

**CITY OF FRANKENMUTH  
FRANKENMUTH, MICHIGAN**

**PERSONNEL REGULATIONS**

**Effective January 1, 2015**

**This document applies exclusively to the employees  
of the City of Frankenmuth, except full-time police officers covered by the P.O.L.C. contract.**

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## **INTRODUCTION**

**This document sets forth rules and regulations, and describes fringe benefits for all employees of the City of Frankenmuth, except those employees covered by the agreement between the City and the Police Officers Labor Council.**

**Employment with the City of Frankenmuth can be terminated at any time, with or without cause, and with or without notice. No language contained in these regulations shall be construed to mean that employment with the City is permanent or on any basis other than at will. Only the City Council is authorized to enter into any agreement with an employee that is contrary to these regulations, and any such agreement must be in writing.**

### **I. EMPLOYEE CLASSIFICATIONS**

#### **A. FULL-TIME EMPLOYEES**

**Full-time employees are those employees who work more than thirty five (35) hours in a normal week for more than one hundred eighty (180) days per calendar year.**

#### **B. FULL-TIME EMPLOYEES HIRED AFTER JANUARY 1, 2007**

**Full-time employees hired after January 1, 2007, have different fringe benefits than those hired prior to that date. Details are spelled out in Section IV "Paid Time Off", Section V "Insurance" and Section VI F. "Retirement Benefits." Certain hourly employees hired after January 1, 2007, will be placed in different pay grades than those hired prior to that date. Additional information is included in Section III "Working Hours and Pay."**

#### **C. PART-TIME EMPLOYEES**

**Employees working no more than thirty-five (35) hours per week shall be considered part-time employees, and will not be entitled to the usual fringe benefits, including holidays, vacation, or sick pay; life, indemnity, medical, or dental insurance; or bereavement leave.**

**Part-time employees who work at least ten (10) full days per month on a regularly scheduled basis will be eligible for retirement benefits. A full day for retirement benefit purposes is defined to be a minimum of eight (8) hours per day. Exception: A full day for retirement benefit purposes for sworn part-time police officers is defined to be a minimum of ten (10) hours per day.**

#### **D. TEMPORARY EMPLOYEES**

**Employees hired for a period of one hundred eighty (180) days or less will not be entitled to any of the fringe benefits afforded full- or part-time employees.**

**(NOTE: The classification of part-time employee or temporary employee may be rotated at any time at the discretion of the department head.)**

#### **E. PROBATIONARY EMPLOYEES**

**All new full-time, part-time and temporary employees will be considered probationary employees until they have completed twelve (12) months of continuous service. Before the end of twelve (12) months, each employee will be evaluated to determine suitability for continued employment with the City. Completion of the probationary period shall not be construed to mean that any employment with the City is permanent.**

## **F. CONTRACT EMPLOYEES**

Employees whose relationship with the City is established by a written agreement between the employee and the City or between the City and an employment agency are defined as contract employees.

## **II. GENERAL RULES**

### **A. IN GENERAL**

All employees will conduct themselves in an orderly, professional and considerate manner, both toward their fellow workers and especially to the general public for whom they serve.

The City Manager and all Department Heads have "open door" policies. That is, any employee is free to offer constructive criticism or suggestions to his/her supervisor or any unresolved problem may be brought directly to the City Manager.

Teamwork on the part of all persons working for the City will result in an efficient and business-like organization, and everyone is expected to share in this responsibility.

### **B. HARASSMENT POLICY**

The City is committed to provide a work environment free from all forms of employee harassment. Any substantiated instance of harassment by any employee will be considered unacceptable and will result in immediate disciplinary action, including possible termination.

Harassment that is covered by these regulations includes not only sexual harassment, but any interference of an employee in the performance of his or her duties when such interference arises from or is the object of the employee's race, color, religion, creed, sex, age, weight, height, marital status, ancestry, national origin, veteran status or disability unrelated to an individual's ability to perform the particular job or position.

Sexual harassment has been defined as any unwelcome sexual advance, request for sexual favors or any other verbal or physical conduct of a sexual nature. When such conduct interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment; submission to or rejection of the conduct is the basis for a decision affecting an employee's employment; or submission to the conduct is made either a direct or indirect condition of employment.

Any employee who believes that the actions or words of a fellow employee or member of management constitute unwelcome harassment should report the incident in writing as soon as possible to the City Manager or the Assistant City Manager. All complaints of harassment will be investigated promptly in an impartial manner and as confidentially as possible by the City Manager or Assistant City Manager. Any employee who, after an appropriate investigation, is found to have engaged in harassment will be subject to disciplinary action up to and including discharge. Similarly, employees who deliberately make false accusations of harassment are also subject to similar disciplinary action.

A complainant who is not satisfied with the outcome of an investigation is encouraged to appeal the matter to the City Council's Personnel Committee.

Retaliation against an employee who, in good faith, has registered a complaint alleging harassment of any kind, or against any employee who participates in the investigation of a complaint, is strictly prohibited. Any employee, supervisor or other representative of the City who, after investigation, has been determined to have retaliated against any employee for utilizing these complaint procedures or for cooperating with an investigation will be, in the discretion of the City, subject to appropriate discipline up to and including discharge.

### **C. FAMILY MEDICAL LEAVE**

As provided by the 1993 Family Leave Medical Act (FMLA), all eligible employees shall be entitled to take up to twelve (12) weeks of job-protected leave during any twelve (12) month period for specified family and medical leave reasons. The twelve (12) month period begins on the first date said leave is taken and rolls forward.

### **D. SAFETY REGULATIONS/SAFETY MANUAL**

1. All Employees Will Make Safety Their Number One Priority. A safety manual will be issued to each employee that will provide further details on the City's safety rules and regulations. Each employee shall operate vehicles, equipment, tools and machinery only when he/she has been fully instructed in their safe use. No employee should exceed the "safe" capacity of any vehicle, equipment, tool, machine or himself/herself.

If an employee finds any vehicle, equipment, tool or machine in an unsafe condition, he/she should report the condition immediately to his/her supervisor (and/or put it in writing for the next shift) and also post a notice to advise the next shift that it is not to be used before repairs are completed. Employees are expected to attend safety training sessions at the direction of their supervisor.

#### **2. Substance Abuse**

Use of alcoholic beverages or controlled substances (drugs) during working hours, at lunch, or while at work is prohibited. Furthermore, employees shall not come to work while intoxicated or under the influence of a controlled substance. Any employee found violating this rule shall be subject to disciplinary action. Employees with required commercial drivers licenses (CDL's) will also be subject to all U.S.D.O.T. regulations as adopted by the City.

Employees using prescription drugs on the orders of their physician must ask their physician if it is safe to be working while using that prescription drug. The employee must notify his/her supervisor if any precautions need to be taken. The City may require evidence from the physician that it is safe for the employee to continue working.

