



VILLAGE OF PINCKNEY

EMPLOYEE POLICIES AND PROCEDURES

Village of Pinckney employee policies and procedures as updated as of July 2016

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Employee Policies and Procedures Manual

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INTRODUCTORY STATEMENT

The purpose of this Policy Manual is to set forth all policies and procedures established by the Village of Pinckney to govern conditions of employment for all Village of Pinckney employees, excepting the Village President. The authority to change, amend, or delete any or all provisions of this Policy Manual is solely vested in the Village Council. Should any part, section or provision of this Policy Manual be rendered or declared invalid by legislation, decree, or a court of competent jurisdiction, or ruling of a federal or state administrative agency, such invalidation shall not affect the remaining portions of the Policy Manual.

The personnel policies and procedures contained herein shall apply to all General Fund employees unless superseded by a valid individual employment contract approved by the Village Council.

No person or persons other than the Village Council has any authority to enter into any employment agreement or make any agreement contrary to or inconsistency with the terms of this Policy Manual. The terms of this Policy Manual can only be changed or modified by a writing promulgated by the Village Council. Any employment agreement contrary to or inconsistent with this Policy Manual must be in writing and executed by the employee and the Village Council or Council's designee.

No Policy Manual can anticipate every circumstance or question about policy. As the Village of Pinckney continues to grow, the need may arise and Village reserves the right to revise, supplement, or rescind any policies or portion of the Manual from time to time as it deems appropriate, in its sole and absolute discretion. These changes may include unilateral adjustments in compensation, fringe benefits, and other terms and conditions of employment including layoff. The only exception to any changes is the employment-at-will policy permitting the Employee or the Village of Pinckney to end the relationship for any reason at any time. Employees will, of course, be notified in writing of such changes to the Manual as they occur.

Policy 101 Nature of Employment

Employment with the Village of Pinckney is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, the Village of Pinckney may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the Village of Pinckney and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or cancelled at any time, at the Village of Pinckney's sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Village Council.

Policy 102 Employee Relations

The Village of Pinckney believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other Villages in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. The Village of Pinckney demonstrates its commitment to employees by responding effectively to employee concerns.

Communication Procedure

To encourage a smoothly operating and pleasant work environment, standard communication procedures must be followed. Any questions regarding Village policy or procedure should be directed to either the employee's Department Head or the Village Clerk. If the employee is not satisfied with the response, the employee should put the question, comment, complaint, or suggestion in writing and submit it to the Village President with signature.

Policy 103 Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all persons, employment decisions at the Village of Pinckney will be based on merit, qualifications, and abilities. The Village of Pinckney does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, creed, political affiliation, marital status, height, weight, or any other characteristic protected by law.

The Village of Pinckney will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. The policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination including harassment in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Village Clerk. If you feel your concerns are not being taken seriously contact the Village President. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Policy 104

Personal Relationships in the Workplace

The employment of relatives or individuals involved in a dating relationship in the same area of the workplace may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. A dating relationship is defined as a relationship that may reasonably lead to the formation of a consensual "romantic" or sexual relationship. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Relatives of current employees may not occupy a position that will be working directly for or supervising their relative. Individuals involved in a dating relationship with a current employee may also not occupy a position that will be working directly for or supervising the employee with whom they are involved in a dating relationship. The Village of Pinckney also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a relative relationship or dating relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management. The individuals concerned will be given the opportunity to decide who is to be transferred to another available position. If that decision is not made within 30 calendar days, management will decide if transfer or termination from employment is necessary.

Policy 105 Disability Accommodation

The Village of Pinckney is committed to complying fully with the Elliott Larson Persons with Disabilities Civil Rights Act and the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Accommodation

Reasonable accommodation is available to all qualified disabled employees, where their disability affects the performance of job functions. Leaves of all types will be available to all employees on an equal basis. Requests for Accommodation should be submitted in writing to the employee's supervisor or the Village Clerk along with medical verification of (1) the underlying medical condition and/or (2) the need for accommodation.

All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, and lines of progression. Leave of all types will be available to all employees on an equal basis.

The Village of Pinckney is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. The Village of Pinckney will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. The Village of Pinckney is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

Policy 106

Job Posting

The Village of Pinckney provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-time job openings are posted, although the Village of Pinckney reserves its discretionary right to not post a particular vacancy.

Job openings will be posted and normally remain open for 5 days. Each job posting notice will include the dates of the posting period, job title, department, location, rate of pay, job summary, essential duties, and qualifications (required skills and abilities).

To apply for an open position, employees should submit an application for employment listing job-related skills and accomplishments. It should also describe how their current experience with the Village of Pinckney and prior work experience and/or education qualifies them for the position. Each applicant must submit an application for employment within the specified posting period in order to be considered for the vacant position.

The Village of Pinckney recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors about their career plans. Supervisors are encouraged to support employees' efforts to gain experience and advance within the organization.

An applicant's supervisor may be contacted to verify performance, skills, and attendance. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

Policy 107 Secondary Employment

Employees may be approved to engage in secondary employment provided they meet the performance standards of their job with the Village of Pinckney. All employees will be judged by the same performance standards and will be subject to the Village's scheduling demands, regardless of any existing outside work requirements.

If the Village of Pinckney determines that an employee's outside work interferes with performance or the ability to meet the requirements of the Village as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the Village of Pinckney.

It is also the policy of the Village of Pinckney to prohibit employees from engaging in any activity or practice which conflicts with the interest of the Village, including accepting or engaging in full-time, part-time or temporary employment, with an Village who engages in business with the Village or any of its Departments without first obtaining the Village Council's approval.

Policy 201 Employment Categories

It is the intent of the Village of Pinckney to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by the Village of Pinckney.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are regularly scheduled to work either 80 (eighty) hours per bi-weekly pay period or 2080 hours per year or 84 (eighty-four) hours per bi-weekly pay period or 2184 hours per year. These employees are eligible for the Village of Pinckney's benefit package outline in Policy 301, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME employees are those who are regularly scheduled to work in a specific position budgeted on an annual basis for not more than seventy-nine (79) hours per bi-weekly pay period. These employees are not entitled to the Village of Pinckney's benefit package.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Temporary employees may also be used during unusual peak work periods when additional staff is necessary for a short period of time. Employment assignments in this category are for a specific period of time. The employees will not be eligible for any benefits provided in this Policy Manual. Temporary employees may be terminated at will, with or without cause at any time, with or without notice, and shall have no recourse to the Grievance provisions of this Manual. Although temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for any of the Village of Pinckney's other benefit programs.

STUDENT employees are those employees who are hired either directly or through Work Study programs with academic institutions. In all respects, their conditions of employment are identical to temporary employees. High school and college students hired for employment during the summer months are allowed to work forty (40) hours a week, for a maximum of five hundred-twenty (520) hours per summer. All student employment must receive prior approval of the Village Council. Student employees will not be eligible for any benefits provided in this Policy Manual. Student employees may be terminated at will, with or without cause at any time, with or without notice, and shall have no recourse to the Grievance provisions of this Manual.

Policy 202

Access to Personnel Files

The Village of Pinckney maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals, rates of pay, hours worked; benefit accruals, absences, salary increases, and other employment records.

Personnel files are the property of the Village of Pinckney, and access to the information they contain is restricted. Generally, only supervisors and management personnel of the Village of Pinckney who have a legitimate need to review information in a file are allowed to do so.

Medical records shall be segregated from general personnel files

Files will be maintained in the Office of the Village Clerk. Employees are permitted to periodically review their own personnel records at reasonable intervals, generally not more than two (2) times in a calendar year by making a mutually agreeable appointment with the Village Clerk.

Employees may review their own personnel files in the office of the Village Clerk and in the presence of the Village Clerk or the Village Clerk's designee during regular hours of that office.

Police personnel records shall be maintained by the Chief of Police and made available to employees for review of their own files during business office hours.

Employees shall not be permitted to remove any documents from their files without authorization and understand that discipline will be imposed if documents are removed by an employee without authorization.

An employee may obtain a copy of any document in that employee's personnel file.

In the event a request is made by a third party for a copy of a personnel file which contains disciplinary action the employee will be given written notice by first class mail on or before the day the information is divulged.

Copies - An employee may submit up to five (5) pages of written explanation regarding information in the file which shall be included in the file.

Rebuttal - An employee may submit up to five (5) pages of explanation regarding any issue with which they may have a difference of opinion.

Policy 203**Personnel Data Changes**

It is the responsibility of each employee to promptly notify their Department Head or the Village Clerk in writing of any changes in personnel data, including changes in personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, marital status, and beneficiaries no later than ten (10) days after such change has occurred. Payroll, insurance coverage and other benefits may be affected by this information. In the event that an employee's payroll or benefits are adversely affected as a result of the employee's failure to timely notify the Village of a change in personal status, the Village will not be held responsible.

All employees must have on file a current Employee Emergency Contact form (Attachment 1).

Policy 204 Introductory Period

The six (6) months introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Village of Pinckney uses this period to evaluate employee capabilities, work habits, and overall performance. During the introductory period the Village Council, Village President and/or Department Head or his/her designee may terminate the introductory employee with or without cause or advance notice. Introductory employees may be disciplined, laid off, recalled, or terminated and shall have no recourse to the Grievance Procedure (710) contained in this Policy Manual.

Any significant absence from work may extend the introductory period by the length of the absence.

In cases of **promotions or transfers** within the Village of Pinckney, an employee shall serve a **ninety (90) working day trial period** to prove that he/she is capable of performing the work. At any time during this trial period, the employee may request in writing to be relieved from the new classification and returned to his/her former position and rate of pay without loss of seniority, providing that the employee's previous position has not been filled. At any time during the trial period, if the Department Head determines that the employee is unsatisfactory for any reason in the new classification, the Department Head shall have the right to return the employee to the former classification and rate of pay without loss of seniority, provided that the employee's former position has remained vacant. In the event the former position has been filled, the Village will not be obligated to retain the employee.

Upon satisfactory completion of the initial introductory period validated through completion of Employee Performance Appraisal - Probationary, employees enter the "regular" employment classification (Attachment 2).

During the initial introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other Village of Pinckney-provided benefits, subject to the terms and conditions of each benefit program. Employees should read the information for each specific benefits program for details on eligibility and requirements.

Benefits eligibility and employment status will not be changed during the secondary introductory period that results from a promotion within the Village of Pinckney.

Policy 205 Employment Applications

The Village of Pinckney relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentation, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment (Attachment 3).

Policy 206 Selection Procedure

A. Promotions. The opportunity for promotion to vacant positions shall be made available to employees who have completed their introductory period. Notice of a vacant position will be provided by a posting period for five (5) calendar days. Promotional opportunities shall be made available to all Village employees who have completed their introductory period.

The Department Head will make the final decision regarding the promotion of any employee.

The Department Head will not be obligated to consider a request for promotion from an employee during the employee's absence from work unless the employee submits the request in writing during the posted period.

The Village reserves the right, in its sole discretion, to determine whether any current employee is qualified for the promotion.

Any employee who is promoted shall serve a ninety (90) working day trial period to prove that he/she is capable of performing the work as outlined in Policy 204.

In the event that an employee is promoted, the employee shall receive the rate of pay at the lowest step in the new classification that results in an increase in salary rate. The employee shall then begin a new anniversary date for the purpose of pay increments in the new classification.

B. Open Selection. Any job vacancies not filled through promotion shall be opened to the general public through the established, competitive selection procedure, which includes publication and posting of vacancies for a two (2) calendar week period.

C. Voluntary Transfer: Employees may make written application within the established posting period for a voluntary transfer to a vacant position within an equal paying classification that may become available in their own or another Department. The affected Department Head has sole discretion whether to accept or decline a voluntary transfer request.

D. Voluntary Demotions: Employees may make written application within the established posting period for a voluntary demotion to a vacant position in a classification which may become available in their own or another Department. Selection of an employee for voluntary demotion shall be at the sole discretion of the affected Department Head.

E. Appointment. The authority to make appointments, transfers, and promotions shall be vested in the Department Head or his/her designee, provided that prior budgetary authorization has been approved for the appointed position to be filled. Department Heads shall be appointed, transferred, or promoted by the Village Council.

F. Wage Rates on Transfers If an employee is awarded a higher paid job, he/she will immediately take the rate of the new job.

If an employee is transferred to a lower paying job, he/she shall take the rate of the new job when the duties of that job are assumed. If an employee is temporarily transferred to a lower paid job, he/she shall continue to receive the rate of their regular job.

Policy 207 Performance Evaluation

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. A formal written performance evaluation will be conducted at the end of an employee's initial period of hire, known as the introductory period. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss the job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

These evaluations shall be conducted annually by the Supervisor or Department Head, in June of each year for all full-time and regular part-time employees covered by this Policy Manual (Attachment 2).

These evaluations shall be recorded on the Employee Performance Evaluation form provided by the Village Clerk's Office and kept in the employee's personnel file.

Appeals of the Evaluation:

Any employee, who believes that a performance evaluation is unjust, may file a written response which shall be included with the evaluation in the employee's personnel file.

Policy 301 Employee Benefits

Eligible employees of the Village of Pinckney are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- Benefit Conversion at Termination
- Deferred Compensation Plan
- Health Insurance
- Holiday Pay
- Jury Duty Leave
- Life Insurance
- Long Term Disability
- Meal Allowance
- Medical Leave
- Military Leave
- Overtime
- Pension Plan
- Personal Leave
- Short-Term Disability
- Travel Reimbursement
- Vacation Benefits
- Witness Subpoena Leave

Some benefit programs require contributions from the employee, but most are fully paid by the Village of Pinckney.

