policies and procedures are trauma-informed and identify the County's strengths and barriers.
  2. Adopt approaches that prevent and address staff individual trauma and VT – including encouraging wellness self-care initiatives and maintaining an EAP program.
  3. Provide trauma-informed training for staff and reinforce as needed.
    - a. Ensure that all employees receive information on the ACEs score and seek assistance from various counseling services.
    - b. Ensure that all supervisors attend trauma-informed training and have an awareness of the resources available to them to proactively assist their staff, understand compassion fatigue related to their work, and how to adopt self-care practices.
- F.** Maintain community partnerships that assist the County's trauma-informed organization and promote a trauma-informed community as a whole.



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## SECTION 3

## WORKPLACE ENVIRONMENT

### 3.10 – HEALTHY WORKPLACE CAUTIONARY PERIOD

Approved by BOC on:	12/21/2021	Effective Date:	12/21/2021	Supersedes:	08/18/2020
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- A.** In the event of an outbreak (or potential outbreak) of disease or illness, the County Administrator may declare a Healthy Workplace Cautionary Period (HWCP) for up to ten (10) consecutive weeks. Each declaration shall include a start date and end date of the HWCP. If an HWCP is declared for less than ten (10) consecutive weeks, the County Administrator may renew the declaration as necessary up to the ten (10) weeks total.
1. Before declaring an HWCP, the County Administrator will consult with the Health Officer, Human Resources Director, and anyone else deemed necessary by the County Administrator.
  2. The Board of Commissioners must approve an HWCP that exceeds ten (10) consecutive weeks.
- B.** During an HWCP, Department Heads/Elected Officials/Court Administrators shall monitor and coordinate actions and implement measures that safeguard its employees' and residents' welfare while maintaining essential operations effectively and efficiently. Such measures may include, but are not limited to, closing particular offices, Units, and/or buildings, designating certain positions for telecommuting eligibility, assigning staff to telecommute, etc.
- C.** Upon conclusion of the declared HWCP, regular county business shall resume during normal business hours.
- D.** More than one (1) HWCP may be declared in a single calendar year if necessitated by a new or repeated outbreak (or potential outbreak) of disease or illness.



KALAMAZOO COUNTY GOVERNMENT

# PERSONNEL POLICIES

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## SECTION 4

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# PAY ADMINISTRATION



# PERSONNEL POLICIES

## SECTION 4

## PAY ADMINISTRATION

### 4.01 – PAY WEEKS AND PERIODS

Approved by BOC on:	01/16/2024	Effective Date:	01/01/2024	Supersedes:	10/17/2023
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#### A. Purpose

This policy outlines the guidelines and procedures for managing pay periods and compensation for Kalamazoo County Government employees. This policy aims to ensure consistent and transparent practices while handling payroll and compensation-related matters.

#### B. Pay Period Structure

1. Kalamazoo County Government follows a bi-weekly pay schedule, which consists of 26 pay periods per year.
  - a. Per Michigan State statute, Elected Officials are paid semi-monthly.
2. Pay periods start on Saturday and end on Friday.

#### C. Payroll Processing

1. All employees shall accurately record their working hours and paid leave through the Kalamazoo County Government timekeeping system(s).
2. Employees shall submit their timesheets on or before the required deadline provided by Payroll staff.
3. On or before the required deadline provided by Payroll staff, the employee's direct supervisor (as outlined in the position description) shall review employee timekeeping records and approve accurate time records.
  - a. 24/7 Operations exception:
    1. KCSO: The employee's Sergeant or Lieutenant may approve timesheets.
    2. Juvenile Home: The employee's direct supervisor or Deputy Administrator may approve timesheets.
4. Payroll processing will commence after the end of each pay period.



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- 5. Paychecks will be distributed on Friday or the nearest business day if it falls on a holiday.
- D. Kalamazoo County Government will adhere to all applicable labor laws, regulations, and taxation requirements in processing payroll and compensating employees.



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SECTION 4		PAY ADMINISTRATION			
4.02 – OVERTIME PAY AND COMPENSATORY TIME					
Approved by BOC on:	10/17/2023	Effective Date:	01/01/2024	Supersedes:	09/19/2017

- A. Exempt and Non-Exempt Employees.** Positions will be classified as “exempt” or “nonexempt.” The determination of exempt or non-exempt status will be made by the County, based upon the position's actual duties as applied to the standards outlined in the Fair Labor Standards Act. Those employees considered exempt from the Federal Fair Labor Standards Act's overtime provisions are not entitled to overtime or compensatory time. Non-exempt employees are entitled to overtime or, in the discretion of the County and under the terms and conditions outlined in this manual, compensatory time.
- B. FLSA Requirements.** The Fair Labor Standards Act (FLSA) is a federal law that requires that most employees be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek. However, Section 13(a)(1) of the FLSA provides an exemption from minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, and outside sales employees. Section 13(a) (1) and Section 13(a) (17) also exempt certain Information Technology employees.
- 1. Exempt Employee's Reporting Improper Deductions From Salary.**  
To be considered exempt, the FLSA requires that an employee be paid on a “salary basis.” Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a weekly or less frequent basis. The predetermined amount cannot be reduced because of variations in the employee's work quality or quantity. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Deductions from pay are permissible when an exempt employee:
- Does not perform any work during a workweek;
  - Is absent from work for one or more full days for personal reasons other than sickness or disability; or for absences of one or more full days due to sickness or disability if the deduction is made per a bona fide plan, policy, or practice of providing compensation for salary lost due to illness;
  - To offset amounts employees receive as jury or witness fees or for military pay;



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- d. For unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions of major significance, including but not limited to theft or violations of the County's harassment, drug and alcohol, safe workplace and workplace violence policies (see County Policy workplace conduct) or such other work rule of major significance. This does not include merely performance issues such as absenteeism and tardiness;
- e. An employer is not required to pay the full salary in the initial or terminal week of employment;
- f. For penalties imposed in good faith for infractions of safety rules of major significance; or
- g. For weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.

In these circumstances, either partial day or full day deductions may be made.

It is the County's policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit all County supervisors, managers, and directors from making any improper deductions from exempt employees' salaries. If you believe that an improper deduction has been made to your salary, you should immediately report this information to the Human Resources Director. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction.

## C. Overtime, Flex-Time, and Compensatory Time.

- 1. **Overtime.** Under the Fair Labor Standards Act (FLSA), most non-exempt employees shall be paid for excess hours worked over forty (40) hours in a Saturday through Friday calendar week.
  - a. For most non-exempt employees, overtime shall be compensated:
    - i. at one and one-half (1.50) times the number of hours worked over forty (40) hours in a Saturday through Friday calendar week; and
    - ii. following the last regularly scheduled workday in a Saturday through Friday calendar week.



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- b. Overtime shall not be accrued for time worked less than eight (8) minutes over forty (40) hours in a Saturday through Friday calendar week.

However, the additional work hours shall be performed through the Department Head/Court Administrator/Elected Official or their designee's authorization. Employees working unauthorized hours will be compensated; however, may be subject to disciplinary action for failing to receive authorization before working the extra hours.

The County retains the right to schedule reasonable amounts of overtime work. The County intends to keep overtime to a minimum. From time to time, an employee may be requested to work longer than their scheduled shift. The employee's supervisor will give the employee as much advance notice as possible when extra work is required.

Employees shall not begin working before their regular starting time, work through their lunch period or other unpaid breaks, or continue working after their standard quitting time without first obtaining their supervisor's approval. Overtime shall not be worked without prior approval of the employee's direct supervisor or Department Head/Elected Official. Unauthorized overtime may result in discipline.

- 2. **Flex-Time.** When a non-exempt employee is assigned or directed to work additional hours above their regularly scheduled work shift, the employee's supervisor may direct the employee to "flex" their regularly scheduled workweek. That is, the supervisor may change the employee's work schedule in a Saturday through Friday calendar week, to avoid the employee working in excess of their authorized FTE hours for the work week.
- 3. **Compensatory Time.** With the mutual written consent of both parties, non-exempt employees may accrue compensatory time in lieu of payment for hours worked over forty (40) hours in a Saturday through Friday calendar week. The option to receive compensatory time in lieu of overtime pay is a voluntary option and requires a written request from an employee. An employee will never be required to accept compensatory time in lieu of receiving payment for overtime. Compensatory time accrual and use is subject to any requirements under applicable state and/or federal law along with the following:

- a. Compensatory time in lieu of payment for overtime work hours shall be accrued:



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- i. at one and one-half (1.50) times the number of hours worked over forty (40) hours in a Saturday through Friday calendar week;
    - ii. following the last regularly scheduled workday in a Saturday through Friday calendar week.
  - b. Compensatory time shall not be accrued for increments of work less than eight (8) minutes in excess of forty (40) hours in a Saturday through Friday calendar week.
  - c. The accrual of compensatory time in lieu of payment for overtime worked requires the Department Head/Court Administrator/Elected Official or their designee's written authorization upon an employee's written request. Employees working overtime hours above their regularly scheduled work shift may be subject to disciplinary action for failing to receive authorization before working the extra hours.
  - d. Use of compensatory time shall occur as requested by the employee unless doing so would unduly disrupt the operations of the County.
  - e. Unused compensatory time shall be paid out on the last pay date ending in March, June, September, or December for each respective quarter at the employee's rate of pay for the payout pay period or within thirty days of the employee's request for payment.
  - f. Upon separation from County service, unused compensatory time shall be paid out under the FLSA. It shall not be used to extend an employee's length of service nor postpone an employee's termination date.
- 4. Break Time for Nursing Mothers.** In compliance with federal law, which requires the provision of unpaid, reasonable break time for a non-exempt employee to express breast milk, the County subscribes to the following policy:
- a. All employees shall be provided a place to breastfeed or express their milk. The Human Resources Department can confer with the employee to designate a suitable, private location other than a bathroom located close to the employee's work area for such breaks. An employee may use their private office area for milk expression if they prefer.



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- b. Employees shall be provided flexible breaks to accommodate breastfeeding or milk expression for the first year of the child's life. A non-exempt breastfeeding employee shall be provided a flexible schedule for breastfeeding or pumping to provide breast milk for their child. The time would not exceed the standard time allowed for lunch and breaks. For time beyond regular lunch and breaks, PML time may be used. If the employee does not choose to use PML, annual leave time must be used, or the employee can make up the time at the supervisor's discretion.
- c. A refrigerator may be made available for safe storage of expressed breast milk. Employees may use their cooler packs to store expressed breast milk or store milk in a designated refrigerator/freezer. Employees should provide their containers.
- d. Management and staff are expected to provide an atmosphere of support for breastfeeding employees.