#### **3. Seat Belts**

All City employees are required to wear seat belts while performing work for the City in a motor vehicle, either publicly or privately owned.

The City will provide seat belts in all City-owned vehicles. It will be the responsibility of the employee to report defective or missing seat belt equipment.

#### **4. Use of Power Tools**

Only employees who have had training, or who have demonstrated prior knowledge in the use of power tools shall be permitted to operate them.

Any use of power tools by non-D.P.W. employees shall require the approval of the Public Works Superintendent. The Superintendent may take one of the following actions:

- a. Approve the use of that specific tool.
- b. Recommend an alternative method to perform the task.
- c. Schedule regular D.P.W. employees to perform the task.
- d. Provide training in the use of that specific tool.

This rule applies to all power tools, vehicles and equipment in the Public Works Department. Any tool used by non-D.P.W. employees shall be reported to the Public Works Superintendent prior to use.

Power tools in use in non-D.P.W. departments shall be used only by employees in that department who are properly trained in the use of that tool.

It shall be the responsibility of the Department Head to provide training in the use of power tools.

It is strictly forbidden to remove any safety shield or equipment from any power tool.

#### **5. Use of Powered Grounds Keeping Equipment**

Only employees who have had training, or who have demonstrated prior knowledge in the use of powered grounds keeping equipment shall be permitted to operate it.

Powered grounds keeping equipment shall include, but not be limited to: lawn mowers, lawn and garden tractors, leaf blowers, snow throwers, shredders, compost mills, rototillers, string trimmers, edgers, chainsaws, ball diamond floats pulled by a tractor, and any other equipment used to maintain lawns, gardens, walks and driveways.

All operators of powered grounds keeping equipment shall wear the proper personal protective equipment. It shall be the responsibility of the Department Head to provide training in the use of powered grounds keeping equipment.

#### **6. Personal Protective Equipment (PPE)**

The use of personal protective equipment (i.e. eye, ear, face, arm, hand, foot, leg, and body protection; electrical protective equipment; fall protection equipment, etc.) is required for pre-designated tasks/functions. Each department will perform a hazard assessment for each particular task/function in order to determine the need for PPE. This assessment will include recording the workstation and/or job classification, the potential sources of hazard, the body part(s) affected, a determination of whether PPE is required, and if so, what type.

Each employee shall be responsible for wearing and/or using the proper PPE when performing a task/function where PPE is required. Employees are prohibited from performing a task/function without wearing and/or using the required PPE.

Worn, damaged or ill-fitting PPE must be reported to the respective department head for repairs or replacement.

The necessary and proper PPE will be provided to employees at no expense. It shall be the responsibility of the City's safety official and respective department head to review and provide PPE as needed.

#### **7. Other Safety Rules**

Certain work areas may be posted with additional safety directives (Example: NO SMOKING). Employees found violating posted safety procedures will be subject to disciplinary action. Periodically, other written safety rules may be given to employees.

#### **8. Disciplinary Code for Safety Rules Violations**

Any employee who fails to observe these safety and protective equipment rules established for the protection of the employee, other employees, and the general public, or any employee who fails to follow safety and protective equipment rules set down by his/her supervisor, will be subject to disciplinary action by the City. A violation of these safety rules which places an employee or others in imminent danger may result in immediate suspension or discharge. Disciplinary action for other violations of these safety rules will be handled pursuant to Section VIII B of these regulations.

All records pertaining to discipline will become part of the employee's personnel file.

Enforcement of safety rules will be the responsibility of each Department Head. If he/she observes a safety rules violation, he/she will verbally inform the employee of the violation, and take corrective action. He/she will then submit the facts of the violation in writing to the City Manager, who will prepare the disciplinary notice.

If a job site Supervisor or another Department Head observes a safety violation, he/she will verbally inform the employee of the violation, and then submit the facts of the violation in writing to the applicable Department Head, who will present the information to the City Manager for further action.

Administrative Personnel, Department Heads, and Supervisors will be expected to observe all safety rules, and violators will be subject to the same disciplinary action as all other employees.

All disciplinary actions may be appealed using the regular Grievance Procedure.

#### **E. USE OF CITY-OWNED VEHICLES**

City-owned vehicles are to be used for "official City business" only unless otherwise noted. "Official City business" is defined as business conducted by an employee in the normal course of his/her employment or while acting in an official capacity for the City.

An employee using a City-owned vehicle for "official City business" will record hours used and/or miles driven in accordance with current City accounting policies.

City-owned vehicles shall not be driven by employees under the influence of alcoholic beverages or controlled substances. Use of alcoholic beverages or controlled substances in a City-owned vehicle is strictly prohibited.

Any use of a City-owned vehicle for other than "official City business," shall be considered personal use. Personal use of a City-owned vehicle is prohibited, unless otherwise authorized.

The following personnel are hereby authorized to drive an assigned City-owned vehicle to their home on a daily basis, provided they live within eight (8) road miles of the Frankenmuth City Limits.

1. City Manager-personal vehicle.
2. Chief of Police-patrol vehicle.
3. D.P.W. Superintendent-utility vehicle.
4. Water Superintendent-utility vehicle.
5. Parks & Recreation Director-utility vehicle.

All City-owned vehicles driven home overnight shall be kept in a garage, if possible. No one except a City employee is authorized to drive a City-owned vehicle which is taken home. Family members, friends, and relatives are permitted to ride in these vehicles on a limited basis.

Driving a City-owned vehicle to and from work by those employees authorized to drive a vehicle home is considered "authorized personal use."

Use of City-owned vehicles for civic purposes is considered "authorized personal use." Prior approval by the City Manager is required. When a City-owned vehicle is used for a civic purpose, the employee requesting the use is required to record hours used and miles driven for accounting purposes. Other individuals may drive a City-owned vehicle for a civic purpose, with prior approval of the City Manager.

The City Manager may authorize other personal uses of City-owned vehicles.

## **F. RESIDENCY REQUIREMENT**

All salaried personnel hired after January 1, 1993, shall be required to live within thirty (30) road miles of the nearest Frankenmuth City Limits within ninety (90) days of their date of hire. This section does not apply if an employee's spouse is employed by another public employer and that spouse is subject to a condition of employment or promotion that would require the employee to reside at a distance of less than twenty (20) road miles from the nearest boundary of the other public employer.

## **G. COMPUTER, INTERNET AND E-MAIL POLICIES**

### **1. General Computer Policies.**

Only those persons currently employed (or given special permission) are permitted to use any computer resources owned, rented or leased by the City of Frankenmuth.

Use of the City of Frankenmuth's computer resources or Internet connections for gambling, obtaining or distributing pornographic materials, and all other illegal activity is strictly forbidden.

Only Information Systems personnel or agents contracted by them may install software or hardware on any City of Frankenmuth computer system. Information Systems personnel may, at their discretion, authorize City staff to perform specific software or hardware installations. All other software or hardware installations are strictly prohibited.