Policy 302 Vacation Benefits

Vacation time off with pay is available to regular full-time employees to provide opportunities for rest, relaxation, and personal pursuits.

Regular full-time employees will accrue vacation based on time worked.

The amount of paid vacation regular full-time employees receive each year increases with the length of their employment as shown in the following schedule:

- **Completion of One (1) Year of Service from Date of Hire**
 - 40 hours per year

- **Completion of 2-6 Years of Service from Date of Hire**
 - 80 hours per year

- **Completion of 7-14 Years of Service from Date of Hire**
 - 120 hours per year

- **Completion of 15-24 Years of Service from Date of Hire**
 - 160 hours per year

- **Completion of 25 Years of Service or More from Date of Hire**
 - 200 hours per year

Regular full-time employees shall earn paid vacation time according to the above schedule. Vacation is not available for use during the year of accrual.

A. Procedure for Utilizing Vacation

Approval of the employee's Department Head shall be required for all vacation requests. Approval of such requests shall be **consistent with efficient Village operations**. The granting of any vacation request is at the Department Head's full discretion. When more requests for vacation are received than can be granted at one time, **the first employee** making a **written request** will be given preference.

The scheduling of paid vacation leave is the mutual responsibility of the employee and the Department Head. Vacation time may be taken in a block or scheduled throughout the calendar year. However, vacation time may not be used in increments of less than a one-half (½) day period.

Employees may not take more than two consecutive weeks in any four-week time period without approval from Department Head and Village President.

All vacation requests require a minimum of two weeks' notice. Requests shall be submitted to the employee's Department Head as early as possible. Copies of all approved vacation requests shall be submitted by the Department Head to the Village Clerk at the time of approval.

All vacation must be used within twelve months from the anniversary date on which it is accrued. There is no carry-over of vacation from one year of service to the next year of service.

Vacation time off is paid at the employee's base rate at the time of vacation.

B. Payment On Termination. Should an employee decide to leave employment, a minimum of a two (2) week notice, in writing, must be given to their department head, or in the case of Department Heads, the Village President. A copy of the written notice will be forwarded to Village Council. Failure to provide a two (2) week notice will result in loss of accrued vacation payout unless Village Council makes an exception. Employees leaving the employment of the Village, with two weeks' notice, will be paid for unused vacation time that has been earned through the last day of work.

Full time, union, Police Officers should refer to their current contract for confirmation of vacation benefits.

Policy 303

Holidays

The Village of Pinckney will grant holiday time off with pay to **all regular full-time** employees for the holidays listed below:

Holiday	12-hour shift	10-hour shift	8-hour shift
New Year’s Day	12	10	8
MLK Day		10	8
President’s Day		10	8
Good Friday			4
Memorial Day	12	10	8
Independence Day	12	10	8
Labor Day	12	10	8
Veterans Day		10	8
Thanksgiving	12	10	8
Day after Thanksgiving			8
Christmas Eve	12	10	8
Christmas Day	12	10	8
New Year’s Eve	12	2	4

Regular full-time employees get paid for all holidays listed. If a recognized holiday falls on a Saturday, the preceding Friday will be the scheduled holiday. If a recognized holiday falls on a Sunday, the succeeding Monday will be the scheduled holiday. New Year’s Eve and Christmas Eve shall be exceptions if they fall on a Sunday, and when that is the case, Friday will be the scheduled holiday. *(Council Amendment, 1/9/06)*

For employees working a regular schedule of Monday-Thursday, 10-hour days, those holidays that always fall on a Friday (i.e. the Friday before Thanksgiving and Good Friday) are not compensated holidays. For New Year’s Eve, only two hours are compensated. *(Council amendment, 8/11/08)* If a recognized holiday falls on a Friday, Saturday or Sunday, the Department heads will identify the designated day off for their individual team therefore allowing the office to remain open four days each week.

If a recognized holiday falls on a scheduled “off day” the department heads will identify a designated day off for the individual or individuals that have that holiday as a regularly scheduled “off” day. The paid holiday “day” off must be taken within the same pay period.

To be eligible for holiday pay, the employee must work the first scheduled regular work day prior to and the first scheduled regular work day following the holiday. Approved vacation and personal leave shall be considered as time worked for the purpose of this section. Unpaid or unapproved personal, or unapproved vacation time, shall not be construed as time worked. Paid holidays shall be computed for all regularly scheduled hours at the hourly rate of the employee. *(Council amendment, 1/9/06)*

The Village of Pinckney will grant holiday time off with pay to all permanent part time

employees for their individual FTE's for:

Christmas Day
New Year's Day

Holiday Pay. In the event the Full-time employee is required to work on any officially recognized holiday, he shall be compensated at the rate of two and one-half (2 ½) times the employee's hourly rate of pay for all hours worked. Such rate is inclusive of holiday pay.

In the event the Part-time employee is required to work on any officially recognized holiday, employee shall be compensated at the rate of one and one-half (1 ½) times the employee's hourly rate of pay for all hours worked.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Policy 304 Workers' Compensation/Work-Related Injury

The Village of Pinckney provides a comprehensive Workers' Compensation insurance program. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment.

MERS service time shall continue to accumulate while employees are receiving Workers' Compensation benefits, and time so spent will be counted for the purposes of continuous service only.

All questions concerning Worker's Compensation medical care, benefits continuation, vocational rehabilitation, computation of compensation, burial expenses, etc., are to be referred to the Village Clerk.

Reporting Required. Employees who sustain work-related injuries or illnesses are required to inform their supervisor immediately. Regardless of the perceived severity of an injury, it is important that all accidents/injuries be reported immediately. The incident shall be reported on the accident/injury report form (Attachment 4) to be obtained from the Clerk's Office. This information is to be forwarded to the Clerk's Office no later than forty-eight (48) hours after the occurrence of the injury by both the employee and the Department Head. It will be the responsibility of the Department Head to fill out the Form if the employee is unable or unwilling.

The Department Head has the authority to order an employee involved in an on-the-job injury to receive immediate attention, if need be, and refusal by the employee on any grounds other than religious shall be deemed insubordination. In accordance with Michigan law, the Village may designate the physician from whom an injured or ill employee will receive treatment during the first ten (10) days following a work-related injury or illness. Each department shall be notified of the name and location of the Village's physician for work-related injury and/or illness. Questions about where to go for treatment should be directed to the Village Clerk.

Based upon medical confirmation, an employee who has suffered a work-related injury or illness shall return to work as soon as the employee's course of treatment permits. Where the work situation and the employee's condition permit, employees may return to limited duties. The employee may be required to undergo a medical examination by a designated physician.

Policy 305

Personal Leave Benefits

The Village of Pinckney provides paid personal leave benefits to all regular full-time employees for periods of temporary absence due to non-work related reasons including illnesses or injuries, bereavement and personal business that must be conducted during regular work hours.

(1) Rate of Accrual. All regular full-time employees shall accrue personal leave at the rate of 8 hours per month with a maximum of 96 hours total personal time which may accrue in any one year. For new employees, the Village prorates from the date of hire to the 1st of the following month; after that first period regular accrual takes place.

(2) Maximum Accumulation: Full-time employees may accumulate a maximum of 144 hours of total accrued personal leave. ***Personal leave accumulated in excess of 144 hours may not be carried over to successive years.***

(3) Exception: Full-time employees hired prior to February 28, 2000, shall retain sick time accrued in excess of 80 hours (10 days) as of February 28, 2000 until such time as the accrued leave hours are reduced below 96 hours. At such time, the employee shall be subject to the personal leave maximum accrual provisions set forth in this policy.

(4) Access to Personal Leave: Personal leave may be used in minimum increments of not less than one hour with appropriate notice to the employee's Department Head.

Employees who are unable to report to work due to illness or injury must notify their direct supervisor before the scheduled start of their workday if possible, but no later than one-half (½) hour after the beginning of the employee's normal workday. The Village of Pinckney may require an employee to provide evidence of physical ability to continue employment in cases of repeated or excessive absence due to illness.

(5) Rate of Pay. Personal leave benefits will be calculated based on the employee's base pay rate at the time of absence.

(6) Termination: An employee will not be entitled to payment of unused accrued personal leave regardless of the reason for termination.

Policy 306

Jury Duty

The Village of Pinckney encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees who report for jury duty shall be paid by the Village for each regularly scheduled work day partially or wholly spent in performing jury duty. The Village will pay the amount equal to the difference between the employee's regular straight time hourly rate and the daily jury fee paid by the court (not including travel allowance or reimbursement for expenses). The Village's obligation to pay an employee for performance of jury duty under this Section is limited to a maximum of thirty (30) days of paid jury duty leave in any calendar year.

In order to receive payment under this Section, an employee must:

- A. Give his/her Department Head a prior notice written notice that he/she had been summoned for jury duty;
- B. Receive the endorsement of the Department Head;
- C. Furnish satisfactory evidence that jury duty was performed and the amount of fees received for the days for which payment is claimed are to be submitted with the employee's time sheet; and
- D. Report to work when excused from jury duty by the Court. In the event an employee fails to report to work when a jury to which he/she has been summoned is excused, he/she will not be paid and will be subject to discipline.

Either the Village of Pinckney or the employee may request an excuse from jury duty, if, in the Department Head's judgment, the employee's absence would create serious operational difficulties.

Policy 307

Witness Duty

Work Related

An employee required by the Village to give testimony in a public hearing or court of law or an employee subpoenaed by a public agency relating to any matter regarding their employment with the Village, shall be granted a leave of absence with pay for the period during which he/she is required to be absent from work due to Court attendance. The employee shall give the Village prior notification of the court appearance, if at all possible. The employee shall be paid on the next regularly scheduled pay day for each full day of court leave, after endorsing the witness/subpoena fees check to the Village, with the exception of mileage reimbursement.

Employees will be paid at their base rate.

A copy of the subpoena shall be provided to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work as soon as he/she is released by the issuing Court officer/attorney.

Non-Work Related

An employee subpoenaed to appear in a matter unrelated to his/her employment with the Village of Pinckney shall submit a copy of the subpoena to their supervisor as soon as possible after it is received. Such employees may use personal or vacation time to cover the absence.

Policy 308 Health Insurance

The Village of Pinckney provides a medical insurance plan in its sole discretion for its regular full-time employees. This coverage may include hospital care benefits, medical-surgical care, major-master medical care, and prescription drug benefits for employees and the employee's spouse and children under the age of twenty-six (26) years.

The Village of Pinckney may, at its sole discretion, change insurance carriers, plan coverage, and may self-insure in whole or in part.

See the applicable insurance policies and summary plan descriptions available in the Office of the Village Clerk for a full explanation of coverage.

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between the Village of Pinckney and the respective insurance carrier. The carrier and plan coverage are subject to changes in the sole discretion of the Village.

Employees may enroll in health insurance during the annual open enrollment period. New employees must enroll or provide confirmation of coverage elsewhere within 30 days following the start of their employment with the Village of Pinckney.

Cash Option. Employees who elect not to participate in the medical insurance plan may be entitled to a taxable cash payment in lieu of participation in the health insurance for which the employee would otherwise be eligible. The amount of the cash payment shall be determined by the Village Council for each plan year. Payment shall be made to the employee(s) that select this option on a bi-weekly basis as part of regular payroll. Employees shall be required to show proof of medical insurance coverage as a condition for such election.

Retiree Health Insurance. Any retiree health benefits are subject to the subscriber eligibility requirements of the insurance carrier. The Village may offer health insurance conversion for retirees and their spouses retiring from employment with not less than twenty-five (25) years of service and having reached 55 years of age. Retirees who participate in the health insurance plan shall pay fifty percent (50%) of the monthly premium cost of the insurance in advance of the premium due date. The Village will pay fifty percent (50%) of the monthly cost until the retiree reaches 65 years of age or the age at which the retiree would become eligible for Medicare, whether or not the retiree enrolls in Medicare, whichever occurs first, at which point participation in the Village's plan shall terminate.

Effective May 14, 2012, any full-time employee hired in after July 1, 2012 will no longer be eligible for Retiree Health Insurance.

The terms of retiree health care coverage are subject to change at any time and are not a vested benefit.

Vision Coverage. Prescriptive protective eye wear shall be provided every two (2) years

subject to the Village approved schedule.

Upon termination of employment, medical benefits terminate immediately. Due to the size of the organization COBRA is not provided.

Policy 309 Life Insurance

Life insurance offers important financial protection. The Village of Pinckney provides a \$35,000 group term life insurance policy for regular full-time employees and Elected Officials.

Accidental Death and Dismemberment (AD&D) insurance provides protection in cases of serious injury or death resulting from an accident. AD&D insurance coverage is provided as part of the basic life insurance plan.

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between the Village of Pinckney and the insurance carrier. The Village of Pinckney may, at its sole discretion, change insurance carriers or plan coverage. Additional amounts of insurance may be purchased and paid for by the employee through the group policy if permitted by the insurance carrier. Contact the Village Clerk for more information about life insurance benefits.

Policy 310 Disability Insurance

The Village provides short and long-term disability insurance coverage to each Full Time employee currently at the Village's expense. The terms of coverage including duration, elimination period, rate of payment, carrier, and whether to self-insure are subject to change.