# PERSONNEL POLICIES

## SECTION 4

## PAY ADMINISTRATION

### 4.03 – COMPENSATION FOR HOLIDAYS

Approved by BOC on:	06/21/2022	Effective Date:	07/01/2022	Supersedes:	11/19/2019
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- A. ELIGIBILITY:** Eligible employees who receive payment for their standard work shift on the regularly scheduled workdays immediately preceding and following the (observed) holiday shall be eligible to receive payment for the holiday leave.
1. Employees hired on or after 7/1/2022 and work less than 0.5 FTE are not eligible for holiday leave pay.
  2. Paid holiday leave shall be based on the authorized FTE of the employee's position.
  3. A non-exempt employee, whose regularly scheduled workday is longer than the number of hours provided by holiday leave, shall use compensatory time or annual leave, equal to the balance of their shift not covered by holiday leave, or coordinate flex-time with their supervisor to be worked within the same workweek as the observed holiday.
- B. HOLIDAY PAY:** Eligible employees shall receive holiday leave pay at their regular pay rate for authorized holidays.
- C. SHORT-TERM REDUCTION IN HOURS:** A 1.0 FTE, placed on a short-term temporary reduction from full-time to part-time, will be eligible for holiday pay based on the approved FTE at the time of the holiday.
- D. REQUIRED TO WORK A HOLIDAY:** If a holiday falls within a non-exempt employee's regularly scheduled workweek, and the employee is required to work the holiday through the authorization of the Department Head/Court Administrator/Elected Official, the non-exempt employee shall be paid straight time for the holiday, plus time and one-half for all time worked on the holiday. Compensatory time may be accrued, instead of payment for time worked on a holiday, at one and one-half times the number of hours worked on the holiday.
- E. HOLIDAY OBSERVED OUTSIDE OF SHIFT SCHEDULE:** If the holiday is observed on a day an employee is not regularly scheduled to work, the employee shall schedule flextime off (in coordination with their supervisor) as follows:



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1. **Non-Exempt Employee:** Within the same workweek as the observed holiday.
2. **Exempt Employee:** Within the same pay period as the observed holiday.



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SECTION 4		PAY ADMINISTRATION			
4.04 – DIRECT DEPOSIT					
Approved by BOC on:	08/01/2023	Effective Date:	01/01/2024	Supersedes:	09/19/2017

In compliance with the Michigan Wage and Fringe Benefits Act, the County will require all employees to use direct deposit for their paycheck UNLESS an employee has not provided their written consent to the County.

Employees who are not currently receiving their pay via direct deposit or have not provided their written consent to start receiving their pay via direct deposit will be required to pick-up their paper paycheck in the Human Resources Department each payday.



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## SECTION 4

## PAY ADMINISTRATION

### 4.05 – RECOVERY OF OVERPAYMENTS

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	n/a
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Employees are responsible for reviewing their pay stub information immediately upon receipt to ensure proper payment has been made. If an employee believes an improper payment has occurred, they should immediately contact Payroll. If an overpayment has been identified, employees shall work with Payroll to recover the overpayment in a reasonable and timely manner regardless of the origin of the error.



# PERSONNEL POLICIES

## SECTION 4

## PAY ADMINISTRATION

### 4.06 – PERFORMANCE EVALUATIONS AND STEP INCREASES

Approved by BOC on:	06/06/2023	Effective Date:	01/01/2023	Supersedes:	09/19/2017
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#### A. Performance Evaluations

Performance evaluations, at a minimum, are required for all employees annually near the employee's position anniversary date, for the duration of an employee's employment.

#### B. Step Increases

1. Step increases are not a guaranteed benefit and are determined annually by the Board of Commissioners through the budgetary process.
2. If the Board grants Step increases, the employee must receive a rating of 2.0 or above on their annual performance evaluation to be eligible for a Step increase.
3. If the employee's performance indicates they are eligible for a Step increase, they will receive their Step increase on their Position Anniversary Date.
4. Employees who reach the top step of their Pay Grade are no longer eligible for Step increases. However, these employees may be eligible for pay increases associated with salary schedule adjustments granted by the Board of Commissioners at their sole discretion.

#### C. Withholding Step Increases

If an employee's performance evaluation indicates a rating of 1.99 or less, the Department Head, Elected Official, or Court Administrator shall withhold a Step increase for up to six (6) months.

1. Employees who have their Step increase withheld due to receipt of a performance evaluation rating of 1.99 or less, must be placed on a Performance Improvement Plan (PIP) for at least 90 days.



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2. Employees who fail to complete their PIP successfully, as determined by their direct supervisor may be subject to disciplinary action up to and including termination.
3. Employees who, as determined by their direct supervisor, successfully complete their PIP, shall receive their previously withheld pay increase, effective the date when the PIP was completed.
4. Formerly withheld pay increases shall not be retroactive.



# PERSONNEL POLICIES

SECTION 4		PAY ADMINISTRATION			
4.07 – PAY POLICY					
Approved by BOC on:	06/06/2023	Effective Date:	01/01/2023	Supersedes:	10/18/2022

## A. Overview

This policy establishes how employee pay is determined for lateral transfer, promotion, demotion, interim appointment, reclassification studies (county-wide and individual position), and market studies (county-wide and position-specific).

## B. Definitions

1. **Adjusted Hourly Rate** as used in this policy means an hourly rate calculated for promoted employees, employees appointed to an interim appointment, or employees subject to individual position Reclassification at the maximum Step of their Pay Grade by adding four percent (4%) to the promoted or appointed employee's current hourly rate.
2. **Demotion** as used in this policy means the moving of an employee either voluntarily, based on the employee's request, or involuntarily due to documented Unsatisfactory Performance as defined in Personnel Policy 4.08, B., 5., or at the sole discretion of the County to meet County business needs.
3. **Interim Appointment** as used in this policy means a County position filled on a temporary basis while a search is conducted, or a department/unit reorganized.
4. **Lateral Transfer** as used in this policy means the movement of a County employee from one County position to another County position with the same Pay Grade.
5. **Market Adjustment** as used in this policy means an adjustment in compensation to a specific position to attract and retain top talent and to align compensation with position-specific economic and market conditions made on the recommendation of the Finance, HR Director and approved by either the Administrator/Controller, if within department budget, or the Board of Commissioners if budget adjustment is required.
6. **Pay Grade** as used in this policy means *a method of categorizing different types of positions into groups that have the same pay range and internal worth.*



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7. **Position Anniversary Date** as used in this policy means the effective date an employee enters a new position due to new hire, Lateral Transfer, Promotion, and Demotion.
8. **Promotion** as used in this policy means the advancement of a County employee to a County position that is classified at a higher Pay Grade, that involves the assignment of significantly greater job responsibilities.
9. **Step** as used in this policy means the incremental increase in eligible County employee pay through the salary range assigned by the County for a County position as approved by the County Board of Commissioners.

## C. Step Increases

An employee's eligibility for a Step increase is determined by using the employee's length of service in each position, and the employee's performance.

## D. Lateral Transfer

The determination of employee pay for Lateral Transfer shall be as follows:

1. An employee who transfers into a position assigned to the same Pay Grade as their current position should retain their current Pay Grade and Step. However, if the hiring Department determines the employee's prior experience and/or education exceed the minimum requirements, the hiring Department may request to hire the employee above the "01" step.
2. The effective date of the transfer becomes the employee's new position anniversary date.

## E. Promotion

The determination of employee pay for Promotion shall be as follows:

1. An employee who promotes to a position assigned to a higher Pay Grade than their current position shall be placed in the new Pay Grade at the first Step representing an increase in pay equivalent to a one Step increase in their former Pay Grade, not to exceed the maximum of the new Pay Grade.
2. If the employee promoted is currently at the maximum Step of their Pay Grade, four percent (4%) shall be added to the employee's current hourly rate to calculate



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an Adjusted Hourly Rate. The employee shall be placed in the new Pay Grade at the lowest Step that is at least equal to the Adjusted Hourly Rate.

3. If an employee's experience and/or education exceeds the minimum qualifications outlined in the position description of their promoted position, the Department Head, Court Administrator, or Elected Official may request to promote the employee above the "01" step.

## F. Demotion

An employee may submit a written request to their direct supervisor for a voluntary Demotion following Promotion or involuntarily at the sole discretion of the County to meet County business needs.

The determination of employee pay for Demotion shall be as follows:

1. **Demotion within One (1) to Eleven (11) Months of Promotion.** An employee who demotes within twelve (12) months of a Promotion shall be placed in the Pay Grade and Step the employee was being paid in their previous position.
2. **Demotion after Twelve (12) or More Months.** An employee who demotes into a position assigned to a lower Pay Grade than their current position after working in their current position for twelve (12) months or more, shall have their pay set according to the following criteria:
  - a. An employee whose current pay is greater than the maximum rate of the new Pay Grade shall be placed in the new Pay Grade at the last Step.
  - b. An employee whose current pay does not meet the criterion set above shall be placed in the new Pay Grade at the first Step, representing a decrease in pay. The employee's pay shall not be set to less than the minimum of the new Pay Grade.
3. **Restriction on Promotion Following Demotion.** An employee who demotes, shall not be promoted to a higher Pay Grade until serving in their demoted position for a minimum of one (1) year and receipt of a Satisfactory Performance rating as defined in Personnel Policy 4.08, B., 5., on their performance evaluation for the demoted position.
4. **Retention of Pay Rate for Involuntary Demotion for County Business Need.** An employee involuntarily demoted in the sole discretion of the County to meet



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County business needs to a position assigned to a lower Pay Grade than their current position, shall retain their current pay.

## **G. Interim Appointments**

Interim appointments approved by the County Administrator/Controller may be made for Director, Deputy Director, and Administration positions for no more than one (1) year, unless approved for an extension by either the Board of Commissioners, for the Administrator/Controller position, or by the Administrator/Controller or their designee for Director, Deputy Director, or Administration positions. Employees serving in an interim appointment are not eligible for Step increases.

The determination of salary for interim appointments shall be as follows:

1. If the employee's interim appointment is at a higher Pay Grade than their current position, the employee shall be placed in the new Pay Grade at the first Step representing an increase in pay equivalent to a one Step increase in their former Pay Grade, not to exceed the maximum of the new Pay Grade.
2. If the employee promoted is currently at the maximum Step of their Pay Grade, four percent (4%) shall be added to the employee's current hourly rate to calculate an Adjusted Hourly Rate. The employee shall be placed in the new Pay Grade at the lowest Step that is at least equal to the Adjusted Hourly Rate.
3. After an interim appointment has ended, the employee who returns to their former position shall be placed in the Pay Grade and Step the employee was being paid.
4. An employee who accepts an interim appointment as a regular position shall maintain the Pay Grade and Step of the interim appointment.