Unless departmental arrangements have previously been made, employees must always obtain permission before using another employee's personal computer (PC). City employees may not log into another employee's computer account unless specifically authorized to use those files and/or directories in cooperative projects.

Where copyright laws apply, the City of Frankenmuth forbids unlawful copying of any software or manuals. Electronic records are subject to disclosure under the Freedom of Information Act (FOIA) and the City's Records Retention & Disposal Schedule.

Use of a City computer implies the employee's consent to have that use monitored by the City. No employee should have any expectation of privacy with respect to any information on the computer.

### **2. Internet Use.**

Access to the Internet is primarily for the exchange of information and research consistent with the vision, mission, goals and activities of the City of Frankenmuth. Access to the Internet is provided as a business tool. Employees are expected to use the Internet solely for job-related research and City of Frankenmuth business communications.

Employees shall not use the Internet for private or commercial business use. Employees shall not use the Internet for inappropriate or unlawful purposes, including but not limited to, placing unauthorized information, computer viruses or harmful programs on or through the computer system in either public or private files or messages, using obscene or otherwise inappropriate language in communications and obtaining, viewing or downloading information that is unlawful, obscene, indecent, vulgar, pornographic or otherwise objectionable. Inappropriate or unlawful use of the Internet may result in the loss of access for the user as well as other disciplinary action.

Internet access records and records of downloaded files are not private property and may be occasionally monitored as the City Manager deems necessary. Department Heads shall be responsible to ensure proper employee use of the Internet.

Employees having personal web pages or other types of internet postings which can be accessed by the public or by others with or without permission of the employee, shall not identify

themselves directly or indirectly as employees of the City of Frankenmuth. No photographs or other depictions of City uniforms, patches or marked vehicles may be posted without prior written permission from the City Manager. No comments from or photographs or other depictions of other City employees may be posted without first obtaining permission from those employees. No sexual, violent, racist or ethnically derogatory material may be posted.

### **3. Email Use.**

The above stated rules for Internet use also apply to the use of electronic mail provided to City employees. Electronic mail is a public record and may be accessible or obtainable by individuals, agencies and others outside the City of Frankenmuth and subject to State archivist rules for retention/destruction.

All email originating from or received by City of Frankenmuth computer systems is City of Frankenmuth property. It is not private information. Electronic mail may be monitored by supervisors and/or the City Manager as they deem necessary.

### **H. NEPOTISM.**

A person shall not be hired as a salaried employee if the person is an immediate family member of an existing City salaried employee, unless approval has been granted by the City Council's Personnel Committee. A salaried employee is not allowed to directly supervise a member of his/her immediate family. No employee hired after the effective date of these regulations shall be directly supervised by a member of his/her immediate family. This prohibition does not apply to volunteer positions or positions for which the supervised employee is paid for less than 10 hours of work per week.

### **I. OTHER MISCELLANEOUS ITEMS**

1. **Tardiness.** Promptness for the start of each shift and return from lunch periods is required. Any time lost due to tardiness cannot be made up unless prior approval is obtained from the employee's supervisor.

2. **Lunch Periods.** The standard work schedule provides for a lunch period of up to one hour. The time and length of the lunch period will be established by each department head.

The policy regarding paid or unpaid lunches in the DPW, Water and Wastewater Treatment Departments is as follows:

a. If an hourly employee is working at a job site assigned by their supervisor and makes a decision to eat a brown bag lunch while remaining on the job, the time spent while eating lunch will be considered "on duty time", and the employee will be paid for that time at his or her normal wage rate. This assumes the employee will take no more than 15 to 20 minutes to eat his or her lunch.

b. If an hourly employee's supervisor calls for a training or briefing meeting at approximately 12:00 noon at the building which is the normal place of work, the time spent while eating lunch at that meeting will be considered "on duty time", and the employee will be paid for that time at his or her normal wage rate. This assumes the employee will take no more than 15 to 20 minutes to eat his or her lunch.

c. If an hourly employee decides to take a longer period of time for lunch (up to 30 minutes) that employee must inform his or her supervisor of the proposed time off and must clock out. The employee will not be paid for that 30 minute period of time.

**3. Dress Code.** Personal appearance and attire should be appropriate for each job position. Appropriate attire within each department will be defined by the department head. In the City Hall Office, blue jeans, tee shirts, sweatshirts, mini-skirts and other similar attire are prohibited, except that a department head may designate Friday as casual attire day or approve casual attire when special duties are assigned.

**4. Personal Telephone/Facsimile Use.** Personal use of City telephones/facsimiles must be kept to a minimum. All personal long distance telephone calls will be billed to the employee.

**5. City Credit Card Use.** City credit cards may only be used in accordance with the City's Credit Card Policy.

**6. Cellular Telephones.**

**a. City owned Cellular Telephones:** Telephones that have been issued to authorized employees may only be used in accordance with the City's Cellular Telephone Communications Policy.

**b. Personally owned Cellular Telephones:** Use of personal cellular telephones shall be kept to a minimum in order to not interfere with the employee's work assignments.

**7. Prison Labor.** Employees assigned to work with prison or jail laborers are required to complete training prior to receiving such assignment and shall comply with all rules and regulations adopted thereto.

**8. Gift Policy.** All employees are prohibited from soliciting, accepting or receiving, directly or indirectly, any gift whether in the form of money, service, loan, travel, lodging or entertainment from any person, company, supplier or vendor which does, has done or may do business with the City of Frankenmuth. Exception: This policy does not apply to acceptance of perishable or consumable gifts of \$25.00 or less in value.

**9. Social Security Number Privacy Policy.** Pursuant to Michigan state statutes, it is the policy of the City of Frankenmuth to protect the confidentiality of social security numbers. No person shall knowingly acquire, disclose, transfer or unlawfully use the social security number of any employee or other individual unless in accordance with applicable state and federal statutes and City procedures and rules established by this policy. A complete copy of the policy is available in the City Clerk's office.

**10. Protection of City owned property.** Employees in possession of City owned property shall take every precaution to maintain it in a safe secure working condition. Lost, damaged or non-working City owned property shall be reported as soon as possible to the employee's supervisor.

**11. Title VI of the Civil Rights Act of 1964.** There are two types of illegal discrimination prohibited under Title VI of the Civil Rights Act of 1964 and its related statutes. One type of discrimination which may or may not be intentional is "disparate treatment" which is defined as treating similarly situated persons differently because of their race, color, national origin, sex, disability or age. The second type of illegal discrimination is "disparate impact" which occurs when a "neutral procedure or practice" results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus

is on the consequences of a decision, policy, or practice rather than the intent. The City of Frankenmuth has adopted a Title VI Plan to assure that services, programs and activities of the City are offered, conducted and administered fairly without regard to race, color, national origin, sex, age or disability of the participants or beneficiaries of federally funded programs, services or activities. All City employees are required to abide by this Plan. A complete copy of the Plan is available on-line or in the City Clerk's office.