Short term disability (STD)

The Short term disability benefit provides 66 2/3% of your average weekly salary not to exceed \$1000. Benefits kick in 8 days after you are no longer working. Personal or sick time can be used for pay on these 8 days if it is available. Maximum benefit period is 180 days. Forms for applying to short term disability should be completed at

https://www3.standard.com/net/public/Individuals/RelatedInfo/Content?WCM_GLOBAL_CONTEXT=/en_SIC_public/home/homecontent/insurance/products/disability/groupdisability/shortterm/eb_ind_contentsingle_std_howtofileclaim

Long term disability (LTD)

Long term disability provides up to 60% of your average weekly salary not to exceed \$5000/month, not available for 180 days following initial leave. Forms for applying to long term disability should be completed at:

https://www3.standard.com/net/public/Individuals/RelatedInfo/Content?WCM_GLOBAL_CONTEXT=/en_SIC_public/home/homecontent/insurance/products/disability/groupdisability/longterm/eb_ind_contentsingle_ltd_howtofileclaim

Policy 311 Retirement

The Village of Pinckney provides a Retirement Plan for the benefit of all of its employees who satisfy eligibility requirements. The village plan provides service credit for employees working at least 80 hours/month. Service credit is awarded to those on Short term disability (STD) when requirements for use of STD are met.

The Village has adopted the Michigan Employees Retirement System Plan and all eligible employees shall participate as members in the MERS Plan.

Any eligible employee wishing to retire from Village employment shall do so by submitting a written statement setting forth the intent to retire to their Department Head at least thirty (30) days prior to the effective date of their retirement. It shall be the responsibility of the retiring employee to make application to MERS to receive retirement benefits.

The Village may offer additional or alternate savings plans.

Policy 312 Overtime

Overtime is defined as hours actually worked on the job in excess of 40 during a seven (7) consecutive day work week. Hourly non-exempt employees shall receive overtime pay at one and one-half times their regular rate of pay for hours actually worked in excess of 40 hours in one work week.

Police employees shall receive overtime at the rate of one and one half the regular rate of pay for all hours worked in excess of eighty-five and one half (85.5) in a two (2) week work period.

Overtime is defined as hours actually worked on the job in excess of 40 during a seven (7) consecutive day work week, for 40 hour/week employees. Hourly non-exempt, non-union, employees shall receive overtime pay at one and one-half times their regular rate of pay for hours actually worked in excess of 40 hours in one work week.

Police employees, non-exempt, non-union, shall receive overtime at the rate of one and one-half the regular rate of pay for all hours worked in excess of eighty-five and one half (85.5) in a two-week pay period.

Salaried, exempt, employees are not eligible for overtime pay pursuant to the Fair Labor Standards Act (FLSA). However, Council has agreed (1/8/2006) that said exempt employees who perform as a Crew Leader working side by side with hourly employees shall receive overtime payment at straight time for hours worked over eighty (80) for 8 and 10 hour shift employees in a two week pay period. Council went on to state that the Chief of Police, when acting in the capacity of a regular shift officer and when called to assist another VOP police officer, shall receive overtime payment at straight time for hours worked over eighty-five and one half (85.5) in a two week payroll period for a forty (40) hour work week. Under the 84 hour bi-weekly pay period, the Chief will receive straight time overtime pay at 89.5 hours.

Union employees should see their current contract for details on overtime policies.

Paid vacation and personal leave will not be counted as hours worked for calculation of overtime pay. Paid holidays will be counted as hours worked for purposes of calculation of overtime pay.

There shall be no compensatory time (time off work) allowed as compensation for working overtime.

- All overtime assigned by the Department Head shall be considered mandatory and not voluntary. Refusal to work overtime as assigned will subject the employee to discipline.
- All overtime shall be required to be pre-approved whenever possible, in writing, by the employee's Department Head, unless the act of securing prior approval would interfere with completing the employee's job responsibility.
- In the case of absence of the Department Head(s), the Village President shall have the authority to approve overtime.
- Any overtime worked shall be documented through a written report filed by the

Department Head with the Village President on a bi-weekly basis. This report shall contain the day, time, reason for overtime and written authorizations, with signatures, granted.

- Overtime compensation shall be paid not later than the first payday following the pay period in which it was worked.

CALLBACKS

Call-Back Premium: An hourly or non-exempt employee who is called back to work for emergencies after normal working hours will receive a minimum guarantee of two hours of time worked for the work performed by that employee at that time per each incident of call-back. This applies to both full and part time employees.

Call-Back Premium, Police Officers: An hourly or non-exempt officer who is called back to work after their normal working hours will receive a minimum guarantee of two (2) hours of time worked for the work performed by that employee at that time per each incident of call-back. *(Amended by Council January 8 2006)*

Policy 313 Time-Off Awards (TOA)

A time-off award (TOA) is time off from duty, without loss of pay or charge to leave, granted to a Village employee as a form of incentive or recognition for employees who exceed performance expectations of department management and for whom additional time off is considered a valued method of recognition, and applies to non-bargained for employees, full-time, and part-time employees.

- A TOA may be given by department heads, or by the Village President with the consent and/or recommendation of department heads, to recognize the performance of individual staff members or teams.
- TOA may be given specifically to recognize employees who exceed performance expectations, including but not limited to a suggestion, invention, superior accomplishment, productivity gain, or other personal effort that contributes to the efficiency, economy, or other improvement operations.
- TOA may be given by supervisors who wish to recognize the performance of individual staff members or teams.
- TOA may range from one hour to one regular work day. Time off rewards shall not exceed 24 hours per year. Department heads should also maintain a record of reward/recognition time-off they have granted to their staff in order to monitor usage per employee, per year.
- This type of recognition should not be used to reward ordinary performance or as a holiday bonus.
- TOA must be noted on the departmental time record for the employee, indicating number of hours granted, and clearly designated as a reward.
- The employee should receive written documentation of the recognition in the form of a certificate. Time off must be arranged in advance. The certificate will have an expiration date, suggested to be within one month of the award.
- Any unused time-off awards are not transferable. Hours do not count as time worked toward overtime. Employees are at no time entitled to a time-off award.
- Reward/Recognition time-off does not have explicit cash value and does not change the employee's income. As a result, time-off awards are not subject to additional tax withholdings. They cannot be converted to cash under any circumstances.
- Reward/Recognition time-off does not extend to contractors, volunteers, or any persons other than regular Village employees.

Policy 401 Timekeeping

Accurately recording time worked is the responsibility of the employee. Federal and State laws require the Village of Pinckney to keep an accurate record of time worked by all employees, exempt and non-exempt. Time worked is all the time actually spent on the job performing assigned duties.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the supervisor's responsibility to review and authorize payment by initialing the time record before submitting it to the Village President or the President's designee for payroll processing.

Policy 402**Paydays/Overpayment/Shortages**

All employees are paid bi-weekly on every other Thursday. Each paycheck will include earnings for all work performed through the end of the previous fourteen (14) day payroll period.

Holiday

In the event that a payday falls on a holiday, paychecks will be dated and delivered to employees on the day before the holiday.

Electronic Deposit

Employees are encouraged to have pay directly deposited into their bank accounts by providing advance written authorization to the Village Clerk. The electronic transfer will be effective on the date of payday or the day before, after the close of the bank business day. Pay check stubs shall be provided on payday.

Overpayment/Shortage

In the event that there is a shortage or overpayment to an employee, the shortages shall be adjusted in the employee's next check. The employee will be notified in writing when a shortage or overpayment has occurred. The employee shall make arrangements through the Clerk's Office to refund such overpayment(s) through payroll check adjustments over a specified period of time. However, if such arrangements are not made by the employee, the amount owed to the Village shall be withheld from the employee's future payroll check(s).

Policy 403 Employment Termination

Upon receiving notification of termination of employment with the Village of Pinckney, each departing employee is required to participate in an exit interview. All exit interviews shall be scheduled and conducted by the Department Head or Village President.

The Village of Pinckney will generally schedule exit interviews (Attachments 5 – 5A) at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, retirement options, the extent of payoff of accumulated benefits or return of Village of Pinckney owned property. Suggestions, complaints, and questions may also be voiced. All exit interview information shall be kept on file with the Village Clerk's Office.

Policy 404 Field Training Officer Compensation

In the union contract, effective January 1, 2016, the village agreed to add special compensation for Field Training Officer instructors at \$1.00 per hour premium for all time actually engage in training/instruction.

In June 2016, Village Council agreed that when a non-union, non-exempt employee in the Police Department is involved in the field training process for new hires, said employee (trainer) will receive an additional \$1.00 per hour premium for all time actually engaged in training/instruction of the new employee.

Policy 501 Work Schedules/Rest & Meal Periods

The normal work schedule for full-time employees is either eight (8) or ten (10) hours per day as determined by the Village Council, excluding a one (1) hour or one half hour unpaid lunch period.

The normal work week for full-time employees shall be either a four (4) or five (5) day work week as determined by the Village Council.

A “work week” is considered to be five 8-hour days, not including lunch, or four 10-hour days, not including lunch. However, all Village employees shall work those hours as determined by their respective Department Heads or as determined by the Village President.

The time for the lunch break shall be approved by the Supervisor.

The Police Department work schedule is a twelve (12) hour work day with a one half hour paid working lunch break.

Written notice shall be provided to each employee of the hours of work that the employee is scheduled to perform, as well as the starting and quitting times for such employment.

This section is not a guarantee of work and it is understood that the Village of Pinckney retains the right to reduce the work force if necessary.

Breaks

All employees schedule to work a full shift shall be granted one (1) fifteen (15) minute break during the first half of the work day and one (1) fifteen (15) minute break during the second half of the work day. Break periods may not be added to lunch periods nor accumulated in any other manner. Breaks may not be taken at the end of the work day. Breaks not taken do not carry over. Each employee shall coordinate break times to be taken with his/her Supervisor.

Policy 502 Use of Telephones

It shall be the policy of the Village of Pinckney that personal telephone calls made and received during regular working hours are to be discouraged and made only on the employee's breaks.

All employees are expected to refrain from making personal telephone calls from Village telephones during their regular working hours. Local calls may be made during lunch or breaks or at a time as approved by the Department Head. All long distance calls are to be placed through pay phones at the nearest location provided, unless calls are made by credit card, reversed charges or billed to a third number. Village employees shall only accept collect calls of a personal nature in emergency situations. In such cases, provisions will be made to reimburse the Village for collect calls.

In the event a personal telephone call results in charges to the Village, the employee shall reimburse the Village as soon as possible.

Cellular Telephones: Personal use of any Village owned cellular telephone which results in any cost or charge to the Village is not allowed. Any employee who causes the Village to incur costs of any kind on a Village owned cellular telephone will be required to immediately pay the Village for such cost.

Policy 503 Smoking

In keeping with the Village of Pinckney's intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace premises including vehicles.

This policy applied equally to all employees, customers, and visitors.

Policy 504 Use of Equipment and Vehicles

Equipment and vehicles essential in accomplishing job duties are expensive and difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the Department Head if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Forms are available which should be utilized for reporting any problems or service needed. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment, or vehicles, as well as traffic and parking violations, may result in disciplinary action, up to and including termination of employment.

Any fines for traffic or parking violations shall be paid by the employee. Fines for violations of defective equipment, civil infractions, shall be paid by the Village.

All employees who are involved with heavy objects or equipment MIOSHA approved steel toe or fiberglass tipped footwear to reduce or prevent injuries. All employees who are involved with construction, chemicals, or who utilize small or large power equipment shall wear protective glasses with safety lenses. Non-prescription protective eye wear shall be provided at Village expense.

Prescriptive protective eye wear shall be provided every two years subject to the Village approved schedule.

All employees that operate Village vehicles are registered in the State of Michigan Driving Record Subscription Service. The Driving Record Subscription Service provides an organization with the driving record of their employees on an annual basis; or whenever there are any violations, restrictions, suspensions, or revocations posted to the record.

Vehicle Use:

All employees that operate Village vehicles are registered in the State of Michigan Driving Record Subscription Service. The Driving Record Subscription Service provides an organization with the driving record of their employees on an annual basis; or whenever there are any violations, restrictions, suspensions, or revocations posted to the record.

Only Village employees on bona fide Village business and authorized by the department head, or in the case of department heads, the Village President may drive or operate Village equipment and vehicles. Village-owned vehicles are to be used for official business only, with reasonable consideration for use for meals or to perform brief minor personal business may be acceptable, but should be treated as an exception rather than a rule, and only if the stop is directly in route of work being performed on behalf of the village. For individuals assigned

vehicles for overnight use, be it for training or for overnight work (snow maintenance, etc.), department head, or Village President, approval is required and vehicles should not be used for non-business activities nor should non-employees be transported in the vehicles unless they have a business interest in the travel and they are covered by worker's compensation from their. Due to insurance limitations no other passengers are permitted unless authorized by the Village Manager.

Mileage Reimbursement is authorized for employees who must utilize his/her own personal vehicle to conduct Village business. The details of this policy can be found in Policy 506.

The Police department and Department of Public Works should have detailed maintenance policies for all equipment and policies. Maintenance records should be made available for review upon request of Council or the Village President.

Vehicles should be kept in clean condition and free of clutter.

Policy 505 Emergency Closings

At times, emergencies such as severe weather, fires, or power failures may disrupt Village operations. In extreme cases, these circumstances may require the closing of Village Offices

Such determination shall be made by the Village President with final notification coming from the Village President or Chief of Police.