## **H. County-wide Classification Study**

If the Board of Commissioners approves implementation of a recommendation or recommendations from a County-wide Classification Study that include(s) a large-scale Reclassification of County positions, any such recommendation(s) will be implemented using the following principles with respect to pay:

1. Employees shall be placed in the new Pay Grade at the first Step representing a pay increase.



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2. If an employee's current hourly rate exceeds the maximum Step of the new Pay Grade, the employee's hourly rate will be "Red-Circled" until the employee is eligible for further pay increases.
3. Active employees will not receive a reduction in pay as a result of the implementation of a recommendation from a County-wide Classification Study.

## **I. Individual Position Classification Review**

Provided the Administrator/Controller has not imposed a moratorium for the relevant period of time as allowed under Personnel Policy 4.08, C.,2.,b., a Department Head, Elected Official, or Court Administrator may request the review of an individual position due to a material change in job duties, scope, complexity, and/or increase in the required education or experience to perform the essential functions of a position, for possible Reclassification.

If the review of the individual position results in a recommendation for Reclassification, the determination of employee pay for an individual position Reclassification shall be as follows:

1. An employee whose position is reclassified, as a result of a recommendation from an individual position reclassification review, resulting in a higher Pay Grade shall be placed in the new Pay Grade at the first Step representing an increase in pay equivalent to a one Step increase in their former Pay Grade, not to exceed the maximum of the new Pay Grade.
2. If the employee whose position is reclassified as a result of a recommendation from an individual position reclassification review only, is currently at the maximum step of their Pay Grade, four percent (4%) will be added to their current hourly rate. Using that adjusted hourly rate, the employee shall then be placed in the new Pay Grade at the lowest Step that is at least equal to the Adjusted Hourly Rate.
3. An employee whose position is reclassified, as a result of a recommendation from an individual position reclassification review, resulting in a Pay Grade equal to, or lower than, their current Pay Grade, shall retain their current Pay Grade until the employee is eligible for further pay increases.

## **K. Market Adjustments**



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If the Board of Commissioners or the Administrator/Controller approves implementation of a recommendation or recommendations from a Market Study, as applicable, the following principles shall apply:

1. Market Adjustments are implemented to attract and retain top talent and to align compensation with position-specific economic and market conditions.
2. Market Adjustments are implemented for all similar positions and within the County department budget, as determined by the Administrator/Controller.

## **L. County-wide Compensation Study**

1. If the Board of Commissioners approves the implementation of a County-wide Compensation Study, the study will be implemented as follows:
  - a. Employees shall be placed in the new Pay Grade at the first Step representing a pay increase.
  - b. If an employee's current hourly rate exceeds the maximum Step of the new Pay Grade, the employee's hourly rate will be "Red-Circled" until the employee is eligible for further wage increases.
  - c. Active employees will not receive a reduction in pay due to implementing a County-wide Classification Study.



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## SECTION 4

## PAY ADMINISTRATION

### 4.08 – CLASSIFICATION SYSTEM

Approved by BOC on:	06/06/2023	Effective Date:	01/01/2023	Supersedes:	11/20/2018
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#### A. Overview

This policy establishes the frequency in which the County may conduct a County-wide Classification Study to review the County's Classification System as well as when Department Heads, Elected Officials, and Court Administrators may submit requests to review individual positions for possible classification or Reclassification.

#### B. Definitions

1. **Classification System** as used in this policy means the County system developed through the systemic evaluation of job duties, responsibilities, scope, and complexity of individual jobs to create a standardized structure of County positions to assist in pay and salary administration by the County, for County employees.
2. **County-wide Classification Study** as used in this policy means the study of the classification and grouping of all, or a representative sample of County positions based on similar duties, responsibilities, and requirements to develop an equitable, reliable, and competitive classification system that supports the County's mission; promotes equity by accurately aligning classifications and assignments; fosters the attraction and retention of qualified individuals; and provides opportunities for employee growth and development.
3. **Individual Position Review for Possible Reclassification** as used in this policy means the study of the classification of an individual position submitted by a Department Head, Elected Official, or Court Administrator, to evaluate or re-evaluate the individual position for Reclassification as permitted under this policy.
4. **Reclassification** as used in this policy means the evaluation or re-evaluation of a County position due to operational, program, technological, regulatory, and staffing changes which may result in class specifications becoming misaligned from the actual nature, level, and scope of the work incumbents perform.
5. **Red-Circled** as used in this policy means the employee's wages are frozen until the salary schedule increases at a rate that is equal to or exceeds the frozen wage.



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Once this occurs, the employee's wages are no longer Red-Circled and the employee is eligible for future Step increases.

6. **Satisfactory Performance** as used in this policy means that the employee received a rating of 2.0 or above on a performance evaluation.
7. **Unsatisfactory Performance** as used in this policy means a rating of 1.99 or less on a performance evaluation.

## C. County-wide Classification Study

### 1. Frequency of Requests for County-wide Classification Study

- a. The Administrator/Controller may request the Human Resources Department complete a Request for Information (RFI) or Request for Proposals (RFP) for a County-wide Classification Study, every ten (10) years.

### 2. County-wide Classification Study and Implementation

- a. Whether or not to implement, as well as how to implement recommendations from a County-wide Classification Study, including the date any such recommendation is deemed effective, is within the sole discretion of the Board of Commissioners.
- b. Following the implementation of recommendations from a County-wide Classification Study, with Board Approval, the County Administrator/Controller may impose a moratorium for a specified period of time, not to exceed one (1) year on individual requests to review individual positions for possible Reclassification requests.
- c. Employee pay for implementation of a County-wide Classification Study shall be determined by Personnel Policy 4.07, PAY POLICY, H. County-wide Classification Study.

## D. Individual Position Reviews for Possible Reclassification

### 1. Frequency of Requests for Individual Position Review for Possible Reclassification



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- a. Provided the Administrator/Controller has not imposed an in-effect moratorium for the relevant period of time as allowed under C.,2.,b. above, a Department Head, Elected Official, or Court Administrator may request an Individual Position Review for Possible Reclassification.

## 2. Individual Position Review and Implementation

- a. Whether or not to implement, as well as how to implement recommendations from an Individual Position Review for Possible Reclassification is within the discretion of the Administrator/Controller for recommendations that do not require a budget adjustment. Recommendations from an Individual Position Review for Possible Reclassification that require a budget adjustment shall be presented to the Board of Commissioners.
- b. If the Individual Position Review for Possible Reclassification results in a recommendation for Reclassification, the effective date of an individual position Reclassification will be the date the position description is accepted and signed by the Department Head, Elected Official, or Court Administrator, as applicable.
- c. Employee pay for the implementation of recommendations from an Individual Position Review for Possible Reclassification shall be determined according to Personnel Policy 4.07, PAY POLICY, I. Individual Position Classification Review.



# PERSONNEL POLICIES

SECTION 4		PAY ADMINISTRATION			
4.09 – MARKET STUDIES					
Approved by BOC on:	06/06/2023	Effective Date:	01/01/2023	Supersedes:	01/17/2023

## A. Overview

This policy establishes the market study practices of the County for both County-wide and Position-specific Market Studies, the frequency in which the County may conduct a subsequent County-wide or Position-specific Market Studies, as well as when Department Heads, Elected Officials, and Court Administrators may submit requests to review individual positions for a Position-specific Market Study.

## B. Definitions

1. **County-wide Market Study** as used in this policy means the study of all, or a representative sample of all County positions analyzed against comparable positions in other public and private organizations in the labor market to identify how County positions are compensated in relation to the labor market. A County-wide Market Study does not include adjustments to County positions' duties, responsibilities, required education and/or experience.
2. **Position-Specific Market Study** as used in this policy means the study of a specific County position analyzed against comparable positions in other public and private organizations to identify how a position is compensated in relation to the labor market. A Position-Specific Market study does not include adjustments to a position's duties, responsibilities, required education and/or experience.

## C. County-Wide Market Study

1. Every ten (10) years, the Administrator/Controller may request that Human Resources submit a Request for Information (RFI) or a Request for Proposals (RFP) for a County-Wide Market Study.
2. Any Market Adjustment, as defined in Personnel Policy 4.07, PAY POLICY, B., 5., shall be determined according to Personnel Policy 4.07, PAY POLICY, K. Market Adjustments.

## D. Position-specific Market Study



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1. If a Department Head, Court Administrator, Elected Official has been unable to fill a vacant position (for a minimum of 60 days) due to the salary schedule assigned to the position, they may request that the Human Resources Department complete a Position-specific Market Study for the vacant position.
2. Based on the Position-specific Market Study, the Human Resources Director and Finance Director may recommend the Administrator/Controller authorize a Position-specific Market Adjustment to assist in the recruiting process.
3. Position-specific Market Adjustments authorized by the Administrator/Controller are effective the date the Administrator/Controller or the Board approves the market adjustment, as applicable.
4. If the Administrator/Controller authorizes a Position-specific Market Adjustment, Human Resources may conduct another Position-specific Market Study, no sooner than two (2) years after the effective date of the initial Position-specific Market Adjustment.
5. The Human Resources Director, with the support of the Finance Director, may submit recommendations to the Administrator/Controller with respect to any subsequent Position-specific Market Study.
6. Any Market Adjustments, as defined in Personnel Policy 4.07, PAY POLICY, B., 5., shall be determined according to Personnel Policy 4.07, PAY POLICY, K. Market Adjustments.



# PERSONNEL POLICIES

## SECTION 4

## WAGE AND SALARY ADMINISTRATION

### 4.10 – COUNTY-WIDE COMPENSATION STUDY

Approved by BOC on:	06/06/2023	Effective Date:	01/01/2023	Supersedes:	N/A
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#### A. Overview

This policy establishes the County-wide Compensation Study practices of the County, the frequency in which the County may conduct a subsequent County-wide Compensation Study.

#### B. Definitions

1. **County-Wide Compensation Study** as used in this policy means a study County-wide study that provides information regarding total employee compensation, including pay, leave plans, performance pay, and fringe benefits. A County-wide Compensation Study may include but is not limited to the following components: analysis of earning gaps, analysis of the County's competitiveness in the labor market; development of new pay schedules; recommendations for compensation change; and analysis of budget impact.