### **III. WORKING HOURS AND PAY**

#### **A. BASE PAY RATE**

An employee's base pay rate (hourly or salaried) is determined to be the base pay rate set as of January 1st each year, or the employee's date of hire, whichever is more recent. Certain employees hired after January 1, 2007, in the Public Works, Parks & Recreation, Water and Waste Treatment Departments will be placed in different pay grades than those employees hired prior to that date.

#### **B. MERIT PAY INCREASES**

Merit pay increases will be considered based upon recommendations of the Department Heads and the City Manager. All merit pay increases must be approved by the City Council's Personnel Committee.

#### **C. STANDARD WORK WEEK**

The standard work week shall be forty (40) hours, consisting of five (5), eight (8) hour days. Some employees may have regular schedules of less than forty (40) hours per week, and some employees may have regular schedules with a different number of hours worked per day.

Hourly employees will be paid one and one-half (1 1/2) times their hourly rate for all hours worked in excess of forty (40) hours per week.

For purposes of accounting, the work week will commence at 12:01 a.m. on Monday and end at midnight on the following Sunday.

#### **D. OVERTIME PAY**

##### **1. Sundays and Holidays**

All scheduled work performed by full-time hourly employees on Sundays or Holidays (as defined in these regulations) will be compensated at one and one-half (1½) times their regular hourly rate. No overtime will be paid unless authorized by the Department Head or authorized supervisor.

Full-time hourly employees called in for emergency work on Sundays or Holidays (as defined in these regulations) will be compensated at two (2) times their regular hourly rate. The double time compensation rate will not apply to emergency work on days prior to or days following Sundays and Holidays. For example, if the emergency work begins at 11:00 p.m. on a Saturday and ends at 3:00 a.m. on a Sunday, the first hour of work will be compensated at one and one-half (1½) times the regular hourly rate, and the last three hours will be compensated at two (2) times the regular hourly rate. For another example, if the emergency work begins at 11:00 p.m. on a Sunday and ends at 3:00 a.m. on a Monday, the first hour of work will be compensated at two (2) times the regular hourly rate, and the last three hours will be compensated at one and one-half (1½) times the regular hourly rate.

Full-time hourly employees who are called in for unscheduled work on Sundays and Holidays will be compensated for at least a two (2) hour minimum period of time, regardless of the actual time worked.

**2. All other days**

If an employee’s supervisor informs the employee at least one day in advance that the employee will be required to work more hours than normal on a subsequent day, that employee will then be required to work fewer hours on a subsequent day so that the total hours worked during that pay period is 80 hours.

If an employee’s supervisor requires him/her to work more hours than normal on a certain day, and if that employee was not informed at least one day in advance of this requirement, the additional hours worked on that day will be treated as overtime work.

Full-time hourly employees who are called in for unscheduled work on days other than Sundays and Holidays will be compensated for at least a two (2) hour minimum period of time, regardless of the actual time worked.

**E. SHIFT PREMIUM**

When a full-time hourly employee is required to begin his/her regular shift at an unscheduled time of day due to snow plowing, watermain breaks, major equipment malfunctions or similar situations, the full-time hourly employee will be paid a ten percent (10%) shift premium for that entire shift.

This shift premium shall not apply to schedules as established by the Department Head, or to any shift begun after 5:59 a.m.

**F. RECORDING/REPORTING TIME WORKED**

All employees are responsible for the accurate recording/reporting of their time worked. In those departments utilizing a time clock device, employees are responsible for their time cards/key fobs. Employees shall log in before or at the start of their shift and log out on or after the end of their shift. Employees shall log out when not working for personal errands, appointments, unpaid lunch periods, etc. Should a time card be logged in error, the employee is to contact his/her department head immediately. Logging a time card for other employees is strictly prohibited.

A time penalty will be assessed when employees log in late for their shift in accordance with the following schedule: 1 - 5 minutes - no penalty

6 - 15 minutes - 15 minute penalty

16 - 30 minutes - 30 minute penalty

Other than for call-in or special circumstances determined by the department head, employees must have their department head’s prior approval in order to be paid for additional time if they log in before or log out after their scheduled shift.

**IV. PAID TIME OFF**

**A. VACATION**

Full-time employees will be eligible for vacation according to the following schedule:

Years of Employment	Vacation Days	Employees hired after 1/1/07 Vacation Days
1	5 *	5 *
2	11	11
3	12	12

4	13	13
5	16	16
6	16	16
7	17	17
8	17	17
9	18	18
10	18	18
11	19	19
12	20	20
13	21	20
14	22	20
15	23	20
16	24	20
17 or more	25	20

\* Full-time salaried employees earn 10 days of vacation during their first year of employment.

The anniversary date for vacations will be January 1. New full-time employees may begin taking vacation after six months of employment. However, they cannot take more vacation than has been earned. Full-time employees earn credit toward vacation during the calendar year, for use after January 1st of the following calendar year. Vacation leave for new full-time employees will be pro-rated (on a monthly basis) for the first year of employment or fraction thereof on the following January 1st.

Up to a maximum of ten (10) days of vacation leave may be carried over from a previous year for use by December 31st of the following year.

Employees will be paid for all unused non-carried over vacation leave at the end of each calendar year. 100% of that pay will be transferred to the MERS Health Care Savings Program unless the employee decides to receive all or a portion of their unused vacation pay in cash. Calculation of the amount of pay will be based on the rate of pay in the year in which the vacation was earned.

Note: Employees shall notify the payroll clerk in writing of their intentions regarding vacation carry over and payment for unused vacation leave by December 20<sup>th</sup>.

Department Heads will be responsible for proper scheduling to ensure an adequate available work force. In the case of high seniority employees who have over twenty (20) days of vacation, the Department Head may require some of the vacation leave to be scheduled during slack time periods.

An employee who terminates his/her position will be paid for unused vacation leave earned to the date of termination, plus any unused previous vacation credit. (Exception: A probationary employee who terminates his/her position will not be paid for unused vacation leave earned to the date of termination and will not be paid for any unused vacation credit.) 100% of this pay will be transferred to the MERS Health Care Savings Program unless the employee decides to receive all or a portion of his/her unused vacation pay in cash. Calculation of the amount of pay will be based on the rate of pay in the year in which the vacation was earned.

Note: Employees shall notify the payroll clerk in writing of their intentions regarding payment for unused vacation leave at least one (1) week prior to their termination date.

Note: Vacation leave may be taken in one (1) hour increments; however, all vacation time off must be scheduled in advance with the Department Head.

## **B. HOLIDAYS**

All full-time employees will be granted time off and be paid at their regular daily rate of pay for the following holidays. The officially recognized holidays in 2015 will be:

New Year's Day	January 1, 2015
Good Friday	April 3, 2015
Memorial Day	May 25, 2015
Independence Day	July 3, 2015
Labor Day	September 7, 2015
Thanksgiving Day	November 26, 2015
Day after Thanksgiving	November 27, 2015
Christmas Eve Day	December 24, 2015
Christmas Day	December 25, 2015
New Year's Eve Day	December 31, 2015

To be eligible for holiday pay, an employee must be present for work both on the regularly scheduled work day before and after the holiday, unless he/she has been excused by his/her Department Head.