In the event that such an emergency occurs during non-working hours, local radio and/or television stations will be asked to broadcast notification of the closing.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid at the rate the employee would have been paid but for the emergency for full and part time employees.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request to use available paid leave time such as unused vacation benefits or personal days.

Policy 506

Business Travel Expenses

The Village of Pinckney will reimburse employees for reasonable business travel expenses incurred while on assignments out of the Village or attending training. All business travel must be approved in advance by the Department Head.

Mileage Reimbursement

Mileage reimbursement for use of an employee's personal vehicle while on business required and authorized by the Village shall be reimbursed at the rate per mile as approved by the Internal Revenue Service (IRS). The traveler must document business miles using a travel log to determine the total mileage for the trip less the normal commute to and from work (see below). The business mileage rate covers all costs of operating the vehicle including gasoline, oil, insurance and repairs. Receipts for tolls and parking fees are reimbursed separately and not included in the business mileage rate. Business mileage does not include the normal commute to and from work. When your business travel originates from home, subtract your normal commute from the total miles associated with the trip. Under IRS Reg. § 1.262-1(b) (5), costs of commuting to the place of business or employment are personal expenses. You cannot be reimbursed for commuting expenses even if you work during the commuting trip.

Meal Expenses

Actual meal expenses are restricted to a rate per meal as approved by the Village Council. ***Alcohol purchases will not be reimbursed.***

Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual cost of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the Village of Pinckney under its approved reimbursement rates. Employees are expected to limit expenses to reasonable amounts.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by the Village of Pinckney may not be used for personal use.

When travel is completed, employees should submit completed travel vouchers. Vouchers must include the date, mileage, point of origin, destination, and purpose of the trip. Vouchers must also include itemized statements and receipts.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect

costs not incurred by the employee, may be grounds for disciplinary action, up to and including termination of employment.

Policy 507 Workplace Violence Prevention

The Village of Pinckney is committed to preventing workplace violence and to maintaining a safe work environment. Given the increase in incidents of violence in society in general, the Village of Pinckney has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may pose a danger to others.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, national origin, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the employee's immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Employees should not place themselves in peril. In the event an employee sees or hears a commotion or disturbance near his/her work station, they should not attempt to intercede.

The Village of Pinckney will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical.

Employees determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The Village of Pinckney encourages employees to bring their disputes or differences with other employees to the attention of their supervisors before the situation escalates into potential violence. The Village of Pinckney is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

Policy 508 Computer Use Policy

This Computer Use Policy (“the Policy”) establishes policies and guidelines for employees of the Village of Pinckney (“the Village”) regarding the use of hardware, software, network facilities and other computing resources provided by the Village. The Village is committed to providing the proper tools for its employees to perform their responsibilities while maintaining a professional environment free of harassment of any kind.

The Village provides computing, networking, and other information resources to employees based on applicable business needs. The Village grants each employee appropriate exclusive access to and use of confidential, proprietary and critical information and Village-wide computing resources. This access is not a right, rather it is a privilege granted by the Village to each employee for purposes of performing the work required. Each employee is expected to act responsibly in utilizing this privilege, to respect the privileges of other employees and other authorized users, to respect and protect the integrity of Village information and computing resources, and to observe all applicable laws and regulations.

Employees must immediately report any known or suspected violations of this Policy to the Village President so that the Village can take appropriate corrective action.

Any employee who is found to be in violation of this Policy may be subject to disciplinary actions up to and including termination of employment. Additionally, the Village may take appropriate legal actions against the employee as well as report misuse to appropriate local, state, and/or federal authorities.

The Village President shall designate the Information Technology Coordinator (ITC) who will be the primary point of contact for any employee questions or issues pertaining to use or misuse of Village-owned computers, software, computer network facilities or other information technology resources. The Village President is held responsible for enforcing the mandates of this Policy.

The ITC will maintain an up-to-date list of employee usernames and passwords, and will provide the Village President with this information each time it is updated.

As users of Village computing resources, employees are responsible for reading, understanding and complying with this Policy. External computing resources operated by non-Village entities but accessible through Village computing resources may have their own computer use policies. When accessing external computing resources, employee are responsible for complying with this Policy, as well as with the applicable use policies of the external organizations.

I. Employee Privacy in the Workplace

In the ordinary course of business, the Village will need to access and screen all information stored in its computing resources, as well as incoming and outgoing information, in order to perform functions as listed but not limited to the following:

- A. To protect the security and integrity of all computer systems
- B. To prevent virus attacks and to prevent computer hacking activities
- C. To ensure that only authenticated employees are using the system and only for authorized computing activities
- D. To audit, preserve, and protect Village information and resources
- E. To create back-up images of information for disaster recovery purposes
- F. To prevent and investigate unauthorized use or misuse of computer systems or suspected violations of this Policy
- G. To filter for objectionable content
- H. To prevent and investigate possible unlawful activities
- I. To resolve problems (e.g., corrupted information, hardware and software issues, etc.)
- J. To monitor and improve system performance
- K. To comply with public records requests (e.g., subpoenas for information, etc.)

The Village may at any time and without prior notice access any or all information stored in its computing resources, and the employee should be continuously aware of this fact. Employees may not store personal information in Village computing resources.

The Village may at any time and without prior notice monitor the computing activities by individual employees or group of employees, and the employee should be continuously aware of this fact. Employees are prohibited from engaging in activities that are not business-related when utilizing Village computing resources.

The Village needs to protect its computing resources from virus attacks and computer hacking. Additionally, the Village needs to protect its employees and other authorized users from objectionable and forbidden e-mail contents. Therefore, the Village will scan and filter all inbound and outbound e-mail contents and other Internet activities for possible virus content, possible computer hacking activities, as well as for objectionable and forbidden content. Affected e-mails and attachments will be quarantined and analyzed for possible violations of this Policy. Quarantined e-mails and attachments will not be delivered to intended recipients.

Acceptance of Village-assigned login computer access account(s) and/or the use of Village computing systems constitute an agreement on behalf of the employee to abide and to be bound by the provisions of this Policy, to consent to computer use monitoring, and to consent to e-mail filtering. Employees are advised that if such monitoring and filtering reveal possible evidence of criminal activity, the Village may provide that evidence to law enforcement officials. Similarly, if such monitoring reveals any indication of unauthorized or unacceptable Village activity, such information may be provided to the Village President for further investigation and possible disciplinary action.

In the course of utilizing the Village computing resources and facilities, employees will have access to a myriad of information through e-mail, Internet, Chat Rooms and the like, from both internal and external sources. The Village cannot effectively regulate all of the information received by employees. However, the Village will make an effort to filter for objectionable and forbidden content. The Village takes no responsibility for the information received by

employees, other than for information that the Village itself, and those acting on its behalf, generates.

II. Computing Facilities

- A. The Village provides appropriate business computers and other computing devices, software, computing network facilities and Internet connections to all employees who need them to carry out their job functions.
- B. The Village operates local area networks to allow access to information, printers, and other computer information resources.
- C. Only authorized Village personnel can establish connections and/or provide network hubs and other access points to Village computing resources. Unauthorized employees are explicitly prohibited from connecting any network device to any of the Village's computing facilities. This restriction includes but is not limited to Wireless Access Points and other wired or wireless type devices.

III. Personal Use of Village Computing Resources

Personal use is permitted so long as such use conforms to this Policy; does not occur on work time; does not hinder, interfere nor disrupt Village operations; and does not negatively affect the employee's job performance of duties and responsibilities.

- A. Personal use of Village equipment and other resources for educational purposes is allowed with prior approval by the Village President. Such usage must be confined to non-working hours.
- B. Unless with prior approval by the Village President, employees are not permitted to attach employee-owned equipment (e.g., Personal Digital Assistant, digital camera, modem, Wireless Access Points, etc.) to the Village's computing resources.
- C. Employees are prohibited from storing personal information in Village computing resources. The Village cannot and does not guarantee employee privacy in the workplace as it applies to the use of Village computing resources.
- D. Viewing, downloading or accessing pornography of any kind is strictly prohibited. Accessing such material for Police investigations should be documented and provided to the ITC for reference and filing.

IV. Use of Employee-Owned Equipment

Employees are not permitted to bring employee-owned computers into the office. However, with prior approval by the Village President, an employee may bring an employee-owned computer into the office for approved business use. The Village reserves the right to inspect any employee-owned computer for its contents before its use on Village premises, as well as prior to leaving Village premises.

The Village reserves the right to delete from any employee-owned equipment that has been attached to Village computing resources any information that may have been obtained from Village computing resources. The unauthorized downloading or copying of information or computer programs (software) from Village computing resources to an employee-owned computer is a violation of this Policy.

V. Purchasing

Acquisition of all Village-owned equipment and software is coordinated by the ITC. The ITC sets the standards for all computer-related activities and is responsible for keeping adequate computer supplies and arranging for repairs. All purchases must be made within the purchasing policies of the Village. Note: this includes downloading of “free” software from Internet sites.

VI. Using Information and Software from Third Parties

Employees are prohibited from transferring confidential or proprietary information or software belonging to former Villages, or obtained from other third party sources, onto any Village computing resource. Employees are expected to respect and abide by other companies’ or parties’ applicable confidential, proprietary, and copyright restrictions. Employees must not utilize information and/or software that the Village does not have the right to utilize.

VII. Software

The following points are to be followed to comply with software license agreements:

- A. Subject to approval by the ITC, software procured from legitimate sources will be provided to employees whose job responsibilities require use of it.
- B. All software used by the Village will be properly purchased through the appropriate procurement procedures.
- C. The Village and its employees will use all software in accordance with the terms of the corresponding license agreements. The Village will not tolerate the use of any unauthorized copies of software. Any person illegally reproducing software may be subject to civil and criminal penalties including fines and imprisonment. Reproduction of software is permitted for backup and archival purposes as long as the specific software license agreement provides for these actions. Any unauthorized duplication of copyrighted computer software violates the law and is contrary to the Village’s Code of Conduct. The Village does not condone illegal copying of software under any circumstance.
- D. The ITC is responsible for procuring and tracking the appropriate software licenses in the Village offices. The ITC must approve all installations of software onto Village computers prior to installation. In addition, all software installations must be performed in accordance with Village procedures.
- E. Employees shall not give software to anyone not employed by the Village.
- F. Software purchased by the Village shall not be installed on employee-owned or other third party computers unless those installations are authorized by the ITC, and then only after the appropriate licenses are procured. The Village requires prior approval of all software installations to ensure that the appropriate licenses are obtained and that computer systems are protected from software viruses.
- G. Any employee who duplicates, acquires, distributes, or uses unauthorized copies of computer software is in violation of this Policy.

VIII. Computer Viruses

All files on removable drives, downloaded files, and e-mail attachments received from outside

sources must be checked for viruses before they are copied to a computer's hard drive or a network hard drive. All electronic files shall be scanned and cleaned of computer viruses prior to submission to other parties.

IX. Computer Security

A secure system is one that is reliable, consistent, and safe. It is essential that a secure computing environment be established and maintained within the Village in order to protect the information created by employees and the Village's confidential information.

- A. Employee passwords to any Village computing resource must not be revealed to anyone except to information technology support personnel, and then only for purposes of determining and resolving a computer related problem. Employees are to change to a new confidential password immediately after the problem has been resolved.
- B. Employees must log-off the computers they are working on before leaving their computers unattended. Employees must log-off the computers they worked on before leaving for the day.
- C. Unless installed and authorized by the Village, employees are prohibited from running any program that would facilitate the "hosting" of a remote terminal session that would allow a remote computer to take control of the "hosting" Village computer.
- D. Non-employees may not access Village-operated computing systems unless specifically authorized to do so by the Village President.
- E. Each employee is given appropriate access to network and other computing resources. Employees are restricted to using only those computing resources and facilities to which they have permissions for. Employees are prohibited from scanning the networks to discover unadvertised computing resources or other network vulnerabilities.
- F. Any employee terminating employment, for reasons voluntary or otherwise, agrees not to attempt access to any Village computing resource.

X. Internet Use

This Policy establishes rules and guidelines for using the Internet. All activities pertaining to the use of the Internet must have prior approval.

- A. The Internet should be used to conduct Village business only. Internet web sites and Relay Chat channels must not be used unless for business purposes.
- B. Each employee is responsible for the content of all text, audio, video, or images that he or she places, sends, or receives over the Internet.
- C. Incidental and personal use of the Internet on non-work time (breaks and lunch) is permitted. Please see Section III (Personal use of Village Computing Resources.) Downloading of streaming audio and video strains Village computing resources, particularly network bandwidth and data storage. Therefore, downloading of streaming audio and video for personal use is a violation of this Policy.
- D. In an ongoing attempt to evaluate and improve the Village's use of the Internet, the Village will monitor transmissions to and from the Internet. While the goal of such monitoring is to evaluate and determine the best use of the

- Internet, monitoring will also be used to determine violations of this Policy.
- E. Employees must use the Internet access that is normally provided by the Village. Any employee who has modem access provided by the Village for other business purposes may not use the modem to access the Internet. Exceptions may be granted during emergency situations (e.g., the Village-provided Internet connection is down), but use requires permission from the Village President.
 - F. Employees are specifically and strictly prohibited from using Village computing resources to initiate any kind of malicious and/or illegal actions against internal (Village) and external (other third parties) systems.