#### C. County-wide Compensation Study

1. **Frequency of Requests for County-wide Compensation Study**
  - a. The Administrator/Controller may request the Human Resources Department complete a Request for Information (RFI) or Request for Proposal (RFP) for a County-wide Compensation Study every ten (10) years.

#### D. County-wide Compensation Study and Implementation

1. Whether or not to implement and how to implement recommendations from a County-wide Compensation Study, including the date of implementation, is within the sole discretion of the Board of Commissioners.
2. Following the implementation of recommendations from a County-wide Compensation Study, with Board Approval, the County Administrator/Controller may impose a moratorium for a specified period, not to exceed one (1) year, on position-specific market study requests.



# PERSONNEL POLICIES

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3. Employee pay for implementation of a County-wide Compensation Study shall be determined by Personnel Policy 4.07, PAY POLICY, L. County-wide Compensation Study.



# PERSONNEL POLICIES

## SECTION 4

## PAY ADMINISTRATION

### 4.11 – SCHEDULED ON-CALL PAY PROGRAM

Approved by BOC on:	12/03/2019	Effective Date:	01/01/2020	Supersedes:	N/A
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- A. The County may institute an on-call pay program for non-exempt employees working in essential operations requiring immediate response to cover frequent but unpredictable and critical situations.
- B. Before implementation, the Department Head/Court Administrator/Elected Official must obtain approval from the Human Resources Director and the Finance Director.
- C. On-call compensation shall consist of four (4) hours of pay at the employee's straight-time hourly rate for each forty (40) hour workweek they are assigned to be on-call.
- D. The on-call pay shall be part of the regular biweekly check payable the pay period following the on-call assignment's commencement. It is understood and agreed that on-call pay will be paid and pay for time worked due to being called in. For overtime compensation, see Personnel Policy 4.02 (C) (1) and 4.03 (D).
- E. While on-call, the employee must adhere to all personnel policies, including the drug-free workplace policy. Any violation of policies may result in disciplinary action up to and including termination.



# PERSONNEL POLICIES

## SECTION 4

## PAY ADMINISTRATION

### 4.12 – PAY GRADE ADJUSTMENT REQUEST

Approved by BOC on:	11/21/2023	Effective Date:	11/21/2023	Supersedes:	N/A
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**A. Policy Statement:**

This policy outlines the procedure by which a supervisor may request a higher pay grade for a position that is currently below the market rate and whose working conditions do not align with parallel positions and are unique to the Department (i.e., 24/7 operation, hazardous working conditions). The purpose of this policy is to ensure that compensation is competitive and reflective of market conditions while maintaining transparency, consistency, and fairness in the process.

**B. Scope:**

This policy applies to all employees and positions within the organization where a pay grade adjustment is being considered.

**C. Eligibility:**

If a Department Head/Elected Official/Court Administrator has been unable to fill a vacant position (for a minimum of 60 days) or can demonstrate they are losing staff due to the pay grade assignment, they may:

1. Request that Human Resources Department complete a Position-specific Market Study for the vacant position. Please see Personnel Policy 4.09(D).
2. Request a Pay Grade Adjustment (see Step D)

**D. Pay Grade Adjustment Request Process:**

1. A Department Head/Elected Official/Court Administrator may initiate a pay grade adjustment request for a specific position when there is evidence that the current pay grade is below market standards.
2. The Department Head/Elected Official/Court Administrator must gather relevant data, including market salary surveys, job descriptions, detailed description of the working conditions, and other supporting information to justify the request.

**E. Documentation:**

The Department Head/Elected Official/Court Administrator must submit a detailed explanation of why the current pay grade is considered inadequate and the supporting



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data or market research. The request should be submitted to the Human Resources Department at [humanresources@kalcounty.com](mailto:humanresources@kalcounty.com).

**F. Review and Evaluation:**

1. The request will be reviewed by the Human Resources Director (or designee), who will evaluate the supporting documentation and compare the current pay grade to the market data.
2. HR may also consult with external compensation consultants to validate the market data and ensure an objective assessment.

**G. Recommendation:**

1. The HR Director (or designee) will forward the request, supporting documentation, and the HR Director's recommendation to the Finance Director. The recommendation may include placement into a higher pay grade, the creation of a new pay grade, etc. and the reasoning behind it.
2. The pay grade adjustment may include placing the position in a higher pay grade, allowing the Department to place new hires in a higher step range, and/or creating a position specific pay grade.

**H. Approval:**

1. The Finance Director (or designee) will review the HR recommendation and make a recommendation to the Administrator/Controller.
2. If approved, the Administrator/Controller (or designee) will notify the Human Resources Director of the approved action.

**I. Communication:**

1. The decision, whether approved or denied, will be communicated by the Human Resources Department to the Department Head/Elected Official/Court Administrator who initiated the request.
2. If the request is approved, HR will work with the Department Head/Elected Official/Court Administrator to implement the pay grade adjustment, which may include changes to the employee's compensation package.



# PERSONNEL POLICIES

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- a. The implementation date is the date a pay grade adjustment is approved by the County Administrator/Controller.

**J. Appeal Process:**

In the event that a pay grade adjustment request is denied, the Department Head/Elected Official/Court Administrator may appeal the decision by providing additional supporting evidence or addressing the concerns raised during the initial review. The appeal will go through a separate evaluation process conducted by the Administrator/Controller.

**K. Transparency and Documentation:**

All pay grade adjustment requests, approvals, and denials will be documented and retained by the HR department for reference and auditing purposes. This ensures transparency and accountability in the process.

**L. Compliance:**

This policy will be implemented in compliance with all applicable labor laws and regulations.

**M. Review:**

This policy will be periodically reviewed and updated as needed to ensure its effectiveness and relevance.

**N. Implementation:**

This policy is effective from the date of approval and will be communicated to all Department Heads/Elected Officials/Court Administrators to ensure their awareness and understanding.



KALAMAZOO COUNTY GOVERNMENT

# PERSONNEL POLICIES

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## SECTION 5

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## EMPLOYEE BENEFITS



# PERSONNEL POLICIES

SECTION 5		EMPLOYEE BENEFITS			
5.01 –EMPLOYEE BENEFITS					
Approved by BOC on:	02/7/2023	Effective Date:	02/07/2023	Supersedes:	01/01/2018

- A. The County of Kalamazoo provides employee benefits to eligible employees as determined by the Board of Commissioners.
- B. The Board of Commissioners reserves the right to change employee benefits at any time, including (but not limited to) health plan design, health premium sharing, paid leave benefits, step/pay increases, etc.
- C. Some benefits are determined by hours worked; therefore, benefits may be different for full-time employees versus part-time employees.



# PERSONNEL POLICIES

SECTION 5		EMPLOYEE BENEFITS			
5.02 – BENEFIT CHANGES					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	n/a

- B. All Benefits:** The County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer contribution, employee contribution, and/or benefit plan.
- C. Insurance Benefits:** The terms of the applicable insurance policies and plan documents control the benefits provided and the employee's eligibility for benefits. If there arises any conflict between this manual's summary and the plan/policy documents, the plan/policy documents control.



# PERSONNEL POLICIES

SECTION 5		EMPLOYEE BENEFITS			
5.03 – PAID LEAVE					
Approved by BOC on:	03/21/2023	Effective Date:	03/21/2023	Supersedes:	11/15/2022

## A. HOLIDAY LEAVE

1. Employees who are at least a 0.5 FTE may be entitled to paid holiday leave, pro-rated as determined by their FTE on the following County holidays when the County is closed for business:

1.	New Year's Day	January 1
2.	Martin Luther King Jr. Day	Third Monday in January
3.	President's Day	Third Monday in February
4.	Memorial Day	Last Monday in May
5.	Juneteenth	June 19
6.	Independence Day	July 4
7.	Labor Day	First Monday in September
8.	General Election Day	First Tuesday after November 1 <sup>st</sup>
9.	Veterans Day	November 11
10.	Thanksgiving Day	Fourth Thursday in November
11.	Day after Thanksgiving Day	Day after Thanksgiving
12.	Christmas Eve Day	December 24
13.	Christmas Day	December 25
14.	New Years' Eve Day	December 31

2. Employees must work (or take paid leave) on the regularly scheduled shift the day before the holiday and the day after the holiday in order to receive holiday pay.
3. When any holiday above falls on a Sunday, the following Monday shall be observed as the holiday. When any holiday above falls on a Saturday, the preceding Friday shall be observed as the holiday.
4. When December 25th falls on a Saturday, causing the holiday's observance on Friday, December 24th, then Thursday, December 23rd will be the observance day for the December 24th holiday. When December 24th falls on Sunday, the observance day will then be Friday, December 22nd.
5. When January 1st falls on a Saturday, causing the holiday's observance on Friday, December 31st, then Thursday, December 30th will be the observance day for the



# PERSONNEL POLICIES

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December 31st holiday. When December 31st falls on Sunday, the observance day will then be Friday, December 29th.

## B. PAID MEDICAL LEAVE

1. Effective January 1, 2023, employees who are at least a 0.5 FTE are eligible to accrue 3 hours of Paid Medical Leave (PML), for each completed biweekly work period of full pay, as determined by their FTE.
2. PML will carry-over from year-to-year.
3. There is no payoff for unused PML.

## C. ANNUAL LEAVE

1. **BIWEEKLY ANNUAL LEAVE ACCRUAL.** Effective January 1, 2024, employees who are at least a 0.5 FTE are eligible to accrue seven (7) hours of Annual Leave (AL) for each completed biweekly work period of full pay, as determined by their FTE.
2. **TEMPORARY HOUR REDUCTION.** A full-time employee, who is placed on a short-term temporary hour reduction from full-time to part-time, will be eligible for annual leave accrual based upon the hours paid in each biweekly pay period.
3. **BONUS ANNUAL LEAVE ACCRUAL – LONGEVITY.** Effective January 1, 2024, regular employees who have completed five (5) years of continuous service shall earn additional annual leave according to their FTE and length of total classified service as follows:
  - a. For five (5) or more, but less than ten (10) years, the employee will earn an additional one (1) hour of annual leave for each completed bi-weekly work period;
  - b. For ten (10) or more, but less than fifteen (15) years, the employee will earn an additional one and a half (1.5) hours of annual leave for each completed bi-weekly work period;
  - c. For fifteen (15) or more, but less than twenty (20) years, the employee will earn an additional two and a quarter (2.25) hours of annual leave for each completed bi-weekly work period;



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- d. For twenty (20) or more, but less than twenty-five (25) years, the employee will earn an additional two and three-quarters (2.75) hours of annual leave for each completed bi-weekly work period;
- e. For twenty-five (25) or more years, the employee will earn an additional three and a quarter (3.25) hours of annual leave for each completed biweekly work period.