## **C. PERSONAL LEAVE**

1. **Personal Holiday.** Each full-time employee will be granted one (1) personal holiday, to be compensated at the employee's regular daily pay rate. Probationary employees will not be eligible to use personal holidays. The employee's immediate supervisor must be given at least one (1) week notice to use the personal holiday. In the event a scheduling problem occurs, the employee may be required to reschedule the personal holiday.

The personal holiday may be used to extend weekends, holidays, or vacations, providing proper notice is given and no scheduling conflicts exist.

2. **Paid Personal Leave.** The Personnel Committee may at their discretion grant additional personal leave with pay to any City employee, with the terms of such leave set forth in writing.

3. **Unpaid Personal Leave.** The City Manager may at his/her discretion grant unpaid personal leave to any City employee, with the terms of such leave set forth in writing.

## **D. SICK LEAVE**

Full-time employees hired before January 1, 2007, will be granted sick leave at the rate of one-half (1/2) day per month. Sick leave hours will be credited to the employees in one-half (1/2) day increments on the first day of each month.

Full-time employees hired after January 1, 2007, will be granted sick leave at the rate of five-twelfths (5/12) day per month. Sick leave hours will be credited to the employees in five-twelfths (5/12) day increments on the first day of the month.

Sick leave is defined as absence from duty because of illness, injury, or quarantine. Sick leave is intended to compensate employees for short term illness, and to compensate an employee for days not covered by the weekly indemnity insurance provided by the City.

To be eligible for sick leave pay, the employee must notify his/her immediate supervisor that he/she will not report for work that day, as soon as possible prior to the beginning of a scheduled shift.

An employee who is away from work for sick leave (whether or not compensated) for more than four (4) consecutive work days must present a doctor's excuse to his/her supervisor

immediately upon his/her return to work or he/she will be considered to have had an unexcused absence, and will be subject to disciplinary action.

An employee who is away from work for sick leave (whether or not compensated) for more than ten (10) consecutive work days must present a doctor's excuse to the City Manager every ten (10) work days, and immediately upon his/her return to work, or he/she will be considered to have an unexcused absence and will be subject to disciplinary action.

Use of sick leave (whether or not compensated) for an indefinite time period will not be construed to mean that an employee's job will be left open for an indefinite time period. An employee's job may be filled at any time following three (3) months of sick leave (whether or not compensated and whether or not excused), at the discretion of the City Manager.

An employee whose job position is filled while off work on sick leave will be offered a comparable position with the City, if an unfilled position in that employee's classification is available at the time the employee is ready to return to work. This provision is only applicable for a period of three (3) months after the employee's original position has been filled.

Sick leave may be taken on an hourly basis; however, if an employee calls in sick at the beginning of a day or goes home early due to illness, returning to work on that day is prohibited without the permission of the Department Head.

The maximum amount of sick leave that may be accumulated by an employee hired before January 1, 2007, is one thousand six hundred (1,600) hours. When an employee hired before January 1, 2007, retires or resigns, the employee will be paid at his/her then current hourly rate for one-half (1/2) of all sick leave accumulated over and above a base of one hundred sixty (160) hours. This is not payable to employees who are terminated for cause and is not payable to probationary employees who terminate their employment.

For eligible employees 100% of unused sick leave pay will be transferred to the MERS Health Care Savings Program unless the employee decides to receive all or a portion of this pay in cash.

Note: Employees shall notify the payroll clerk in writing of their intentions regarding payment for unused sick leave at least one (1) week prior to their termination date.

The maximum amount of sick leave that may be accumulated by an employee hired after January 1, 2007, is one hundred sixty (160) hours. When an employee hired after January 1, 2007, retires or resigns, the employee will not be paid any amount for unused accumulated sick leave.

Probationary employees will not be eligible to use sick leave; however, upon gaining full-time employee status, probationary employees will be credited with sick leave earned from the first credit date following the date of hire. Part-time and temporary employees who gain full-time status will not receive credit for the time he/she was a part-time or temporary employee.

#### **E. SICK LEAVE BANK**

Full-time employees have the option of voluntarily donating some of their earned sick leave into a sick leave bank. Any full-time employee who has used all of his/her earned sick leave can apply for some of the sick leave hours in the sick leave bank to be credited to his/her sick leave account. The City Manager will either approve or deny the request based on the circumstances leading up to the request.

#### **F. BEREAVEMENT**

In case of a death in his/her immediate family, a full-time employee with the approval of the City Manager will be granted a leave of absence to attend the funeral with pay for scheduled

work-days falling within the period between the time of death and the day after the funeral, not to exceed three (3) days.

"Immediate Family" is defined as father, mother, sister, brother, father-in-law, mother-in-law, husband, wife, child, or a relative actually residing in the employee's household.

In the case of death of a sister-in-law, brother-in-law, grandparent, daughter-in-law, son-in-law or grandchild, the employee will be granted one (1) paid day off to attend the funeral.

#### **G. JURY DUTY**

When a full-time employee of the City is required to serve as a juror, the City will pay the employee his/her regular daily pay while allowing the employee to retain any pay received for jury duty. Employees scheduled for jury duty must notify their immediate supervisor as soon as possible.

An employee who serves only one-half (1/2) day on jury duty is required to return to work as soon as possible and finish the shift.

If the employee fails to report for work at all after one-half (1/2) day of jury duty, the City will pay regular daily wages for only one-half (1/2) day.

Because the City will be paying the employee on a regular basis, and in order to verify jury duty service, the employee will be required to turn in verification of jury duty from the court.

#### **H. VOLUNTEER FIRE FIGHTER TIME**

Employees who serve as members of the Frankenmuth Volunteer Fire Department will continue to receive their normal hourly pay for time spent responding to fire calls during standard working hours.

#### **V. INSURANCE**

The following insurances are available to full-time employees and to full-time probationary employees who are expected to become full-time employees.

##### **A. LIFE INSURANCE**

Full-time employees receive a thirty thousand dollar (\$30,000) term life insurance policy, which includes double indemnity for accidental death or dismemberment. The amount of coverage under this policy decreases after age sixty-five (65). Details are included in the insurance contract document. The premium is paid one-hundred percent (100%) by the City.

##### **B. INDEMNITY INSURANCE (UP TO 26 WEEKS)**

Full-time employees are covered by a weekly indemnity policy which provides sixty-seven percent (67%) of the employee's basic weekly wage up to six hundred dollars (\$600.00) per week, to a maximum of twenty-six (26) weeks, for illness and injuries which are not job related, including pregnancy leave for female employees. Payments begin on the first (1st) day for accidents and on the eighth (8th) day for illness.