XI. E-mail Subscriptions and Chat Room Discussions

Employees are permitted to sign up for e-mail subscriptions in business-related topics that are relevant to their work. Employees are permitted to participate in "Chat Room" discussions to gain business information. However, employees must act responsibly when participating in such discussions. When using Village computing resources, employees must abide by the following guidelines:

- A. Participating in Chat Room discussions is subject to the restrictions concerning Village representation (see Section XII below).
- B. Although employees are able to participate "anonymously" in Chat Rooms or other Electronic Bulletin Board Services, employees are not permitted to "bash" or express negative or disparaging remarks against the Village, its employees, and other third parties.
- C. **Remember all emails through the village servicer are subject to the rules of FOIA!**

XII. Representing or Defending the Village

Your e-mail address identifies you as an employee of the Village. However, only certain designated employees or other representatives are authorized to speak on behalf of the Village. Unless you are specifically authorized to speak to the press or comment publicly, you are not allowed to represent the Village through communications on the Internet or through the Village e-mail account. Representing yourself as speaking on behalf of the Village, or giving the impression that you are representing the Village, without authorization, is a violation of this Policy.

Any employee who witnesses what he or she believes may be a defamatory, disparaging, or otherwise damaging statement about the Village on the Internet should immediately report the incident to the Village President. It is helpful to include the context, the Internet site or newsgroup in which it appeared, and, if possible, a copy of the offending message or language.

Employees may receive direct calls requesting participation in "marketing surveys." Unless with prior permission from the Village President and proper verification and authentication of the outside soliciting party, employees are not to participate in any outside survey. Information provided may assist unauthorized external parties to breach Village computer security access.

XIII. E-mail Use

This Policy establishes the rules and guidelines for employee access to and use of the Village's electronic messaging (e-mail) services.

- A. The Village e-mail system has been installed to facilitate business communications. Although each employee is provided with an exclusive login identification and password to access this system (where applicable), all of the contents of e-mail communications are property of the Village and accessible at all times by the Village in the ordinary course of business.
- B. The Village respects the individual privacy of its employees. However, employee privacy does not extend to work-related conduct or to the use of Village-provided equipment or supplies that are intended for business use.
- C. E-mail documents and Internet messages, like other correspondence employees create in the course of their jobs, are not private and may be read by others at the Village or outside of the Village under appropriate or certain circumstances. All employees should be aware that others might read such messages in some instances.
- D. Caution should always be taken when sending confidential information via e-mail or the Internet where the message could be intercepted. Unless an approved data encryption method is utilized, confidential information must not be sent via e-mail or the Internet (whether the recipient is a Village employee or not). Always consider the possibility that recipients of your e-mails may have no control over where they might be eventually posted or forwarded, or that recipients may eventually post or forward your emails, which may be contrary to your intention.
- E. It is the responsibility of the e-mail sender to determine whether the intended recipient is authorized to receive the data enclosed. Particularly when sending confidential information, employees should include the following language:

NOTICE OF CONFIDENTIALITY

This E-mail message and its attachments (if any) are intended solely for the use of the addressees hereof. In addition, this message and the attachments (if any) may contain information that is confidential, privileged and exempt from disclosure under applicable law. If you are not the intended recipient of this message, you are prohibited from reading, disclosing, reproducing, distributing, disseminating or otherwise using this transmission. Delivery of this message to any person other than the intended recipient is not intended to waive any right or privilege. If you have received this message in error, please promptly notify the sender by reply E-mail and immediately delete this message from your system.

- F. An employee who responds to personal e-mail using the Village's email services must act responsibly. The recipient(s) of the employee's response may misconstrue that the employee may be responding on behalf of the Village.
- G. E-mail broadcasting to many users (also known as "spamming"), especially of material of a non-business related nature is not permitted. Internal or Internet e-mail broadcasts should only be done with permission from the Village President and only when the message would be important to a majority of the e-mail addressees.
- H. Copyrighted materials belonging to entities other than the Village may not be

- transmitted on the Internet. Employees are not permitted to copy, transfer, rename, add, or delete information without proper authorization.
- I. Incidental and occasional personal use of the Village e-mail system is permitted. Please see Section III (Personal use of Village Computing Resources.) However, all inbound and outbound e-mail messages and attachments received and sent by the employee, whether business or personal, will be treated the same as other Village e-mail messages. All e-mails are subject to content filtering in the ordinary course of business. Any e-mail message or attachment may be quarantined. No quarantined in-bound or out-bound e-mail message or attachment will be delivered to its intended recipients.
 - J. You may not use the Village e-mail system or the Internet in any way that may be seen as insulting, disruptive, or offensive by other persons, or harmful to the morale of an individual, or the Village. Examples of forbidden transmissions include: sexually explicit messages, cartoons, or jokes; propositions or love letters; chain letters; ethnic or racial slurs or jokes; messages that can be construed as harassment or disparagement of others based on sex, race, sexual orientation, age, mental or physical disability, medical condition, national origin, or religious or political beliefs; any other messages that violate local, state or federal law; or messages in violation of the Village's Code of Employee Conduct or Equal Employment Opportunity policy.
 - K. E-mail users are required to follow the Village policies, especially the policies on Non-Discrimination and Sexual Harassment. Although e-mail does foster a conversational style of communication, "venting" messages are not appropriate. Users should be just as courteous communicating via e-mail as they would be in any other form of business communication.
 - L. Should an employee need to have another employee review incoming e-mail messages in the event of a planned absence, the following procedure should be followed.
 - i. Obtain prior approval from the Village President.
 - ii. If using Microsoft Outlook, use the "Delegate" function to allow for an authorized person to access your e-mail folders.
 - iii. Set-up the function so that the "Delegate" can not use your e-mail address for responses. If a response is required, the "Delegate" should only be able to respond on your behalf by using his/her own e-mail address. Note: Please read the Microsoft Outlook Help facility on how to set-up the "Delegate" function.
 - M. In the event of a termination of employment by an employee, for any reason, the following guidelines should be followed:
 - i. The Village Clerk is to inform the e-mail administrator as to the disposition of the terminated employee's mailbox, to either:
 - 1. Delete the mailbox (disable e-mail account from sending or receiving e-mails), or
 - 2. Keep the mailbox active (to receive e-mails) but to disable the account (prevent from sending regular e-mails.)

- ii. If the terminated employee's e-mail account is to remain active:
The Department Head or Village President in the case of Department Heads assumes responsibility for the terminated employee's mailbox (e.g. reviewing, responding and forwarding e-mails as may be appropriate.)

The Village President is to make an effort to set-up an "autoreply" e-mail response to inform e-mail senders that the employee is no longer working for the Village.

The Village President is responsible for notifying the e-mail administrator as to when to finally delete the terminated employee's mailbox.

XIV. Ownership and Confidentiality of Information

The Village is the sole owner and custodian of all information stored in all of its computing resources. Furthermore, the Village is the sole owner of the intellectual property produced by employees. This includes but is not limited to electronic files, email messages, voice-mail messages, and databases. All information accessed through the Village information resources are considered confidential unless the employee has received permission to use it. Accessing or attempting to access confidential data is strictly prohibited.

Confidential information should only be used for its intended purpose. Use of confidential information for anything other than its intended use is prohibited and is a violation of this Policy.

XV. Copyright and Copyright Infringement

The Village uses software that it owns. However, the Village also uses proprietary software that it does not own but has obtained the license to use. Accordingly, software may only be installed, reproduced, or redistributed by authorized personnel in accordance with the terms of the applicable licensing agreement. Unauthorized copying, redistributing, or republishing copyrighted or proprietary software and documents is strictly prohibited. Copyright infringement is a serious matter, and the Village strictly prohibits any such infringement activity.

XVI. Examples of Misuse and Violations of this Policy

The following are examples of possible misuse and violation of this Policy. This list is in no way intended to be an exhaustive list of examples. The examples are provided for additional clarification and guidance of this Policy.

- A. Using another employee's user login and password to gain unauthorized access to any computing resources and information
- B. Masking one's real electronic identity
- C. Attempting to scan Village networks to discover and explore unadvertised computing resources and other vulnerabilities
- D. Performing an act that will disrupt and/or interfere with the normal operations of

- Village computing resources; circumventing security access controls to Village computing resources and information
- E. Violating applicable software licensing agreements or copyright laws
 - F. Using proprietary information or software which the Village does not have the right to use.
 - G. Deliberately wasting Village computing resources (e.g., initiating and propagating chain letters or email jokes; excessive Internet surfing; playing Internet games; Internet gambling; downloading streaming audio, video, or other Internet content for personal use, etc.)
 - H. Connecting unauthorized equipment to Village computing resources
 - I. Utilizing Village computing resources for commercial and/or personal benefit
 - J. Using Village e-mail to harass or threaten others or sending messages that in any way may be seen as insulting, disruptive, or offensive by other persons, or harmful to the morale of an individual, or the Village (specific examples are included in Section XIII-J of this Policy)
 - K. Modifying or removing Village computing resources without proper authorization
 - L. Launching a computer worm, virus, or other unauthorized computer programs
 - M. Initiating unauthorized access to third-party computer systems using the Village's computer resources
 - N. Launching malicious computer actions against third-party computer systems
 - O. Destroying, stealing, altering or performing any other form of sabotage of Village computers, files, or information
 - P. Sharing passwords (your own or another employee's password)
 - Q. Unauthorized sharing (e.g., forwarding, transmitting, showing, posting, etc.) of Village confidential information with other employees, or third parties
 - R. Unauthorized sharing (e.g., forwarding, transmitting, showing, posting, etc.) of third-party proprietary information using Village computing resources
 - S. Installing unauthorized software on Village computers
 - T. Helping unauthorized parties to gain access to Village computing resources
 - U. Using Chat Rooms or other Electronic Bulletin Board Services to express negative or other disparaging remarks against the Village, the Village's employees, or other third parties

Policy 509 Electronic Mail Retention

In order for government to function administratively, undergo periodic audits, provide for its legal requirements and document its heritage, it must manage its records properly. Therefore, the Village of Pinckney requires its employees to retain and destroy e-mail messages that are sent and received in the course of conducting official business in accordance with an approved records Retention and Disposal Schedule.

PROCEDURES

Definitions:

- **Electronic mail (e-mail):** is a means of exchanging messages and documents using telecommunications equipment and computers. A complete e-mail message not only includes the contents of the communication, but also the transactional information (dates and times that messages were sent, received, opened, deleted, etc.; as well as aliases and names of members of groups), and any attachments. Transactional information can be found and printed or saved from the e-mail system (see the software manual for instructions).
- **Records Retention and Disposal Schedules:** are listings of records or records series that are maintained by government agencies in the course of conducting their official business that identify how long the records must be kept, when they may be destroyed and when certain records can be sent to the Archives of Michigan for permanent preservation. In accordance with Michigan law, records cannot be destroyed unless their disposal is authorized by an approved Retention and Disposal Schedule. Retention and Disposal Schedules are developed by the Department of History, Arts and Libraries, Records Management Services, through consultation with an agency about its records. These schedules are then approved by the Michigan Historical Center, the Attorney General, the Auditor General and the State Administrative Board.

Employee Responsibilities:

- Senders and recipients of e-mail messages shall evaluate each message to determine if they need to keep it as documentation of their role in a business process.
- Senders are generally considered to be the person of record for an e-mail message. However, if recipients of the message take action as a result of the message, they should also retain it as a record.
- It is recommended that employees retain only the final message in a communication string that documents the contents of all previous communications. This is preferable to retaining each individual message, containing duplicate content.

- Shall evaluate the content and purpose of each e-mail message to determine which Retention and Disposal Schedule defines the message's approved retention period.
- Employees shall retain e-mail that has not fulfilled its legally-mandated retention period by:
 - 1) Printing out the email and filing it in a permanent file
 - 2) Organizing email file folders for short term retention
- Shall retain transactional information (see definition of e-mail above) with the e-mail message if there is a substantial likelihood of relevancy to litigation.

- Shall organize their e-mail messages so they can be located and used.
- Shall dispose of transitory, non-record and personal e-mail messages from the e-mail system.
- Shall dispose of e-mail messages that document the official functions of the agency in accordance with an approved Retention and Disposal Schedule. Note: Records, including e-mail, shall not be destroyed if they have been requested under FOIA, or if they are part of on-going litigation, even if their retention period has expired.
- Shall provide access to their e-mail to the FOIA or Litigation Coordinator upon request.
- Shall retain all work-related appointments, tasks and notes stored in the e-mail system for 2 years.
- Recognizing that e-mail messages that are sent and received using the Village of Pinckney e-mail system are not private, employees are encouraged to manually delete personal appointments (such as sick leave or annual leave) from the e-mail system after the event takes place.
- Shall consider email retention training offered free of charge through the State of Michigan at <http://www.quickknowledge.com/qk/hal/email>. Users will need to fill out a short registration. Enter code EMAILHAL.

Village of Pinckney Responsibilities:

- Shall ensure that its records are listed on an approved records Retention and Disposal Schedule.
- Shall ensure that all employees with e-mail accounts are aware of and implement this policy.
- Shall notify the Clerk of all user names and passwords as the on site keeper of records.
- Shall notify the Clerk who will notify the IT administrator when the accounts of former employees can be closed.
- Shall ensure that the e-mail messages (and other records) of former employees are retained in accordance with approved Retention and Disposal Schedules.
- Shall notify the litigation or FOIA coordinator when an agency becomes involved in litigation or receives a FOIA request.
- Exceptions to the procedures in this document may be granted in writing by the Clerk, Village of Pinckney, as they serve as the Village record keeper.