## 8. ANNUAL LEAVE PAYOUT AT RESIGNATION/RETIREMENT/DEATH

- a. **RESIGNATION.** An employee resigning from the County may be eligible to receive payment for unused annual leave, not to exceed 240 hours if the employee has completed a one (1) year employment period, and a minimum of two (2) weeks advance written notice is provided to their Department Head/Court Administrator/Elected Official.
  - i. Payment will be based upon their base pay and not include any market adjustments or stipends.
- b. **RETIREMENT.** An employee retiring from the County is eligible to receive payment for unused annual leave, not to exceed 240 hours.
  - i. Payment will be based upon their base pay and not include any market adjustments or stipends.
  - ii. Payment will be in accordance with all applicable state and federal laws and/or regulations.
- c. **DEATH.** If an active employee passes away during their employment with the County, a check for any applicable annual leave (not to exceed 240 hours if the employee has completed a one (1) year employment period) will be mailed to the employee's designated beneficiary as outlined in State law.
  - i. Payment will be based upon their base pay and not include any market adjustments or stipends.
  - ii. Payment will be in accordance with all applicable state and federal laws and/or regulations.

## 9. Annual leave shall NOT be allowed in advance of being earned.



# PERSONNEL POLICIES

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## D. SICK LEAVE

1. Employees hired on or before March 29, 2019, will have their sick leave balances frozen with no additional accruals. Employees must use their prior sick leave balance for an FML-authorized illness or injury. If an employee with an FML runs out of sick leave, they may utilize PML or annual leave for their FML absence(s).
2. Employees hired on or before March 29, 2019, will be eligible to move up to 80 hours per year of annual leave to their sick leave balance. This one-time transfer each calendar year is final. The transfer cannot be changed or rescinded once it is submitted to HR.
3. **PAYMENT OF SICK LEAVE ON TERMINATION.** After completion of five (5) years of continuous active service, an employee may receive compensation for unused sick leave at their current rate of pay as follows:
  - a. **TERMINATION.** Effective 01-01-86, no payoff at time of termination, deferred retirement, or elected office. For accrued sick leave before 01-01-86, twenty-five percent (25%) up to four hundred (400) hours at the time of termination or deferred retirement, provided said employee had not been discharged for just cause as may be determined by the Department Head/Court Administrator/Elected Official, the Human Resources Director, and the County Administrator.
  - b. **RETIREMENT.** If an active employee retires from the County, a check for fifty percent (50%) of their sick leave (if applicable), not to exceed eight-hundred (800) hours, will be mailed to the employee
    - i. Payment will be based upon their base pay and not include any market adjustments or stipends.
    - ii. Payment will be in accordance with all applicable state and federal laws and/or regulations.
  - c. **DEATH.** If an active employee passes away during their employment with the County, a check for fifty (50%) of their sick leave (if applicable), not to exceed eight-hundred (800) hours, will be mailed to the employee's designated beneficiary as outlined in State law.
    - i. Payment will be based upon their base pay and not include any market



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adjustments or stipends.

- ii. Payment will be in accordance with all applicable state and federal laws and/or regulations.

- 4. **Federal Contracts subject to Executive Order 13706:** The County will comply with the requirements of Executive Order 13706 to the extent that it applies to any federal contractors employed by the County. Such EO 13706 federal contractors accrual of sick time is limited to a maximum of 56 hours per year, and a maximum bank of 56 hours may be carried over from year to year.

## E. BEREAVEMENT LEAVE.

- a. The Department Head/Court Administrator/Elected Official shall allow the employee to use their accrued annual leave and/or previous sick leave balance for up to five (5) consecutive days when death occurs in the employee's immediate family (current spouse, children, stepchildren, parents, foster children, stepparents, foster parents, brothers, sisters, current mother-in-law, current father-in-law, current sister-in-law, current brother-in-law, current son-in-law, current daughter-in-law, grandparents, grandchildren, and any persons for whom financial or physical care is the employee's principal responsibility). For out-of-state and Upper Peninsula funerals, employees shall be permitted to take up to two (2) additional days of annual leave and/or previous sick leave.
- b. NOTE: Additional leave (using accumulated annual leave and/or previous sick leave) may be granted at the Department Head/Court Administrator/Elected Official's discretion.
- c. Upon request by the Department Head/Court Administrator/Elected Official, bereavement leave shall be substantiated by documentation.
- d. **PART-TIME EMPLOYEES.** Effective 7/1/2022, employees who are at least a 0.5 FTE are eligible to utilize bereavement leave as determined by their FTE.



# PERSONNEL POLICIES

## SECTION 5

## EMPLOYEE BENEFITS

### 5.04 – OTHER LEAVES OF ABSENCE

Approved by BOC on:	10/04/2022	Effective Date:	10/05/2022	Supersedes:	12/21/2021
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#### A. Jury Duty.

1. An employee who is summoned and reports for jury duty as prescribed by applicable law shall be paid by the County on those days when the employee is waiting to be selected as a juror sits or when the employee is sitting as a jury member. This pay shall be in an amount equal to the employee's regular straight time rate, which they would earn on a scheduled workday, less an amount equal to the payments (not including reimbursements for travel or other expenses) received for jury service. Or, employees must endorse their jury pay to the County.

The employee must return to work and work any hours out of their scheduled workday that they are not actually on jury duty.

#### B. Subpoenaed Witness.

1. An employee who is being subpoenaed as a witness in court for County business matters on behalf of the County (other than as a criminal defendant), or concerning litigation in which the County is not a party, but the employee's testimony directly relates to the employee's job duties, shall be granted a paid leave of absence to testify.
2. Employees will be paid at their regular pay rate and should turn over all fees received as a juror or witness to the County. However, the employee may keep any mileage reimbursement.
3. Employees are expected to be at work during all hours when not serving as a subpoenaed witness.
4. Employees who are subpoenaed as a witness in a trial not related to their job duties shall use annual leave or compensatory time.

#### C. Military Leave for Active Duty

1. Military leave shall be granted to employees who are absent from work because of active service in the U.S. uniformed services per the rights and limitations



# PERSONNEL POLICIES

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outlined in the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), Michigan's Military Leaves Reemployment Protection Act of 1955 and other applicable Federal or State laws. This shall include employees with reserve status in the Armed Forces of the United States or membership in the Michigan National Guard who are called to participate in training sessions.

2. Oral or written requests for a leave of absence for active military service leave must be made by the employee or an officer of the branch of the military in which the employee will be serving to the employee's immediate supervisor at least thirty (30) days in advance of the date the leave is to commence, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.
3. Employees who satisfy the eligibility requirements and notice requirements under USERRA are entitled to re-employment provided they make a formal application for reinstatement within the applicable time period required by USERRA.

## **D. Benefits while on USERRA Eligible Active Duty**

1. Any full-time employee who is called for USERRA eligible active duty by any of the established Armed Forces Reserve Units or by the Michigan National Guard shall be paid a supplement of one-hundred percent (100%) of the difference between the total monthly military pay inclusive of all special compensations and allowances (excluding travel reimbursement), and the gross monthly County base pay (1/12 of annualized pay) for up to one (1) year of activation.
2. To the extent required by law, the County will continue pension service credit/contribution as returning service members who meet the law's eligibility criteria along with any other statutorily required provisions as required by USERRA.
3. If the employee has coverage through the County and is otherwise eligible, the employee may continue health insurance benefits for the lesser of twenty-four (24) months following the date of absence for military service or from the date of absence for military service until the date the employee fails to return to employment following service. Such continuation must be elected according to the Health Plan's requirements. An election to continue coverage for less than thirty-one (31) days shall be at the County's expense, with the employee paying the regular employee share. For an election exceeding thirty-one (31) days, the employee shall pay the total costs of continuation coverage. If the employee does not elect to continue coverage while on military leave, the employee will be



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permitted to resume coverage upon return from military leave without any exclusion or waiting period.

4. Time spent on USERRA qualified military leave counts as a service credit for any calculation, determination, or other decision dependent upon the length of employment. This includes the cost of living, pay adjustments, future annual leave accrual rates, and seniority ranking, resulting in the employee's military absence. An active employee shall not be entitled to any benefits to which the employee would not otherwise be entitled if the employee had remained continuously employed.
5. If, before leaving for military service, an employee knowingly provides written notice to the County of their intent not to return to work after military service, the employee waives entitlement to leave-of-absence rights and benefits not based on seniority. Such notice of intent does not waive the employee's entitlement to benefits under the law regarding reemployment following uniformed service completion.

## **E. Required Training for Reservists and National Guard**

An employee who requests a leave of absence to participate in a branch of the Armed Forces Reserve Training Program or National Guard shall be granted such leave upon proper documentation or written confirmation by the employee's commanding officer, Secretary of Veterans Affairs, or the Department of Veterans Affairs. An eligible full-time employee shall be paid by the County the difference between the amount received for the training and the regular bi-weekly pay for a period not to exceed ten (10) working days.

## **F. HR Special Leave:**

1. An HR Special Leave is a leave not covered under FMLA. A regular employee may apply for an HR Special leave for a period of up to 90 days, for:
  - a. A death in their immediate family,
  - b. Adoption, the birth of a child,
  - c. Medical reasons,
  - d. Caring for the employee's spouse, dependent son, dependent daughter, or parent who has a serious health condition, and/or



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- e. Employees whose spouse is on military/National Guard/Armed Forces Reserve leave.
2. All HR Special Leave requests shall be specific as to their duration and reason for their leave. Granting of such leave shall be based on the eligibility criteria identified above.
3. If the leave is granted, seniority shall be retained and accumulated during the period of leave. While on HR Special Leave, the employee's County insurance benefits would continue as long as the employee pays their portion of the premium while on leave.
4. If the employee has not been reinstated within 90 days after the leave's commencement, their employment status may be terminated. Employees who fail to return from a leave will be obligated to reimburse the County for the cost of County-paid health coverage.

## **G. Family and Medical Leave**

An employee who has been employed by the County for twelve (12) months and who has worked at least one thousand two hundred fifty (1250) hours during those months may be eligible for leave under the Family and Medical Leave Act (FMLA) leave for an unpaid leave of absence for a period not to exceed twelve (12) weeks in any twelve (12) month period measured forward from the date the employee's FMLA leave first begins. Where eligible, the County will comply with the minimum requirements of the FMLA, and eligible employees are required to adhere to all employee notice and certification requirements and County policies. An employee may, concurrent with such FMLA leave, use PML or annual leave for the employee's serious health condition, to care for a seriously ill spouse, child, or parent, or the birth or placement of the employee's child, or to care for the child within twelve (12) months of the child's birth or placement.