The basic weekly wage which determines the amount of the weekly indemnity benefit will be reviewed annually in January to determine if a change has occurred, and such changes will usually be effective in February.

The premium for coverage up to twenty-six (26) weeks is paid one-hundred percent (100%) by the City.

### **C. INDEMNITY INSURANCE (EXTENDED COVERAGE)**

Full-time employees who have completed ninety (90) days of service are covered by an extended indemnity insurance policy which provides sixty-six and two-thirds percent (66 2/3%) of the employee's basic weekly wage up to five thousand dollars (\$5,000.00) per month, after being off work for six (6) months, for illness and injuries which are not job related. This benefit will be available up to age sixty-five (65) if the employee's age on the date of the disability is less than sixty (60) years. For those employees older than sixty (60) years at the time of the disability, the length of time the benefit will be available varies with the age of the employee. Details are included in the insurance contract document.

The premium for extended coverage is paid one-hundred percent (100%) by the City.

### **D. DENTAL INSURANCE**

The City will provide to full-time employees and their immediate family members a dental insurance program that is comparable to the Blue Cross Blue Shield Dentemax Plan. The program will cover the following services and payments:

1. One-hundred percent (100%) of the cost of preventive services based on reasonable and customary charges.

2. Seventy-five percent (75%) of the cost of restorative services based on reasonable and customary charges. The other twenty-five percent (25%) of the cost will be paid by the employee.

3. Fifty percent (50%) of the cost of prosthodontic services. The other fifty percent (50%) of the cost will be paid by the employee.

4. Fifty percent (50%) of the cost of orthodontics up to a maximum of one thousand dollars (\$1,000) lifetime for children up to age nineteen (19).

For the services described in 1, 2 and 3 above, there is a maximum annual (January 1st through December 31st) amount of one thousand dollars (\$1,000) per eligible person. There is no deductible.

The premium for this dental insurance program will be paid eighty percent (80%) by the City and twenty percent (20%) by the employee.

### **E. VISION INSURANCE**

The City will provide to full-time employees and their immediate family a vision insurance plan through Blue Cross Blue Shield known as the Blue Vision (VSP/24/24/24). The City will pay eighty percent (80%) and the employee will pay twenty percent (20%) of the premium for same. The plan will provide eye exams with a five dollar (\$5.00) co-pay by the employee and lenses and frames with a ten dollar (\$10.00) co-pay by the employee. Partial coverage for elective contact lenses, in lieu of frames and lenses, or therapeutic contact lenses, is also available under this plan. These benefits will be available once every twenty-four (24) months unless otherwise specified in the Affordable Care Act.

### **F. HEALTH INSURANCE**

The City will provide to full-time employees and their immediate family members a health insurance plan through Blue Cross Blue Shield known as the Community Blue H.R.A. P.P.O. Platinum \$2,000 Hybrid Plan. Details of this Plan are described in a separate document. On a periodic basis the City will reimburse employees for a portion of their deductibles and co-pays through Basic, Inc. Employees will be required to pay co-pay amounts for all health related office visits as specified in the City's Plan. Employees will pay twenty percent (20%) per month of their health insurance premium cost. The City will pay the remaining balance of the health

insurance premium for this plan. The City will provide employees the opportunity for a pretax deduction of this premium co-pay through its Section 125 Cafeteria Plan.

The plan will include the Blue Preferred RX SG Prescription Drug Coverage as specified in the City's Plan.

Dependents twenty-six (26) years old and under will be covered as specified in the Affordable Care Act.

#### **G. OPTION TO HEALTH INSURANCE**

For full-time employees who annually elect to not participate in the City's group health insurance program, or to annually reduce their health insurance benefits to a lesser level (i.e., reduce from a family to a two person or single person coverage or from a two person coverage to a single person coverage), one of the following options may be selected. (1) The City will contribute fifty percent (50%) of the premium amount which would otherwise be paid for that employee per pay period to an approved 457 Deferred Compensation Plan. (2) The City will pay cash payments to the employee; however, the fifty percent (50%) amount will be reduced by the employer's share of Social Security and Medicare taxes.

#### **H. HEALTH INSURANCE FOR RETIREES**

**For Full-Time Employees Hired Before January 1, 2007:**

The City will provide to eligible retirees health insurance as described herein. In order to be eligible for health insurance coverage, a retiree must have at least ten (10) years of full-time employment with the City of Frankenmuth, have worked for the City just prior to retirement and be eligible for retirement benefits through the Municipal Employees Retirement System. (NOTE: This plan does not include vision or dental insurance.)

**1. For Retirees With At Least Ten (10) Years But Less Than Thirty (30) Years Of Full-Time Employment With The City Of Frankenmuth.**

The City will provide to retirees under sixty-five (65) years of age the Community Blue P.P.O. Plan through Blue Cross Blue Shield and a ten dollar (\$10.00) generic/sixty dollar (\$60.00) name brand co-pay prescription drug rider. The City will pay up to a maximum of four hundred fifty dollars (\$450.00) per month for the premium of a one- or two-person policy for eligible retirees up to age sixty-five (65). Retirees must pay the remainder of the premium for a one- or two-person policy up to age sixty-five (65) years old.

The City will provide to retirees sixty-five (65) years of age and over the Blue Cross Blue Shield Supplemental Coverage for Medicare Benefits. After retirees are eligible for Medicare, they must pay one hundred percent (100%) of the premium of the Blue Cross Blue Shield coverage.

To be eligible for the City's participation from the time of retirement up to sixty-five (65), each retiree must also have:

- a. Worked full-time for the City for ten (10) or more years prior to retirement.
- b. Been enrolled in the health insurance plan prior to retirement.
- c. Not vested his or her retirement prior to age fifty-five (55).

Retirees must continue to pay their premiums on a timely basis or their participation in the program may be terminated.

**2. For Retirees With At Least Thirty (30) Years Of Employment With The City Of Frankenmuth.**

For those retirees who work for the City of Frankenmuth for at least thirty (30) years, the above stated benefit will be available at age fifty-five (55).

#### **OPTION FOR RETIREES**

Eligible retirees currently receiving a monthly City health insurance benefit may annually elect to terminate their City coverage and change to a different health insurance plan after providing proof of other health insurance coverage. The City will cover the cost of such other health insurance coverage if it is in the best interest of the City in order to save any costs associated therewith. Such arrangement can only be approved if authorized by the City Manager.

#### **SPECIAL NOTE TO RETIREES**

Surviving spouses of eligible retirees must continue to receive retirement benefits from the Municipal Employees Retirement System of Michigan in order to be eligible for continued participation in the health insurance plan following the retiree's death.

**For Full-Time Employees Hired After January 1, 2007:**

The City will provide the same retiree health insurance program as described above; however, the premium for this retiree health insurance program will be paid one hundred percent (100%) by the retiree.