FOIA and Litigation Coordinator Responsibilities:

- Shall identify if the records that are requested by the public are stored in e-mail, even if the public does not specifically request e-mail.
- Shall notify affected employees that a FOIA request involving e-mail was received to prevent the destruction of relevant messages.
- May in appropriate instances notify the IT Administrator that a FOIA request involving e-mail was received to prevent the destruction of relevant messages.
- Shall identify all records relevant to litigation to which the agency is a party that are stored in e-mail.
- Shall notify the IT Administrator that e-mail related to litigation cannot be destroyed until after the case is closed.

Policy 601 Unpaid Personal Leave

Regular full-time employees who are eligible for benefits may be eligible for unpaid leave of absence from work for the following circumstances:

Leave without pay may be granted subject to the approval of the Department Head and the Village President in their sole discretion. The employee must provide a written request explaining the reason for the leave at least two weeks prior to the commencement date of the unpaid leave. Under extraordinary circumstance, this two week leave notice may be waived. Leave without pay will only be considered after all paid leaves have been exhausted.

Leave without pay is limited to a maximum of four (4) weeks.

Policy 602 Employee Welfare Leave

All Regular Full-time and Regular Part-time employees who have completed one (1) calendar year of employment with the Village may request an unpaid Employee Welfare leave of absence.

Employee Welfare Leave is without pay unless otherwise provided by this policy.

Regular employees are entitled to a maximum Employee Welfare leave of twelve (12) calendar weeks in any twelve (12) month period commencing with the first date of any Employee Welfare leave. Upon an Employee's request, the Village Council may approve up to two (2), twelve (12) calendar week extensions of Employee Welfare leave. Any such extension would be without any pay or benefit. When an Employee Welfare leaves of absence is granted for more than (12) calendar weeks, for any reason, the Village does not guarantee that the employee will be reinstated in their former position or to the same grade and step level when s/he is ready to return to work.

An employee must request Employee Welfare leave at least thirty (30) calendar days in advance in the event of a foreseeable leave. If giving 30 days advance notice is not possible, an employee must give notice of the need for leave "as soon as practicable" which usually means the same day the employee learns of the need for the leave or the next business day. Request forms (Attachment 7 – 7B) will be provided by the Village Clerk. In unexpected or unforeseeable situations, the employee must notify the supervisor as far in advance as practicable.

Employee Welfare leave will be granted to an employee for the following reasons:

- A. To care for the employee's child upon birth or upon placement of a child by adoption or foster care. Leave for this reason expires no later than twelve (12) months after the child's birth or placement with the employee.
- B. To care for the spouse, child, or parent of the employee when the spouse, child, or parent has a serious health condition.
- C. In the event the employee has a serious health condition rendering the employee unable to perform the functions of his/her position.

Requests for intermittent leave (in hourly or daily increments) shall be granted when medically necessary due to the employee's own serious health condition or when the employee is needed to care for his/her spouse, child, or parent who has a serious health condition.

Requests for intermittent leave due to birth or placement of an employee's child by adoption or foster care shall be granted at the sole discretion of the Village, with the approval of the Department Head.

The Village will notify the employee in writing of any alleged deficiencies in a medical

certification and give the employee seven days to cure the problem. The Village may contact an employee's health care provider directly to clarify and authenticate a medical certificate after the employee has been given an opportunity to cure any deficiencies. This contact must be made by the Clerk, the Village's Human Resources contact, or a health care provider.

The Village reserves the right to temporarily transfer an employee on intermittent leave to a position so as not to disrupt the efficiency of the Department.

Employees granted Employee Welfare leave must exhaust accumulated paid leave prior to taking leave without pay.

Employees receiving a Village paid hospital/medical insurance at the time Employee Welfare leave commences shall continue to receive payment toward such insurance, at the same level, for the first twelve (12) calendar weeks of Employee Welfare leave. The Village has no obligation to provide any such insurance during Employee Welfare leave in the event the employees would not otherwise be eligible to receive such insurance.

Any employee required to pay a portion of health insurance premiums at the time Employee Welfare leave commences must continue to make the required payment during the first (12) calendar weeks.

After the first twelve (12) calendar weeks of Employee Welfare leave, employee may, however, continue insurance coverage at their own expense, continue insurance coverage at their own expense during the remainder of such a Employee Welfare leave of absence, if permissible, pursuant to the Village's insurance carrier.

Failure to return to work upon expiration of Employee Welfare leave shall result in the employee being required to reimburse the Village for health insurance premiums paid by the Village to continue such coverage during the leave.

Employees returning to work from a Employee Welfare leave within twelve (12) weeks from the date such leave commenced will resume work in the same classification and department they held immediately prior to the leave.

The Village reserves the right to require employees to submit proper certification to justify granting and continuing Employee Welfare leaves and to have the employee examined by a physician designated by the Village.

In the event there is a dispute between the employee's physician and the Village's physician, the two physicians shall select a third physician whose decision shall be final and binding upon the employee and the Village.

Time spent by an employee on short term or long term disability insurance shall be counted as Employee Welfare leave, including the applicable waiting period. All eligible leaves under this section shall be deemed as part of the employee's Family Medical Leave under the Federal Law in the event that law were to become applicable.

Spouses both employed by the Village are entitled to a maximum of twelve (12) weeks in the aggregate for the same Employee Welfare reason.

An employee on Employee Welfare leave may not work for another Employer during the period of the leave. Termination of Village employment will result for violations of this paragraph.

Policy 603 Military Leave

A. Being Called To Active Duty.

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Such leave of absence shall be without pay upon presentation of written military orders for the period of service required by the order of induction or order of call back to active duty.

- The amount of service time shall be included in computing longevity benefits and length of employment.
- Employees, at their request, will be permitted to use any vacation leave that had accrued before the beginning of their military service instead of unpaid leave. Employees must use current vacation time within twelve (12) months from the anniversary date on which it was accrued. There is no carry-over of vacation from one year of service to the next year of service.
- Employees will not continue to accrue PTO in their absence for military service, but any unused banked PTO time will remain for the employee's use upon their return if the employee returns in accordance with the USERRA requirements.
- Medical insurance benefits (coverage or the cash option) will continue during the first ninety (90) days of military service, provided the employee pays any regular employee premium contribution. After the first ninety (90) days of military service, the employee and their dependents should be eligible to be covered by military health care, but medical insurance benefits may be continued through the Village at the employee's expense as provided by USERRA.
- Pension benefits through MERS, life insurance (including short and long term disability) and workers compensation shall be as required under USERRA and as provided by law by MERS and the applicable policy requirements for unpaid military service leaves.

Upon the employee's honorable discharge from military service, and satisfaction of the employee's ability to perform the duties of the position held, the employee shall be reinstated to his/her former position if the employee makes formal application for reinstatement to the Village the time frames provided under USERRA.

B. National Guard/Reserve Training.

Employees who are active members of the National Guard or other military reserve force may be granted leave for training purposes for periods not to exceed four (4) calendar weeks in any calendar year.

The Village will compensate the reservist by paying the difference between the military pay received, including all allowances, and the amount of regular base wages, excluding overtime, that the employee would have earned but for the military leave if:

- a. The employee requests military leave in writing; and further requests compensation for such leave;
- b. That the request is endorsed by the Department Head and approved by the Village President;
- c. That acceptable evidence confirming the amount of military pay received for the period is submitted to the Village;
- d. That the period of leave does not exceed four (4) calendar weeks per year.

Policy 701 Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, the Village of Pinckney expects employees to follow rules of conduct that will protect the interests and safety of all employees and the Village.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are **examples** of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

Serious Misconduct

- A. Falsification or unauthorized removal of personnel records or other Village records;
- B. Possession or use of alcoholic beverages, narcotic, or controlled substances while on duty or while operating a Village vehicle, or reporting to work under the influence of alcoholic beverages, narcotics or controlled substances.
- C. Theft or Dishonesty. This includes theft from Village employees as well as theft or misappropriation of Village property.
- D. Verbal or physical abuse of an employee or member of the public.
- E. Insubordination or the use of abusive or profane language to any supervisor or other employee.
- F. Fighting, threatening, intimidating, coercing, or interfering with employees or supervision.
- G. Sexual or Racial Harassment. The discharge of job duties with discrimination regarding race, creed, sex, national origin, religious affiliation, or political beliefs.
- H. Absence from work without reasonable cause or prior approval from supervision.
- I. Absence from work for three (3) days without proper notification to the Village.
- J. Unauthorized possession of weapons on Village premises or in Village vehicles at any time.
- K. Completing another employee's time card or permitting another employee to completing your time card.
- L. Gambling on Village premises or in Village vehicles.
- M. Personal use of Village property including, but not limited to tools, equipment, or

vehicles.

Other Misconduct

- Cashier Shortages
- Tardiness
- Irregular Attendance
- Abusing Break Time Privileges
- Failure to Follow Instructions
- Substandard Quality or Quantity of Work
- Disregard of Safety Rules or Common Safety Procedures
- Improper Language
- Failure to Report Injury or Accident Immediately

Failure to correct these violations will result in more serious disciplinary action up to and including discharge. However, the handling of these violations of rules and procedures will depend upon the employee's prior employment records and the circumstances.

Policy 702

Progressive Discipline

The purpose of this policy is to state the Village of Pinckney's position on administering fair and equitable discipline for unsatisfactory conduct in the workplace. The Village's goal is to ensure fair treatment of all employees and to make certain that disciplinary actions are prompt, uniform, and impartial. The purpose of discipline is to correct the problem, prevent recurrence, and assist the employee with satisfactory service in the future.

Disciplinary action may call for any of these four steps:

A. Verbal Warning: This is an action taken by a Department Head or supervisor when an employee is informed of any action or behavior which the Department Head or supervisor determines to require counseling. Documentation of the date and nature of a verbal warning will be placed in the employee's personnel file. The employee will be given a copy of any disciplinary action entered into his/her personnel file within three (3) days of the action taken.

B. Written Reprimand: This is an action taken by a Department Head or supervisor and includes a statement of the problem including, the specific reasons for the reprimand, a summary of previous discipline, and a summary of what behavior correction is expected in the future. The written reprimand should be recorded on a Disciplinary Action Notice form and forwarded to the Clerk's Office and the employee.

C. Suspension Without Pay: This is an action which removes an employee from employment in his/her department for a definite period of time without pay. The suspended employee will not be able to use accumulated personal leave or vacation during a period of suspension without pay. A suspension without pay must be reported on a Disciplinary Action Notice form ([Attachment 8](#)) and forwarded to the Clerk's Office and the employee.

D. Demotion This is an action which transfers an employee to a lower job classification.

E. Discharge: Discharge permanently removes an employee from the employment with the Village. Before this type of disciplinary action is taken, the Department Head or supervisor must receive the approval of the Village President. A discharge must be recorded on a Disciplinary Action Notice form and forwarded to the Village President's Office and the employee.

Policy 703 Sexual and Other Unlawful Harassment

The Village of Pinckney is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, word, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes
- Verbal sexual advances or propositions.
- Verbal abuse of sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of sexual nature constitute sexual harassment when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- B. Submission or rejection of the conduct is used as a basis for making employment decisions; or
- C. The conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Village Clerk or Village President's Office. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and confidentially investigated. To the

extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or Department Head who becomes aware of possible sexual or other unlawful harassment must immediately advise the Village President's Office so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

The following procedure is to be utilized by Village employees for the processing of complaints relating to harassment as defined above. This policy shall apply only to those complaints filed by a person who is at the time of the filing of the complaint an employee for the Village and whose complaint is direct against a person who at the time of the filing of the complaint is an elected Village official, Village officer, or Village employee. The procedure may be utilized with regard to complaints concerning both supervisory personnel and co-employees. While the procedure itself is not directly applicable to complaints involving non-employees of the Village, any harassment complaint against such individuals should be brought to the Village President or his/her designee **which arises in the context of the workplace.**

Procedures:

A. An employee shall contact the Village President or his/her designee in any case of alleged harassment.

B. A meeting shall be arranged as soon as possible following receipt of the complaint. A file will be generated and documentation and other notes will be taken during investigation of the complaint and will be kept confidential until such time as disciplinary action is required.

C. The Village President shall then direct a formal investigation of the complaint, which may include additional interviews with the complainant; interview(s) of the accused; review of personnel files and work records; and interview of witnesses or possible witnesses, based on investigation.

D. Disciplinary action will be contingent upon the degree of the offense and will be determined on a case by case basis. Such determination may include suspension or dismissal.

E. The complainant will be apprised of the outcome of the investigation and the resulting disciplinary action if any.

Policy 704

Attendance/Time Off

Attendance

To maintain a safe and productive work environment, the Village of Pinckney expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees. In the instances when an employee is unable to avoid being late to work or is unable to work as scheduled, it is the employee's responsibility to notify his/her supervisor as soon as possible in advance, but no later than one-half (½) hour after the start of the work day.

Discipline up to and including loss of employment will occur if the employee is absent for any two (2) consecutive working days without properly notifying his/her Department Head. After such unreported absences, the Village will send written notification to the employee by certified mail at the employee's last known address, stating that because of unreported absence, the employee is considered to have voluntarily resigned and is no longer in the employ of the Village of Pinckney. Exceptions shall be made upon the employee producing convincing proof of inability to give such notice.