For qualifying exigencies related to a family member's call-up for or service on active military duty in the National Guard or Reserves. The law allows families to take FMLA job-protected leave to manage their affairs. The rules define "qualifying exigencies" as situations involving short-notice deployment, military events, and related activities c. childcare and school activities, financial and legal arrangements, counseling, rest and recovery, post-deployment activities, additional activities where the County and employee agree to the leave, and to care for a family member who has or is recuperating from a serious illness or injury incurred in any form of military service, including where the employee is "next of kin" to the injured service member. These family members can take up to 26 workweeks of leave in a 12-month period.



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The County reserves the right to offer benefits above and beyond the FMLA regulations.

Employees who fail to return from an FML will be obligated to reimburse the County for the cost of County-paid health coverage, except when the employee's failure to return is due to the continuation, recurrence, or onset of a serious health condition, which would entitle the employee to medical or family leave, or other circumstances beyond the employee's control.

## H. Healthy Workplace Leave

1. During a Healthy Workplace Cautionary Period (HWCP), the County Administrator may allocate paid Healthy Workplace Leave (HWL) for employees.
2. The County Administrator may assign HWL under two (2) circumstances:
  - a. Place all employees on HWL for the duration of the HWCP.
    - i. Under this circumstance, employees would not be required to use any paid leave time for their absences during the duration of the HWCP, unless the employee is absent due to FML.
  - b. Provide HWL hours for employees to be used on an as-needed basis for absences related to the HWCP (e.g., COVID related) for themselves or their family member (see definition of a family member in Handbook Policy 2.24).
    - i. The number of allocated hours of HWL is determined by the County Administrator.
    - ii. Employees may not use Healthy Workplace Leave hours for previously scheduled leaves (e.g., vacation) and/or non-HWCP medical appointments/procedures.
    - iii. **Request for additional HWL hours:**
      1. If an employee's health care provider confirms that an employee has been infected with the severe communicable disease, is reasonably likely to spread a severe communicable disease to coworkers or customers through the performance of the employee's regular job duties, and/or is unable to perform



# PERSONNEL POLICIES

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the essential functions of their job without possible harm to themselves or others, the employee may request additional hours of HWL.

3. The Human Resources Director may authorize additional hours of HWL based on the receipt of appropriate medical documentation from the employee. When employees are placed on HWL, they will receive their regular rate of pay for their regularly scheduled hours. Overtime shall only occur for non-exempt employees who work more than forty (40) hours in a given workweek (or under any provisions from an applicable collective bargaining agreement).

## **I. Modifications to Policy**

Eligibility for, application of, or procedures for grant or compensation of COVID-19 related compensation or leave (including, but not limited to, under this Policy) may be modified by County Administration to comply with changing circumstance, staffing requirements, the law, anticipated future DOL regulations, or as recommended by Labor Counsel.



# PERSONNEL POLICIES

## SECTION 5

## EMPLOYEE BENEFITS

### 5.05 – WORKERS’ COMPENSATION

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013
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- A. Workplace Injury.** The Michigan Workers' Compensation Law covers county employees who suffer a work-related injury or illness. Any incident/accident must be reported to the Human Resources Department immediately. An employee who completes an accident report claiming their injury or illness is work-related may be sent to the County's doctor or a prior approved medical facility or doctor. Workers' Compensation benefits, that may be received, may be supplemented by an employee's accrued compensatory, PML, or annual leave time to equal the employee's regular pay when requested by the employee. Non-compliance with this policy may result in the disallowance of the claim.
- B. OSHA – Employee Rights:** Occupational Safety and Health Act of 1970 (OSH Act) was passed to prevent workers from being killed or seriously harmed at work. The law requires employers to provide their employees with working conditions that are free of known dangers. To help assure a safe and healthful workplace, OSHA also provides workers with the right to:
1. Raise a safety or health concern with the County or OSHA, or report a work-related injury or illness without being retaliated against.
  2. Receive information and training about job hazards and methods to prevent harm, including hazardous substances in your workplace.
  3. Obtain copies of test results regarding potential hazards in the workplace.
  4. Request an OSHA inspection in your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential.
    - a. A representative may contact OSHA on your behalf.
    - b. You may participate (or have your representative participate) in an OSHA inspection and speak privately to the inspector.
  5. File a complaint with OSHA within 30 days (by phone, online, or mail) if you have been retaliated against for using your rights.



# PERSONNEL POLICIES

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6. Obtain copies of any OSHA citations issued to the County, copies of your medical records, tests that measure hazards in the workplace, and/or workplace injury and illness log.
7. There are postings for employees in all buildings, which further explain the OSHA laws' rights, obligations, and reporting requirements.



# PERSONNEL POLICIES

## SECTION 5

## EMPLOYEE BENEFITS

### 5.06 – KALFLEX HEALTH BENEFIT PLAN

Approved by BOC on:	08/15/2023	Effective Date:	08/15/2023	Supersedes:	10/04/2022
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#### A. Overview

Kalamazoo County provides a comprehensive, flexible benefit plan to its regular employees. KalFlex benefits are purchased on a pre-tax basis. An employee's plan elections will be in effect for an entire plan year, except in very limited circumstances. These circumstances are defined by law as a qualified change in family status, such as marriage, birth, adoption, divorce, death, or change in employment status (eligible to non-eligible or non-eligible to eligible) of the employee or employee's spouse or change in residence or worksite. Other than those exceptions, the employee must wait until the next re-enrollment to make a change in KalFlex elections. This process of re-enrollment will be repeated annually.

Within the benefit plan, there are health, vision, and dental options. Life insurance is also included. Eligible employees must select a life insurance option

#### B. Opt-Out Bonus

An opt-out bonus is available to eligible employees for health care coverage who waive Kalamazoo County Government Health Plan coverage. To comply with the law, the County may require employees to provide acceptable proof and/or an affidavit regarding qualifying coverage, the scope of such coverage, and the source of the coverage. The current opt-out bonus will be paid biweekly based on an employee's FTE as follows:

- For eligible regular employees working at least 0.75 FTE: \$20/single; \$35/two-person; \$50/family.
- For eligible regular employees working between 0.5 FTE and 0.74 FTE: \$10 single; \$17.50/two-person; \$25 family.

This bonus will be treated as taxable income. When an employee and spouse or an employee and child are both employed by Kalamazoo County Government and one chooses coverage, there is no opt-out incentive available to the spouse or the child.

No opt-out bonus will be paid if such payment subjects the County or employee to penalties under the law.



# PERSONNEL POLICIES

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**C. Plan Adjustments**

The Board of Commissioners may adjust the plan as resources and the law allow. The terms of the insurance policies control the benefits provided thereunder and the employee's eligibility for benefits. Kalamazoo County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer and employee contribution, or benefit plan. In the event any conflict between this policy and the plan documents exists, the plan documents control.

**D. Employee Share of Health Care Plan Premium**

Employees must pay a share of the cost of the health care plan premium. The County premium contribution is determined annually as approved by the Board of Commissioners and will be announced to employees during the open enrollment period.

**E. Part-Time Employees**

1. Effective 1/1/2020, part-time employees (.50 FTE - .74 FTE) are eligible for medical benefits only, and will pay a premium established by the Board of Commissioners.
2. Benefit eligible full-time employees, who are placed on a short-term, temporary reduction of hours (3 months or less), will continue to be eligible for all their selected health benefits and will pay the premium established by the Board of Commissioners for full-time employees.
3. Employees hired before 1/1/2020 who transfer to a part-time position shall be eligible for health benefits. Employees will pay the premium established by the Board of Commissioners for part-time employees.

**F. The County will continue to comply with all requirements under the Affordable Care Act.**

**G. Coverage for COVID-19 Testing**

The County's health plan will provide coverage for COVID-19 testing, as directed by a medical provider (not by the Employer) at no cost to plan participants.

COVID-19 testing for this purpose includes items and services furnished during a medical provider visit (including a telehealth visit), urgent care center visit, or emergency room visit if the medical provider orders the administration of COVID-19 testing.

This coverage does not apply to health care services for treatment after COVID-19 has been diagnosed or for Employer-mandated COVID-19 testing.



# PERSONNEL POLICIES

SECTION 5		EMPLOYEE BENEFITS			
5.07 – DISABILITY INSURANCE					
Approved by BOC on:	12/20/2022	Effective Date:	12/20/2022	Supersedes:	10/04/2022

This policy outlines the current short-term and long-term disability benefits for regular employees. However, specific benefit eligibility and the payment schedule are outlined in the actual insurance policies that are in effect. (Benefits booklet copies are available in Human Resources or on Employee Info & Forms.) The terms of the insurance policies control the benefits provided thereunder and the employee's eligibility for benefits. Kalamazoo County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer and employee contribution, or benefit plan. In the event of any conflict between this summary and the plan documents, the plan documents control.

**A. Eligibility**

All active employees hired on or before 12/31/2011, who are at least a 0.5 FTE or employees who qualify, were hired on or after 1/1/2012 and who are at least a 0.75 FTE will be eligible to receive short-term disability and long-term disability benefits on the first day of the month that is at least thirty (30) days after the employee's first day of work, if the employee has been continuously employed during that period. Sheriff's Office employees who are in a bargaining unit that utilizes the "Sick Bank" are not eligible for short-term disability but are eligible for long-term disability. Elected Officials are not currently eligible for County provided disability insurance coverages.

**B. Short-Term Disability**

After an employee has been disabled per the plan provisions (twenty-one (21) calendar days for an illness/injury or day one for an accident), short-term disability would affect. An employee's prior sick leave balance must be exhausted before the commencement of disability payments. An employee may opt to use PML, accumulated compensatory time, or annual leave to continue 100% of pay before the disability payments begin. Leave time cannot be used to supplement disability payments. The short-term disability plan provides up to approximately 60% of the employee's current regular gross pay.

Short-term disability will remain in effect for the duration of the disability for up to three (3) months from the injury/illness date.

While on short-term disability, the County will continue to pay the County portion of insurance premiums during that period as long as the employee continues to pay their portion.



# PERSONNEL POLICIES

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## **C. Long-Term Disability**

After short-term disability benefits have been exhausted, an employee who has continued to remain disabled for 90 days and who has exhausted their prior sick leave balance (if applicable) may be eligible for long-term disability benefits.

According to insurance company requirements, leave time cannot be used to supplement disability payments.

The long-term disability plan currently provides up to approximately 66.67% of the employee's current regular gross pay, with offsets for Social Security Disability income and/or other income.