#### **I. HEALTH INSURANCE CONTINUATION COVERAGE**

1. Continuation of Health Insurance Coverage (in coordination with benefits under the Family Medical Leave Act). Full-time employees who become physically unable to continue their work due to accident, injury or illness may qualify for continued health insurance coverage under the following circumstances (if the medical leave is approved):

a. With less than one year of full-time employment the City will pay the health insurance premium for up to one month after the request for medical leave is approved.

b. After one year of full-time employment the City will pay the health insurance premiums for up to six months after the request for medical leave is approved.

The City will continue to provide health insurance coverage and pay the premium for that coverage on the same basis as was being provided prior to the accident, injury or illness.

2. C.O.B.R.A. Eligibility – An employee that becomes ineligible for the City's health care benefit coverage (e.g., the employee quits, is fired, is reduced to part time employee status or otherwise becomes ineligible) will be offered temporary extension of health insurance coverage in certain instances where coverage under the plan would otherwise end. This extension of coverage will be done in conformance with the Consolidated Omnibus Budget Reconciliation Act (C.O.B.R.A.) which is Federal Law PL 99-272, Title X as amended. The employee would then be responsible for payment of the health insurance premiums.

#### **VI. OTHER BENEFITS**

##### **A. HEALTH CARE SAVINGS PROGRAM**

All full-time employees are eligible to be enrolled in the City of Frankenmuth Health Care Savings Program through the Michigan Employees Retirement System (MERS). The Plan provides a tax-free medical savings account to individual full-time employees to cover the costs of

post-employment health care. Participation in this Plan is voluntary and one hundred percent (100%) employee funded.

**B. FLEXIBLE BENEFITS PLAN**

All full-time employees are eligible to be enrolled in the City of Frankenmuth Flexible Benefits Plan through a third party administrator as authorized by the City Manager. The Plan offers a variety of pre- and post-tax insurance plans, and also offers medical care expense and dependent care expense reimbursement arrangements. Participation in this Plan is voluntary and one hundred percent (100%) employee funded.

**C. 457 DEFERRED COMPENSATION PLAN**

All full-time and part-time employees are eligible to be enrolled in the City of Frankenmuth 457 Deferred Compensation Plan through the International City Management Association Retirement Corporation (ICMA-RC) or other deferred compensation plan as authorized by the City Manager. The Plan is a supplemental retirement savings program that allows contributions to be made on a pre-tax basis to supplement retirement income. Participation in this Plan is voluntary and one hundred percent (100%) employee funded.

**D. WORKERS' COMPENSATION**

All employees are covered by applicable state laws for injury suffered on the job.

**E. UNEMPLOYMENT COMPENSATION**

All employees are covered by applicable state laws for unemployment compensation.

**F. RETIREMENT BENEFITS**

The City is a member of the Municipal Employees' Retirement System of Michigan (MERS). This program, together with Social Security benefits, will help employees and their families meet the economic needs of retirement. Full-time employees, probationary employees who are expected to become full-time employees, and part-time employees who work at least ten (10) full days per month on a regularly scheduled basis as defined in Part I. B. of these regulations are eligible to become members.

**For Employees Hired Before January 1, 2007:**

Eligible employees hired before January 1, 2007, will be provided with a defined benefit retirement plan through MERS.

Eligible employees will contribute five and 25/100 percent (5.25%) of their actual compensation into the Retirement System. The City will contribute an actuarially determined amount as required by the Retirement System.

The benefits paid to eligible retirees are the B-4, E-2 (re-adoption), FAC-3 (effective April 1, 2006) Program offered by the Retirement System. (NOTE: The readopted E-2 benefit was effective January 1, 2001.) Eligible employees covered by these regulations are provided the coverage of the F55/30 Program, which allows retirement at age fifty-five (55) with full benefits to those employees who have thirty (30) years of service credit with the City.

Each employee's retirement allowance is determined by final average compensation, years of service and benefit multiplier in effect at the time of retirement or termination. An employee must work a minimum of ten (10) years to be fully eligible for retirement benefits.

**For Employees Hired After January 1, 2007:**

Eligible employees hired after January 1, 2007, will be provided with a hybrid retirement plan (combination of defined benefit and defined contribution) through MERS.

This plan consists of the following two components:

**(a) For the Defined Benefit (DB) Component of the Plan.**

The DB Component will be exclusively funded by the City, with no employee contributions permitted. The Benefit Multiplier will be 1.0% times the years of service times the Final Average Compensation (FAC). The FAC will be FAC-3. The Benefit will be payable at age 60. These employees are 100% (one-hundred percent) vested after six (6) years of service credit with the City.

**(b) For the Defined Contribution (DC) Component of the Plan.**

Each employee contributes on a pre-tax basis four percent (4%) of his/her earnings into the Plan. This amount cannot be decreased. Each employee may make additional voluntary (unmatched) after-tax contributions to this Component of the Plan.

**G. SAFETY SHOES**

All full-time and part-time employees with at least six (6) months of City employment who have worked on average twenty (20) hours or more per week between the preceeding October 1<sup>st</sup> and April 30<sup>th</sup> (not including temporary and contract employees) in the Department of Public Works, Water Department, ~~and~~ Wastewater Treatment Plant and Parks & Recreation Department will be allocated up to seventy-five dollars (\$75.00) per year for the purchase of safety shoes with the exception that part-time employees working between twenty (20) and thirty (30) hours per week shall be eligible for such reimbursement every twenty-four (24) months. Such reimbursement will only apply to those employees required to wear such shoes on a regular basis. Receipts will be required from part-time employees, and the amount of reimbursement will be based on the receipt amount.

Other employees may be required to furnish steel-toed safety shoes at their own expense.

**H. CLOTHING ALLOWANCE**

All full-time employees in the Department of Public Works, Water Department and Wastewater Treatment Plant will receive a clothing allowance of two hundred fifty dollars (\$250.00) per year, payable on or about June 10.

Note: Payment of the safety shoe allocation of seventy-five dollars (\$75.00) and the clothing allowance of two hundred fifty dollars (\$250.00) will be combined into one check.

Certified part-time police officers can qualify for up to \$100 per year uniform cleaning allowance as determined by the police chief, payable on or about June 10.

**I. EYE PROTECTION**

In addition to any vision insurance plan offered to employees, the City will purchase one pair of OSHA approved industrial strength safety eyeglasses for full-time and part-time employees (not including temporary and contract employees) whose job classification requires safety eyeglasses as follows:

1. Prescription Eyeglasses. For those employees who wear prescription eyeglasses, the City will purchase OSHA approved lenses and frames every other year as follows:

**LENS MATERIALS:**

Single Vision up to \$65.00

Bifocals up to \$85.00

**FRAME MATERIALS:** up to \$50.00

2. **Non-Prescription Eyeglasses.** For those employees who do not wear prescription eyeglasses, the City will provide either a standard pair of non-prescription safety eyeglasses or goggles.

Other employees (temporary and contract) whose job classification requires safety eyeglasses will be provided with a pair of standard non-prescription safety eyeglasses or goggles by the City.