Policy 705 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the Village of Pinckney presents to the public.

During business hours or when representing the Village of Pinckney, employees are expected to present a clean, neat, and well-groomed appearance. Employees should dress and groom themselves according to the requirements of his/her position. This is particularly true if the employee's job involves dealing with customers or members of the public.

The Department Head is responsible for establishing a reasonable dress code appropriate for the Department. The employee should consult his/her supervisor if he/she has questions as to what constitutes appropriate appearance.

Policy 706 Return of Property

Employees are responsible for all Village of Pinckney property, materials, or written information issued to them or in their possession or control as employees. All property must be returned by employees on or before their last day of work.

All Employees must have a current and accurate Village Property Sign-out/Equipment Passwords document on file (Attachment 6). Upon separation from the Municipality, said employee will acknowledge return of these items (Attachment 5A).

Policy 707 Resignation

Resignation is a voluntary act initiated by the employee to terminate employment. .

Should an employee decide to voluntarily leave employment, a minimum of a two (2) week notice, in writing, must be given to their department head, or in the case of Department Heads, the Village President. A copy of the written notice will be forwarded to Village Council. Failure to provide a two (2) week notice will result in loss of accrued vacation payout unless Village Council makes an exception. Employees leaving the employment of the Village, with two weeks' notice, will be paid for unused vacation time that has been earned through the last day of work. At the sole discretion of the Village, notice requirements may be waived in the event of an emergency.

Prior to an employee's departure, an exit interview will be scheduled and conducted.

The purpose of the exit interview is to determine the extent of payoff of accumulated benefits due the employee, insurance conversions, retirement options, and to ensure the return of Village property.

Exit interviews shall afford each departing employee the opportunity to express himself/herself candidly in verbal and written form. The exit interview form ([Attachment 5](#)) will be utilized for each exit interview. All exit interview information shall be kept on file with the Village Clerk.

Policy 708 Solicitation

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during working time. Employees who are not on working time (e.g. those on lunch hour or breaks) may not solicit employees who are on working time for any cause or distribute literature of any kind to them. This policy also prohibits solicitations via the Village of Pinckney's E-mail and other telephonic communication systems. Furthermore, employees may not distribute literature or printed material of any kind in working areas at any time.

Examples of impermissible forms of solicitation include:

- The collection of money, good, or gifts for community groups;
- The collection of money, good, or gifts for religious groups;
- The collection of money, good, or gifts for political groups;
- The collection of money, good, or gifts for charitable groups;
- The sale of goods, services, or subscriptions outside the scope of official organization business;
- The circulation of petitions;
- The distribution of literature not approved by the Village;
- The solicitation of memberships, fees, or dues.

In addition, the posting of written solicitations on Village bulletin boards is restricted. These bulletin boards display important information, and employees should consult them frequently for:

- Employee Announcements
- Job Openings
- Organization Announcements

If employees have a message of interest to the workplace, they may submit it to the Department Head for approval. All approved messages will be posted by the Village Clerk's Office.

Policy 709 Political Activity

The Village of Pinckney recognizes that Village employees have the same fundamental civic responsibilities and privileges as other citizens; among these are campaigning for an elective public office and holding an elective or appointive public office. When campaigning as, or for, a candidate, the use of Village facilities, equipment or supplies is prohibited.

Village employees shall not engage in any type of partisan or non-partisan political activity at any time during their working hours.

In areas where there may exist a potential or actual conflict of interest, a leave of absence or resignation, as determined by corporate counsel, may be required.

Policy 710 Problem Resolution

The Village of Pinckney is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from Village supervisors and management.

The Village of Pinckney strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

Full-time and regular part-time employees who wish to appeal the interpretation of administration of a provision of this Policy Manual or rules or regulations contained herein or promulgated pursuant to this Manual must utilize the grievance procedure in the following manner:

Step I:

Within five (5) working days of an occurrence giving rise to a complaint, the grievant shall discuss the complaint with the immediate supervisor. In the event the matter is not resolved within two (2) working days of the verbal discussion, the grievant shall reduce the matter to writing on the appropriate grievance form (Attachment 9) supplied by the Clerk's Office, sign the form, and present the written grievance to the immediate supervisor. The immediate supervisor shall provide a written response to the grievant within two (2) working days of receipt of the written grievance. If the immediate supervisor fails to provide a written response to the grievant within two (2) working days, the grievance will be deemed rejected as of the date a response should have been received by the grievant may proceed to Step II.

Step II:

The grievant shall have five (5) working days following the date of a decision or rejection of the Step I grievance to appeal to the Department Head or Village President. An appeal shall be made by the grievant by signing and dating the Step II appeal form supplied by the Village Clerk and delivering a copy of the form to the Village Clerk.

The Village President shall, within ten (10) days of the filing of the appeal, schedule a meeting with the aggrieved employee to investigate the grievance. The grievant may have a representative of his/her choice present. The Village President may interview any and all parties to the grievance. Within five (5) working days of the conclusion of the meeting with the grievant, a written disposition shall be delivered to the grievant who shall sign and date receipt of the disposition. The grievance shall be deemed to be denied within five (5) working days after the date of the meeting if no written disposition is received by the grievant.

Step III:

Department Heads, including the Treasurer and the Clerk, may appeal to Village Council

following the rejection of a Step II grievance. An Appeal must be made within five (5) days following the date of the decision by signing and dating the Step III appeal form supplied by the Village Clerk and delivering a copy of the form to the Village Clerk.

Village Council shall hear the appeal at the next regularly scheduled Village Council meeting. The grievant may have a representative of his/her choice present, and may request a closed session. Village Council may interview any and all parties to the grievance. Within thirty (30) calendar days of the conclusion of the meeting, a written disposition shall be delivered to the grievant that shall sign and date the receipt of the disposition. The grievance shall be deemed to be denied within thirty (30) calendar days after the date of the meeting if no written disposition is received by the grievant. (*Council Amendment, October 9, 2006*)

Policy 711 DRUG-FREE WORKPLACE

The Village of Pinckney is committed to providing a healthy, safe and productive work environment for all employees.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is specifically prohibited in the workplace or while conducting the Village's business off Village premises. Controlled substances can include illegal "street" drugs, prescription drugs that impair the ability to work, or prescription drugs that are used outside their prescriptive purpose or obtained without a prescription.

Employees reasonably suspected of being under the influence of alcohol or controlled substances at any level of measurability will be required to leave the work site and subject to a breath, urine, or blood test by the Village President or Department Head regardless of whether or not the consumption of such substance occurred while working or acting on behalf of the Village or on Village property.

This policy addresses not only the use of illegal drugs such as marijuana and cocaine, but also the misuse of legal drugs such as alcohol and amphetamines. Employees under the influence of drugs, including alcohol are subject to disciplinary action up to and including termination.

The Village of Pinckney recognizes drug dependency as an illness and a major national health problem; nonetheless, it is unacceptable in the workplace. The use of drugs and alcohol in the workplace or in a manner that may impact work performance creates a variety of workplace problems, including increased absenteeism, increased on-the-job injuries, increased cost for health care and other benefits programs, and decreased employee morale, resulting in loss of productivity and a decline in the quality of services provided to the citizens of Pinckney.

Employees must, as a condition of employment, abide by the terms of this drug-free workplace policy, and report within twenty-four (24) hours any conviction under a criminal drug statute for violations occurring while conducting Village business.

Employees needing help with drug and/or alcohol problems are encouraged to seek assistance.

POLICY 712**GIFTS**

As Village of Pinckney employees, all gifts or services may be used to influence the employee in the conduct of the Village's business may not be accepted from any person or firm presently doing business or seeking to do business with the Village. Such gifts should be returned with a note of explanation.

POLICY 713 ETHICS

Public Office is a public trust to be used solely to advance the public interest. Decision should be made on the merits and based on objective judgment. Public officials must be accountable for their actions. All actions are considered public. You are no longer a private citizen once you take on an elected or appointed roll in the Village. Avoid conduct which could create an appearance of impropriety.

Honor and respect democratic principals by observing not only the letter of the law but also its spirit.

Several Public Acts guide Public Ethics and are noted below. We have elaborated where necessary in italics

PA 196 of 1973 – Standards of Conduct for Public Officers and Employees

A public officer or employee shall not:

- 1) Divulge confidential information
 - *A public servant shall not disclose any confidential information, without prior formal authorization of the public body having jurisdiction, concerning any village official or employee, or any other person.*
- 2) Represent own opinion as government's opinion.
- 3) Use government personnel, property or funds for personal gain.
 - *Public officials must use public assets for authorized purposes only, and not for personal or political benefit, or for the political benefit of someone else. Political activity should not be permitted under any circumstances during business hours.*
- 4) Solicit or accept a gift, loan or thing of value tending to influence performance of official duties.
- 5) Engage in business transactions in which he or she may profit from official position or confidential information.
- 6) Accept employment or render services in conflict with official duties.
 - *A public servant shall not engage in private employment with, or render services for, any private person who has business transactions with the city, without first making a full public disclosure of the nature and extent of such employment.*
 - *There are standards governing an official holding more than one public office at the same time, and they are found in the Incompatible Public Offices Act (IPOA) 1978 PA 566 MCL 15.181 et seq. Section 1(b) of the Act defines "incompatible offices as public offices held by a public official which, when the official is performing the duties of any of the public offices, result in any of the following with respect to said offices:*
 - *The subordination of one public office to another*
 - *The supervision of one public office to another*
 - *A breach of duty of public office*
- 7) Participate in negotiation or execution of contracts, issuing permits, or other regulations of a business entity in which he or she has a financial interest.

PA 317 of 1968 – Contracts of Public Servants with Public Entities

A public Official shall not:

- 1) Be a party, directly or indirectly, to a contract between himself or herself and the official's governmental entity
- 2) Directly or indirectly solicit a contract between the governmental entity and himself/herself, business entity in which he/she has an interest, or trust of which he/she is the beneficiary.
- 3) Take part in negotiation or renegotiation of any such contract or representing either party in the transaction.

A public official or employee should fully disclose in writing any conflicts of interest. If he or she has a substantial financial interest in a business doing business with the Village shall make that known and abstain.

There shall be a *no* nepotism policy. In smaller communities it may be common for related parties to work for, or to serve in, the local government, particularly in dual-income families. In these situations the perception of favoritism can be reduced if the local government requires that such relationships be fully and publically disclosed.

Officials or employees may not solicit command or coerce a classified employee to pay, lend or contributed to a candidate or ballot question. They should not allow political activities to interfere with normal duties.

Policy 714 – Media Relations Policy Manual

Only a portion of this policy is included in this manual. For a complete Media Manual please see your department head.

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Appendix

Film Production Guidelines and Regulations

Purpose

The news media can be an effective tool for disseminating accurate and timely information on Village issues, programs and events. Responding to media inquiries in a timely and accurate manner is vital to maintaining good media relations and thereby communicating with our citizens. This media relations policy will define Village of Pinckney goals with regard to media coverage and will provide guidelines for responding to media inquiries.

Communications Philosophy

We are an open village government, responsive to the information needs of our citizens. We provide news and information that our citizens need in their daily lives, that they need to realize

their personal visions of Community, and that they require to fulfill their roles in local government processes. We provide this news and information early in the decision-making process to allow time for citizens to provide input and become involved. We seek to inform, not to persuade.

The Village's approach to providing information is accurate, fair, and timely and reflects an overriding sense of responsibility to the public. Our organization does not hide, obscure, distort or deny access to public information. This information will be supplied as promptly as possible to any citizen or news media representative.

In short, we work to frankly and openly provide citizens and the news media prompt and accurate information concerning subjects which are of interest and value to them.

Policy Statement

Village of Pinckney officials and employees will foster open communication with media representatives and encourage accurate media coverage of events, programs and policies.

The news media will have access to any information, except that which concerns personnel matters, executive/closed sessions, pending legal matters, or information the mandatory disclosure of which is exempted by statute. All media outlets will have equal access to Village information.

Because many departments are subject to specific state and federal statutes and governmental regulations which both require and prohibit dissemination of information, departments should add to this policy a set of departmental policies, if necessary. These general policies are to be used only in conjunction with the policies of each department (see examples in Appendix) which specifically address the requirements and limitations on dissemination of materials specific to that department.

If there is a question regarding whether the media has access to certain information, the Village Attorney's Office can advise regarding release of information.

Staff Response -- Local Media

1. When a department head is contacted by the media, that department head will provide information requested and grant interviews or designate a spokesperson to grant interviews except where law or litigation exceptions apply. All requests for information related to civil claims or suits against the Village or Village employees should be referred to the Village Attorney's Office or Village Clerk. Contact the Village Attorney's Office if you have questions about releasing information. If any employee is contacted by the media, that employee may provide information to the media only if he or she is the most appropriate spokesperson and departmental policy allows. If an employee is called by the media and is not the appropriate spokesperson, that employee will find the most knowledgeable spokesperson and put him or

her in touch with the reporter.

2. Media calls should be returned within one hour whenever possible. It is appropriate to return the call to ask the purpose of the call and then tell the media representative that you will call back within a certain time period with the information. Ask media representatives what their deadlines are and make every effort to meet those deadlines.

3. With the exception of routine activities regarding special event promotion, public works services or public safety concerns (road closures, snow emergencies, etc.), all media contacts should be reported promptly to the Village Council and the Village Clerk.