For any employee on long-term disability, the County currently pays the County portion of insurance premiums as long as the employee continues to pay their portion. The employee on long-term disability will pay a premium equal to active employee premium sharing; the premium share percentage is subject to the same increase/decrease as active employees. County continuation of health care coverage is limited to 24 months, beginning with the onset of the long-term disability benefits. After 24 months, health coverage would be terminated, and insurance continuation would be offered to the employee. An extension of health coverage will be granted if proof of applying for Social Security Disability and, subsequently, Medicare benefits are provided to the County. The County will extend health coverage until all appeals through Medicare are finalized. While covered, the County will pay for the employee's health insurance only; the employee may continue the dental, vision, and/or dependent health, dental, and/or vision coverage at 100% their expense.

Eligibility or receipt of long-term disability benefits does not guarantee continued employment with the County. An employee receiving long-term disability benefits may be terminated from employment with the County.



# PERSONNEL POLICIES

SECTION 5		EMPLOYEE BENEFITS			
5.08 – EMPLOYEE ASSISTANCE PROGRAM					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013

It shall be the Board of Commissioners' established policy that the County endorses an Employee Assistance Program (EAP) for all employees. Information regarding the EAP plan can be obtained from Human Resources.



# PERSONNEL POLICIES

## SECTION 5

## EMPLOYEE BENEFITS

### 5.09 – TUITION REIMBURSEMENT

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	12/01/2016
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- A.** The County pays 100% of tuition up to a maximum annual amount to County employees taking approved courses, as outlined in a more detailed policy statement available from the Human Resources Department.
1. The Board of Commissioners may adjust this maximum as part of the annual budget process.
- B.** Approved courses shall be those that provide for the systematic improvement of the knowledge or skills required in the performance of the employee's work or courses that, for other reasons, will be beneficial to the employee and the County.
1. The Human Resources Director shall approve all courses before issuance of the tuition reimbursement.



# PERSONNEL POLICIES

SECTION 5		EMPLOYEE BENEFITS			
5.10 – DEFERRED COMPENSATION					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	06/05/2012

All regular County employees are currently eligible to participate in a deferred compensation plan that provides for deferring a percentage of annual pay up to the maximum allowed by law per year.



# PERSONNEL POLICIES

SECTION 5		EMPLOYEE BENEFITS			
5.11 – PENSION					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	

Eligible employees may participate in the Kalamazoo County Employees' Retirement System, subject to eligibility requirements and the Kalamazoo County Employees' Retirement System's policies and Plan Documents. The plans are described in detail in the plan document, which is available from the Finance Department. The terms of the plan documents control the benefits provided thereunder and the employee's eligibility for benefits. Kalamazoo County reserves and retains the unilateral right to amend or terminate any benefit, benefit level, employer or employee contribution or benefit plan.



# PERSONNEL POLICIES

## SECTION 5

## EMPLOYEE BENEFITS

### 5.12 – HEALTH INSURANCE BENEFITS FOR RETIREES

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2015
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- A. Retiring employees, who terminate employment after becoming eligible for immediate commencement of retirement benefits from the County, may be eligible for group health insurance when the retiring employee meets the insurance eligibility criteria set forth in this policy. The County currently pays a share of the premium for the retiree based on their completed years of retirement plan credited service. The retiree share of the premium, based on completed years of retirement plan credited service is currently:

At least 8	Same as active employees +60%
At least 9	Same as active employees +55%
At least 10	Same as active employees +50%
At least 11	Same as active employees +45%
At least 12	Same as active employees +40%
At least 13	Same as active employees +35%
At least 14	Same as active employees +30%
At least 15	Same as active employees +25%
At least 16	Same as active employees +20%
At least 17	Same as active employees +15%
At least 18	Same as active employees +10%
At least 19	Same as active employees +5%
At least 20	Same as active employees*

\*All retirees will pay at least the same premium share as active employees pay.

- B. Retiree insurance eligibility is currently based on hire date, years of retirement plan credited service, and age at retirement as follows:
- Employees hired on or before 12/31/2008 are currently eligible at age 55 with at least eight (8) years of service.
  - Employees hired on or after 1/1/2009 are currently eligible at age 60 with at least eight (8) years of service.



# PERSONNEL POLICIES

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- Employees hired on or after 1/1/2010 are currently eligible at age 60 with at least eight (8) years of service until they reach the age of 65.
- C. An employee whose employment terminates before attaining the age and years of service set forth above is not eligible for retiree health insurance.
- D. For employees hired on or before 12/31/2009, at age 65, the County currently provides only supplemental insurance coverage (subject to premium sharing). A retiree and their covered dependents must obtain Medicare Parts A & B at the earliest date eligible. For this section's purposes, "dependent" means a retiree's spouse, minor children, and/or children who are physically or mentally disabled, regardless of age, who depend upon the retiree for full-time support.
- E. For employees hired on or after 1/1/2010, at age 65, the County currently provides the retiree the opportunity to purchase supplemental coverage with the retiree responsible for 100% of the cost (County premium share is 0%). A retiree and their covered dependents must obtain Medicare Parts A & B at the earliest date eligible. For this section's purposes, "dependent" means a retiree's spouse, minor children, and/or children who are physically or mentally disabled, regardless of age, who depend upon the retiree for full-time support.
- F. For employees hired on or after 1/1/2012, the County does not provide retiree health insurance.
- G. If dependent coverage is available and selected, the retiree must pay 100% of the cost of the coverage. If the retiree is married on the date of their retirement, spousal coverage is available.
- H. Optional dental and vision insurance coverage is currently available to retirees and their dependents at 100% cost to the retiree.
- I. This policy does not apply to employees who have deferred retirement (i.e., deferred retirees). A deferred retiree is not eligible to receive retiree health insurance coverage.
- J. The County Board of Commissioners reserves the right to increase, decrease, amend, terminate and/or rescind its subsidy of retiree health care at any time, including during retirement. Copies of the current plans are available by request from Human Resources.



KALAMAZOO COUNTY GOVERNMENT

# PERSONNEL POLICIES

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## SECTION 6

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# EMPLOYEE POLICIES



# PERSONNEL POLICIES

SECTION 6		EMPLOYEE POLICIES			
6.01 – PERSONNEL RECORDS					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	07/07/1998

- A. An employee who wants to review their personnel file may do so at any time by contacting the Human Resources Department and requesting an appointment. The employee may not remove any item from their personnel file but may request that additional information be added.
- B. For purposes of employment references and employment verifications, the County Human Resources Department shall serve as the primary source of personnel records.



# PERSONNEL POLICIES

## SECTION 6

## EMPLOYEE POLICIES

### 6.02 – EMPLOYEE BACKGROUND CHECKS AND DISCLOSING CERTAIN CRIMINAL INFORMATION

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	n/a
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- A. All employees shall fully disclose to their supervisor any criminal convictions (misdemeanor or felony) or any pending felony charge no later than two (2) business days after such conviction or charge,
- B. County law enforcement departments or other positions required by State or Federal law or grant requirement may require reporting of arrests and/or misdemeanor (or specified misdemeanor) charges.
- C. Any employees who work directly with minors or who will have access to the records of minors who are convicted of a felony or misdemeanor, including expressly any law relating to drugs or other controlled substances, or who are charged with a felony, or are placed on the Child Protective Services Central Registry as a perpetrator, shall notify their supervisor in writing immediately, and in all cases, no later than five (5) days after such conviction, charge, or placement on the Child Protective Services Central Registry. An employee must disclose to the County any conviction resulting from such pending charges as described in this Section. However, as required by Federal regulation, employees working with minors must disclose any arrests or charges related to child sexual abuse, child abuse, or child neglect and the disposition of such arrest or charges, and may also be required to certify that no case of child abuse or neglect has been substantiated against them. In every case, employees in positions that work directly with minors or who will have access to minors' records shall undergo the background checks, including drug testing, and, if they have not resided or lived in Michigan for each of the previous ten (10) years, they must also sign a waiver attesting to the fact that they have not been convicted of a felony or been identified as a perpetrator.
- D. The County may, at its cost, conduct a criminal history search periodically on all employees when required to ensure compliance with laws, regulations, grants, licensing requirements, or performance standards.



# PERSONNEL POLICIES

## SECTION 6

## EMPLOYEE POLICIES

### 6.03 – CONTINUITY OF SERVICE/SENIORITY

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013
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- A. Continuity of service or seniority date is the date of employment in the County without break or interruption. Continuous service begins at the date of employment into a regular County position. The time spent on approved leaves of absence shall be included in the continuity of service.
- B. Continuity of service shall be considered broken for the following reasons:
1. The employee resigns.
  2. The employee is laid off for more than twelve (12) consecutive months.
  3. The employee fails to return to their duties at the expiration of an approved leave of absence.
  4. The employee voluntarily signs an Acknowledgment of Receipt of Severance Pay and Release of Claims Agreement.
  5. The employee is discharged.
  6. The employee retires.
- C. Continuity of service can be restored when a returning employee has experienced a break under numbers 1 or 2 above and has completed six (6) months of continuous employment. The prior service may be added to the current work period to determine a new adjusted service date for employee benefit annual leave purposes. The Retirement Resolution controls the determination of service credit for retirement purposes.
- D. The Human Resources Director shall rule on all cases of continuity of service subject to the employee's right of appeal to the County Administrator, whose decision shall be final.
- E. Periods of unpaid leave will not be treated as credited services for purposes of benefit accrual, vesting, or eligibility to participate in a benefit plan.



# PERSONNEL POLICIES

SECTION 6		EMPLOYEE POLICIES			
6.04 – EMPLOYMENT STATUS					
Approved by BOC on:	11/19/2019	Effective Date:	11/20/2019	Supersedes:	09/19/2017

- A. REGULAR** - This term means the employee occupies a position authorized by the County Board of Commissioners and is on active pay status (working or using leave time). **A regular employee may be full- or part-time.**
- Full-time** means the employee is budgeted to work forty (40) hours per week. A full-time employee, who is placed on a short-term, temporary hour reduction from full-time to part-time, will continue to be eligible for benefits.
  - Part-time** means the employee is budgeted for less than forty (40) hours per week.
- B. TEMPORARY** - This term identifies the duration of employment as temporary and for a specific limited duration. All temporary employees serve strictly at the will of the County and are excluded from all benefits and advantages of regular employment unless statutorily required.

Temporary employees include seasonal and on-call workers.

The hourly rate shall constitute the only compensation paid for the performance of required duties. Holidays are regularly scheduled hours of employment for on-call workers and, subsequently, are compensated by their regular hourly rate. No overtime compensation is paid unless they have worked more than forty (40) hours that week.