If an eye examination is necessary, the cost of the examination will be the responsibility of the employee. However, for full-time employees, such examinations may be covered through the City's vision insurance program.

**Note:** Allowances and reimbursements for safety shoes, clothing and eye protection shall only be paid after an employee successfully completes his/her probationary period. New employees will receive allowances pro-rated on a monthly basis during the first year of employment.

#### **J. OTHER EQUIPMENT**

The City will purchase gloves, safety helmets, and other equipment incidental to job safety. If an employee believes additional protection is needed for a particular job, his/her supervisor should be contacted.

The City will provide uniforms and equipment to the Police Chief on the same basis as has been done in prior years. The City will provide a cleaning allowance of two hundred dollars (\$200.00) per year to the Police Chief, payable on or about June 10.

### **VII. REIMBURSEMENTS**

#### **A. MEALS**

Employees on authorized City business who are away from the City, requiring that a meal or meals be purchased, may be reimbursed up to the following maximums per meal:

Breakfast	\$ 7.25
Lunch	11.00
Dinner	18.50

#### **B. LODGING**

The City will pay for the full cost of lodging for employees who are on authorized overnight travel.

#### **POLICIES ON LODGING AND MEALS REIMBURSEMENT**

All requests for reimbursement for lodging and meals must be documented by receipts.

Reimbursement for meals will not be authorized when the cost of those meals is included as part of the registration fee for an authorized meeting or conference. In cases where extended stays require a cash advance from the City, actual expenses must still be documented by receipts and unused cash must be returned to the City. The City will not pay lodging or meal cost for an employee's other family members who may accompany the employee.

#### **C. MILEAGE REIMBURSEMENT**

The mileage allowance for use of privately owned vehicles on authorized City business shall be ninety percent (90%) of the Federal I.R.S. reimbursement amount rounded to the nearest whole cent.

#### **D. TUITION REIMBURSEMENT**

Reimbursement for tuition expenses will be available to all full-time employees who are enrolled in job-related courses or degree programs. Application for reimbursement must be approved by the applicable Department Head, and then submitted to the City Manager for approval. The deadline for submitting the application to the City Manager is the first (1st) day of the class.

Upon completion of the course, the employee must present a report card or certificate of completion along with proof of payment to the City Manager. A voucher will be prepared for reimbursement of tuition only for those courses where the employee obtained a grade equivalent of "C" or better.

The maximum reimbursement for tuition for each employee for any one calendar year is one thousand dollars (\$1,000.00).

Employees must have been employed by the City for six (6) months prior to receiving tuition reimbursement.

Reimbursements will be paid according to the following schedule:

100% -- For all courses which are directly related to the employee's present job.

25% -- For other than job related courses taken during first (1st) year college courses (0-29 credits) toward a job related degree.

50% -- For other than job related courses taken during second (2nd) year college courses (30-59 credits) toward a job related degree.

75% -- For other than job related courses taken during third (3rd) year college courses (60-89 credits) toward a job related degree.

100% -- For other than job related courses taken during fourth (4th) year college courses (90 or more credits) toward a job related degree.

100% -- For other than job related courses taken at a graduate level toward a job related degree.

#### **VIII. GRIEVANCE PROCEDURE AND DISCIPLINE**

It is the City's intention to prevent grievances and settle any which may arise as promptly and fairly as possible.

A grievance may be defined as a dispute or difference between an employee (or group of employees) and the employee's supervisor and the City. An attempt to settle all grievances should be made before commencing a formal grievance action.

##### **A. PROCEDURE**

**STEP 1.** The employee(s) will present the grievance in writing to his/her supervisor (or designee) within five (5) working days of the date of the event which gave rise to the grievance.

The supervisor (or designee) will answer within three (3) working days after receipt of the grievance.

**STEP 2.** If the grievance is not settled in Step 1, it shall be reduced to writing, signed and be presented to the City Manager (or designee) within five (5) working days after the supervisor has given his/her written answer.

The City Manager (or designee) will reply in writing to the grievance within five (5) working days after receipt of the written grievance.

**STEP 3.** If the grievance is not settled in Step 2, it may be appealed to the City Council's Personnel Committee. The appeal shall be presented to the Personnel Committee

(through the City Manager) within five (5) working days after the City Manager has given his/her written answer.

The Personnel Committee will reply in writing to the grievance within thirty (30) days after receipt of the grievance. The decision of the Personnel Committee shall be final.

NOTES: All grievances presented shall be prepared in detail, including such information as dates, times, names of parties, etc.

Employees who report directly to the City Manager will start the procedure in Step 2.

## **B. DISCIPLINE**

Discipline for violation of these regulations may take the form of a verbal warning, a written warning, suspension, or discharge. Although employment with the City is considered to be "at-will," progressive discipline may be utilized to such an extent that an employee is given up to two (2) written warnings for a violation(s) of these regulations, except that in the case of the following offenses discharge or suspension may be immediate:

1. False statements on the employment application, giving false information at the time of employment, or falsifying other personnel records.
2. Dishonesty.
3. Falsification of City records.
4. Recklessness that could result in a serious accident while on duty.
5. Provoking a fight or fighting during working hours.
6. Insubordination including failure to perform duties in the manner prescribed or refusal to carry out reasonable instructions from immediate supervisor or failure to accept work schedule as assigned.
7. Conviction of any criminal offense (other than minor traffic offense).
8. Improper or unauthorized use of City vehicles, property or equipment.
9. Theft or unauthorized possession of property belonging to other employees or the City of Frankenmuth.
10. Having an unsatisfactory driving record.
11. Unexcused absences.
12. Gambling during work time or on City premises.
13. Sleeping on the job during working hours.
14. Doing any kind of work for personal monetary gain while on medical leave.
15. Use of alcoholic beverages on City premises or during working hours, at lunch, or while at work.
16. Sale, distribution, possession, or use of illicit or illegal drugs or narcotics on City premises or during working hours, or reporting for work under the influence of such.
17. Threatening, intimidating, coercing, or interfering with fellow employees.
18. Unauthorized possession of firearms or explosives.
19. Immoral conduct or indecent behavior.
20. Abusive language to the public.
21. General conduct which adversely reflects on the City. General conduct which adversely reflects upon the City is intended to mean such personal conduct that becomes a matter of public knowledge which directly and adversely reflects upon the ability of the employee to instill public confidence in himself/herself or the City government as a whole.

The use of progressive discipline shall not be construed to mean that the "at-will" employment status has been altered.

**Should the discharged, suspended or disciplined employee consider the action improper, a grievance should be processed through the regular grievance procedure.**

**IX. CITY MANAGER CERTIFICATION**

**I hereby certify that these regulations are correct as authorized by the Frankenmuth City Council and its Personnel Committee, as of January 1, 2015.**

\_\_\_\_\_  
**Charles B. Graham**  
**City Manager**

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**Date**