# PERSONNEL POLICIES

SECTION 6		EMPLOYEE POLICIES			
6.05 – OUTSIDE EMPLOYMENT					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	07/07/1998

The Board of Commissioners authorizes Human Resources to implement policies and procedures to establish guidelines and requirements for employees who seek to work at another position outside the County while continuing to work for the County. The policy, at a minimum, shall define the parameters for discretionary authorization to perform outside work; emphasize that all job performance standards must be met regardless of the demands of the outside employment; prohibit the use of County equipment, tools, or other property or conducting outside business during working time. Employees who violate the policies and procedures may be subject to discipline, up to and including discharge.



# PERSONNEL POLICIES

SECTION 6		EMPLOYEE POLICIES			
6.06 – DRIVING POLICY					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	07/07/1998

- A.** Kalamazoo County's policy is that driving records be maintained for all employees (including volunteers) who operate County-owned vehicles or transport others in their personally owned vehicle on the County's behalf. The Human Resources Department shall maintain these records.
- B.** Employees assigned to driving duties ("Drivers") must at all times have a current, valid driver's license for the state in which the employee resides and maintain a clean driving record (i.e., must remain insurable under the County's liability insurance policy).
- C.** An employee driving a County-owned vehicle or driving on County business must adhere to all safety, traffic, and criminal laws of Michigan.
- D.** Drivers may NOT:
1. Consume alcohol or illegal drugs while driving a County-owned vehicle, while on County business, while in a County-owned vehicle, or before an employee's shift if such consumption results in a detectable amount of alcohol or illegal drugs present in the employee's system while on duty
  2. Consume or use any substance, regardless of legality or prescription, which impairs the Driver's ability to operate a motor vehicle safely.
  3. Pick up or transport non-employees while in a County-owned vehicle or on County business unless there is a work-related purpose.
  4. Perform any illegal, reckless, or dangerous conduct while driving that could place others' lives or property at risk.
- E.** All employees covered by this policy shall maintain a responsible driving record on and off-the-Job and immediately report any restrictions, suspensions, or revocations of their driver's license or any violation points attached to the driver's license to the Human Resources Department.



# PERSONNEL POLICIES

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- F. Any employee who violates any part of this policy or becomes uninsurable as a Driver will be subject to reassignment and/or disciplinary action, up to and possibly including termination from employment.



# PERSONNEL POLICIES

## SECTION 6

## EMPLOYEE POLICIES

### 6.07 – SOCIAL SECURITY NUMBER PRIVACY

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	n/a
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- A. Social Security numbers should be collected only where required by federal and state law or as otherwise permitted by federal and state law for legitimate reasons consistent with this Privacy rule. The County shall take reasonable measures to enforce this Privacy rule and to correct and prevent the reoccurrence of any known violations.
- B. Any employee who knowingly obtains, uses or discloses Social Security numbers for unlawful purposes or contrary to the requirements of this Privacy rule shall be subject to discipline up to and including discharge. Additionally, certain violations of this rule may carry criminal and/or civil sanctions.
- C. The County will cooperate with appropriate law enforcement or administrative agencies to apprehend and prosecute any person who knowingly obtains uses or discloses Social Security numbers through the County for unlawful purposes.



KALAMAZOO COUNTY GOVERNMENT

# PERSONNEL POLICIES

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## SECTION 7

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# GRIEVANCE POLICY



# PERSONNEL POLICIES

SECTION 7		GRIEVANCE POLICY			
7.01 – GRIEVANCE PROCEDURE					
Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	01/01/2013

## A. Scope and Purpose.

1. The most effective accomplishment of work requires prompt consideration for an equitable adjustment of employee grievances. Therefore, employees may avail themselves of this procedure. It is the desire of all parties to adjust problems informally, and both supervisors and employees are expected to make every effort to resolve problems informally as they arise. However, where such informal resolution is impossible, a grievance procedure has been established.
2. This grievance procedure shall apply to regular County employees covered under this Personnel Policy Manual, excluding: 1) employees under a collective bargaining agreement that has a contractual Grievance Procedure; and 2) employees employed by elected County officials (Sheriff, Treasurer, Clerk, Register of Deeds, Drain Commissioner, Prosecutor, and the Courts) for disciplinary or discharge matters. This grievance procedure is also not applicable to any County Elected Officials or contract employees.
3. Grievances of employees working for Elected Officials for disciplinary matters who are *not* covered by a collective bargaining contract may be considered under this procedure if such Elected Official, at their option, permits the same and requests processing of the appeal in writing to the County Administrator. However, nothing contained in this Grievance Procedure shall alter the fact that regular County employees covered under this Manual are and shall continue to be at-will employees.
4. A complaint that may be heard under this procedure shall be limited to complaints regarding the violation or misinterpretation of the rules provided in the County personnel policies or a complaint of unfair application of these rules. This procedure does not apply to discharges except to the extent the employee claims a form of unlawful employment discrimination in connection with the discharge or any action taken by the County Administrator that involves concurrence of the County Board of Commissioners.
5. A grievant must contact the EEO Compliance Officer (Corporate Counsel) before formally initiating the grievance relating to a discrimination violation for



# PERSONNEL POLICIES

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advisement purposes and/or explaining the policy and procedures. The Compliance Officer does not have the authority or responsibility to resolve a grievance but will assist the employee or applicant in following the appropriate procedures.

- B. Procedure.** Should any regular employee of Kalamazoo County to which this procedure is applicable have a complaint about an interpretation or application of personnel policies, disciplinary action matter, the following steps will be taken:

Step 1. All grievances shall be submitted within ten (10) working days of its occurrence or when the grievant should reasonably have obtained knowledge of its occurrence. If not so submitted, the grievance shall be considered automatically closed. The complainant should complete a standard grievance form and submit it to the appropriate Department Head, Court Administrator or Elected Official. The Department Head, Court Administrator, or Elected Official shall typically respond in writing within five (5) working days of the grievance's receipt unless mutually agreed that an extended time period is necessary. However, a failure to respond timely by the County shall constitute a denial of the grievance.

Step 2. If the response of the Department Head/Court Administrator/Elected Official is not satisfactory, the grievant can submit an appeal to the Human Resources Director. The Human Resources Director will typically have ten (10) working days from the date the appeal is received to respond in writing to the grievance unless the Human Resources Director sends notice to the Grievant that an extended period is necessary.

Step 3. If the Human Resources Director's response is not satisfactory, the grievant can appeal to the County Administrator. The County Administrator will typically have ten (10) working days from the date the appeal is received to respond in writing to the grievance unless the County Administrator sends notice to the Grievant that an extended period is necessary. The decision of the County Administrator is final and binding on all parties.

In an instance in which the grievance is filed against the County Administrator, the grievance may be submitted to the Chairperson of the Board of Commissioners. The grievance must be submitted within thirty (30) days of its occurrence or when the grievant should reasonably have obtained knowledge of its occurrence. The Chairperson of the Board of Commissioners or their designee shall respond in writing to the grievance within fifteen (15) working days of the receipt of the grievance unless it is mutually agreed that an



# PERSONNEL POLICIES

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extended time period is necessary. The decision of the Chairperson of the Board of Commissioners, or their designee, is final and binding on all parties.

Any grievance not appealed by Grievant within the above prescribed time limit shall be considered dropped and not subject to further appeal. NOTE: This policy does not apply to discharges except to the extent the employee is claiming a form of unlawful employment discrimination in connection with the discharge.



# PERSONNEL POLICIES

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## SECTION 8

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# REDUCTION OF STAFF AND REHIRE PROCEDURES



# PERSONNEL POLICIES

## SECTION 8

## REDUCTION OF STAFF AND REHIRE PROCEDURES

### 8.01 – REDUCTION OF STAFF AND REHIRE POLICY

Approved by BOC on:	09/19/2017	Effective Date:	01/01/2018	Supersedes:	12/06/2011
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Whenever the County determines it is necessary to lay off personnel due to the loss or reduction of funds, it shall conduct the layoff process following State and Federal laws, including the policies and procedures established by government regulatory agencies, if applicable.

This policy shall apply to all County authorized regular positions regardless of funding source.



# PERSONNEL POLICIES

## SECTION 8

## REDUCTION OF STAFF AND REHIRE PROCEDURES

### 8.02 – SEVERANCE PAY

Approved by BOC on:	10/17/2023	Effective Date:	10/17/2023	Supersedes:	09/19/2017
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- A. PURPOSE.** A severance payment is intended to entice the employee to stay in their current position until the last day of their position existence. Severance pay provided pursuant to this policy is not intended to be attributed to any specific time period for purposes of unemployment compensation benefits.
- B. OVERVIEW.** A regular employee whose employment is terminated involuntarily by an administrative action of the County (e.g., layoff or other types of reduction in force, elimination of employee's position, termination of funding for the program in which the employee worked, etc.), may be eligible to receive severance pay. This policy does not apply to employees who have entered into employment agreements with the County containing negotiated terms and conditions for receiving severance pay.
- C. ELIGIBILITY.** To receive severance pay, the employee must:
1. Be a regular, non-union employee;
  2. have six (6) months of continuous service;
  3. execute a release of all claims against the County in a form approved by and supplied by the County; and
  4. terminate their employment the day the position terminates.
- D. INELIGIBILITY.** Employees are not eligible for severance under the following circumstances:
1. Employees who retire on or before the date of termination of their position.
  2. Employees who transfer to another County position on or before the date of termination of their position.
  3. Employees whose separation from employment occurs by voluntary termination or termination for misconduct or poor performance of any type (as determined by the County).



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4. Temporary employees are not eligible for severance pay.
- E. **CALCULATION.** The amount of severance for which an employee shall be eligible shall be computed by taking the number of full, continuous (excluding partial) years of service times the weekly pay at the time of separation (excluding benefits, overtime, etc.).
- Example:
- |   |                                   |
|---|-----------------------------------|
| Annualized pay                                | = \$20,000; years of service = 10 |
| Weekly pay = annualized salary 52             | = \$384.60                        |
| Severance pay = weekly pay x years of service | = 10 x \$384.60                   |
| Severance pay                                 | = \$3,846.00                      |
- F. **PART-TIME EMPLOYEE.** A regular part-time employee eligible for severance pay will receive pro-rated severance pay based on their regularly scheduled hours.
- G. **APPEAL.** The County Administrator will administer this policy. An employee who is dissatisfied with their severance pay may appeal that decision to the County Administrator. The decision of the County Administrator is final and binding on all parties.