4. Any media contact regarding Village Council actions or policies should be referred to the Village Clerk. In the event the media contact involves a legal question, the Clerk will contact the Village Attorney's Office before making a response. The Village President is usually available to the media. Unless otherwise notified, Village Council members' home and work phone numbers should only be given out via a FOIA request. The FOIA request will be completed without fee. The Village Council member should be notified that a reporter may be calling, if this is known.

5. Staff members should not respond to media inquiries which are not directly related to carrying out the employee's professional responsibilities for the Village. If such a media inquiry is made, the staff member should refer the media to the appropriate department director or the Village Clerk.

6. Village employees are not prohibited from contacting or responding to the media as private citizens. Contact should not be made during working hours, nor should Village equipment or supplies be used in preparing written correspondence. Employees should not use their title or suggest that their response represents the Village's official position. ***The fact that they are acting as individuals and not representing their employer should be made very clear.***

7. Board and commission members are usually available to the media. Staff members should take a message and relay it to the appropriate board member or the Village Clerk's office as soon as possible. Board and commission member telephone numbers are public information; however, we request a FOIA request, which can be obtained without fee. An advance call to the board or commission member alerting him or her of the media inquiry is appropriate. The Village Clerk and Village President can assist with message points if needed.

8. If at any time a department head or employee is uncomfortable responding to media inquiries, the Village Clerk is available to provide counseling and guidance.

Coordination with Other Village Departments

1. Before responding to media inquiries, contact other departments that may also be involved to ensure that the information you give out will not be contrary to another department's response. Ask the media representative to share with you other departments he or she has contacted or plans to contact.

2. If a department receives a media inquiry related to civil claims or suits against the Village or Village employees, the inquiry should be referred to the Village Attorney's Office.
3. If a department receives a media inquiry regarding the executive/closed sessions of Council or a board or commission, acquisition for public use or sale of real property, or information about specific individuals or businesses – and departmental regulations do not cover the request – the department should contact the Village Clerk who will contact the Village Attorney before responding. Village Council should be notified.
4. If a department receives an inquiry regarding personnel information or personnel actions, contact the Human Resources Department/Village Clerk before responding.

Departmental Policies

1. Departments which receive regular contact with the media should create their own internal media policy. That policy should cover statutes and governmental regulations requiring or limiting dissemination of information unique to that department and could cover how that department's inquiries are to be directed. For example, the Police Department will cover in its policy what may and may not be released under applicable federal and state statutes and regulations. Departments which do not have regular contacts with the media can defer to this Village-wide policy.
2. The Police department receives and responds to media requests regarding routine daily activities. If the requests are of a controversial or policy nature, or if they might have a broader, Village-wide ramification, the Village Clerk should be notified. After determining scope of the request, Village Council may need to be notified.

After-Hours Media Inquiries

1. The person who ultimately handles the media inquiry is responsible for ensuring that the Village President is aware of the situation, if appropriate. They can be notified at home regarding the nature of the after-hours media call. They will determine if Village Council and the Village Clerk should be notified.

Responding to Inaccuracies

The Village Clerk should be contacted if you believe incorrect information is being or has been communicated by the media.

If a reporter did not accurately represent the Village's position on an issue or made significant errors in reporting, department heads have the discretion to contact the reporter and ask for a

correction. You can do so by letter or phone. If the reporter refuses, you have the right to contact the reporter's editor (newspaper) or news director (broadcast). In some cases, it might be better not to respond to an insignificant error or to an error to which a response will unduly extend coverage of a controversial issue. Letters to the editor can also be used to correct misinformation in the newspaper.

The public editor of the newspaper should be notified of a correction so that the information will be entered in the daily log of corrections.

POLICY 715 Social Media/Networking Websites

This policy is to establish guidelines for the use of web-based social media/networking resources as a tool to disseminate information related to the Village of Pinckney. Village Council has an interest and expectation in deciding who can contribute and what can be published on behalf of the Village of Pinckney on social media/networking websites; therefore, this policy establishes guidelines for its use.

The policy applies to Village employees who are responsible for the maintenance of social media/networking websites and provides them with a set of guidelines when managing such websites.

The Village of Pinckney appreciates the value in using social media/networking to build more meaningful relationships with customers, the community and other stakeholders.

PROCEDURE:

I. Management

- a. Social media/networking website accounts are considered a Village benefit and login privileges to these accounts will be monitored and limited to select staff members.
- b. Management and updates to the social media/networking websites will be assigned to two Village of Pinckney staff administrators, with one person assuming the majority of the responsibilities and a second individual to provide support, assistance and relief when leave arrangements necessitate.
- c. Only the designated Village administrators shall have the ability to post, update and remove content from the social media site.
- d. All social media/networking websites shall contain a disclaimer outlining the terms and conditions of the content posted on the site as outlined in this policy. (See Section VI).
- e. Individual departments within the Village of Pinckney are prohibited from creating independent social media pages on behalf of the Village without further review by Village Council.
- f. Employees representing the Village through social media/networking websites must adhere to the guidelines outlined in the Computer Use Policy - Policy 508
- g. The Village administrators will routinely monitor any changes to the social media/networking websites' Statement of Rights and Responsibilities.
- h. The Village administrators will routinely monitor and identify any social media/networking "shadowing sites" to the Village's official social media/networking websites.

II. Social Media Content

- a. Social media/networking websites shall be used to post information about the Village in a timely manner to subscribers to the websites and to those who request information from the Village of Pinckney.

- b. The Village of Pinckney's social media/networking websites and their associated content should focus on significant Village interest areas and be organized in a manner that avoids conflicting information across the Village's various communication mediums.
- c. Links to more information should be used to direct users back to the Village's official website for more information, forms, documents or online services, when possible.
- d. Posts can and should contain information that is of interest to residents and businesses including but not limited to:
 - i. Event and meeting announcements and reminders.
 - ii. Updates on issues such as ordinances or Village Council action.
 - iii. Transportation updates including road closures and detour information.
 - iv. Emergency notifications.
 - v. Solicit specific input from residents and businesses by email or polls with the responses emailed directly to staff.
 - vi. Pictures of amenities such as parks, scenery, neighborhoods or community events.
 - vii. Changes or updates to the official website such as the addition of agendas, photos or videos.
- e. See Media Relations Policy for more specific details on dealing with media and public communication.

III. General Restrictions and Conditions

- a. With all social media/networking websites, the discussion boards, bulletin boards, postings, and blogs shall be disabled and shall be restricted to disseminating information only, unless directed otherwise by Village Council.
- b. Village social media/networking messages shall not be used by any Village employee or representative for private or personal use or for the purpose of expressing personal political views.
- c. The social media/networking website accounts shall not be used by the Village or any Village employee or representative to disclose sensitive and/or confidential information without the prior written approval of the Village Manager's Office.
- d. Employees who use social media/networking websites for official Village business are responsible for complying with applicable federal, state and Village laws. This includes policies related to copyright, records retention, Freedom of Information Act, First Amendment, privacy laws and information security policies established by the Village of Pinckney.

IV. Brand Recognition

- a. All social media/networking websites shall include the Village's official logo, the Village's website address, and when possible, other official brand recognition items like color.
- b. The user name established for each social media/networking website and contact information shall be specific to the Village of Pinckney and shall not contain individual employee names.

- c. If branding is used without prior authorization it may be subject to infringement enforcement and future legal action.

V. Approved Social Media/Networking Websites

- a. Facebook - a free-access social networking website that allows its subscribers the ability to connect with an unlimited number of friends, neighbors, relatives and groups. Individuals can post photos, videos and text on their own personal page. Facebook also allows organizations and businesses to create pages and form groups or fan pages to send and receive updates.
- b. Twitter - a free social networking and micro-blogging service that enables its users to send and read each other's updates, known as tweets. Tweets are text-based posts of up to 140 characters, displayed on the author's profile page and delivered to other users - known as followers - who have subscribed to them. Tweets appear on the author's profile page and on followers' news feeds. Followers can also receive these updates via their mobile phone.
- c. YouTube - a video sharing website where users can upload, view and share video clips. Individual channels can also be created where a user can find videos produced by the channel owner only.
- d. The village council may add new social media venues as deemed appropriate.

VI. Standard Social Media Website Disclaimer

Each Village approved social media/networking website will contain the following disclaimer:

"The Village of Pinckney's use of external social media/networking websites is provided as a public service to the community. The Village is not responsible for content that can be accessed through a social media browser, such as advertisements, videos or promotional links. Any inclusion of external content or comments on an external social media website does not imply endorsement by the Village of Pinckney."

VII. How Best to Avoid Common Pitfalls

- a. Be honest (within legal guidelines) and genuinely apologize for mistakes and misunderstandings.
- b. Act extremely quickly, even if it is only to say you are investigating.
- c. Show the public that real people in your agency are trying to fix the problem.
- d. Update periodically to quell concerns or inaccurate messages from being spread
- e. Establish a hashtag for a large incident so people can follow it, or use one that is in common circulation. See the lead on the crisis communication team before establishing any hashtag related to an incident.
- f. Keep it simple.
- g. Recognize and thank members of the community for their support.
- h. Ask people to contact you directly with complaints.

- i. Correct faulty information tactfully and in a calm and congenial manner. This is not a time for sarcasm or off-colored humor.
- j. Avoid technical jargon or acronyms.

VII. Insensitive Opinion or Statement

This often happens after the organization has been using social media for a period of time and employees feel comfortable interacting with the community. Unfortunately, this relaxation can cause a slip of the tongue or a flippant remark in jest. Due to the speed of the internet, such an issue can become a much bigger challenge to manage if it isn't dealt with quickly and correctly. Actions to rectify the situation include the following:

- a. Act quickly
- b. Apologize genuinely
- c. Show the steps the organization will take to ensure it will not happen again.
- d. Make the resolution public.
- e. Look at it from the user's point of view.
- f. Do not respond in kind to abuse or trolling.
- g. Choosing to delete a post is a judgment call, but never delete comments just because they are negative.
- h. Delete comments only if the language is offensive or abusive. State that this form of discussion is against the organizations moderation policy.
- i. After a social media mishap, the organization will need to re-engage with its community and rebuild its presence and persona. This should be done genuinely by listening and engaging slowly.

POLICY 801 Identity Theft Prevention Program

Purpose

To establish an Identity Theft Prevention Program designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program in compliance with the Federal Trade Commission's Red Flags Rule (Part 681 of Title 16 of the Code of Federal Regulations) Implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

Under the Red Flag Rule, every financial institution and creditor is required to establish an "Identity Theft Prevention Program" tailored to its size, complexity and the nature of its operation. Each program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically, to reflect changes in risks to customers or to the safety and soundness of the creditor from Identity Theft.

Definitions

Identifying information means any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including: name, address, telephone number, social security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, Village or taxpayer identification number, unique electronic identification number, computer's Internet Protocol address, or routing code.

Identity theft means fraud committed or attempted using the identifying information of another person without authority.

A covered account means:

1. An account that a financial institution or creditor offers or maintains, primarily for personal, family, or household purposes that involves or is designed to permit multiple payments or transactions. Covered accounts include credit card

accounts, mortgage loans, automobile loans, margin accounts, cell phone accounts, utility accounts, checking accounts and savings accounts; an

2. Any other account that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or creditor from identity theft, including financial, operational, compliance, reputation or litigation risk.

A red flag means a pattern, practice or specific activity that indicates the possible existence of identity theft.

A. **Identification of Red Flags.** The Village identifies the following red flags, in each of the listed categories:

1. Suspicious Documents

- i. Identification document or card that appears to be forged, altered or inauthentic;
- ii. Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
- iii. Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); and
- iv. Application for service that appears to have been altered or forged.

2. Suspicious Personal Identifying Information

- i. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
- ii. Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a credit report);
- iii. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
- iv. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
- v. Social security number presented that is the same as one given by another customer;
- vi. An address or phone number presented that is the same as that of another person;
- vii. application when reminded to do so (however, by law social security numbers must not be required); and
- viii. A person's identifying information is not consistent with the information that is on file for the customer.

3. Suspicious Account Activity or Unusual Use of Account

- i. Change of address for an account followed by a request to change the account holder's name;
- ii. Payments stop on an otherwise consistently up-to-date account;
- iii. Account used in a way that is not consistent with prior use (example: very high activity);
- iv. Mail sent to the account holder is repeatedly returned as undeliverable;
- v. Notice to the Village that a customer is not receiving mail sent by the Village;
- vi. Notice to the Village that an account has unauthorized activity;
- vii. Breach in the Village's computer account information.
- viii. Unauthorized access to or use of customer account information.

4. Alerts from Others

- i. Notice to the Village from a customer, identity theft victim, law enforcement or other person that it has opened or in maintaining a fraudulent account for a person engaged in Identity Theft.

B. Detecting Red Flags

1. **New Accounts.** In order to detect any of the Red Flags identified above associated with the opening of a new account. Village personnel will take the following steps to obtain and verify the identity of the person opening the account:

- i. Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
- ii. Verify the customer's identity (for instance, review a driver's license or other identification card);
- iii. Review documentation showing the existence of a business entity; and/or
- iv. Independently contact the customer.

2. **Existing Accounts.** In order to detect any of the Red Flags identified above for an existing account, Village personnel will take the following steps to monitor transactions with an account:

- i. Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
- ii. Verify the validity of requests to change billing addresses; and
- iii. Verify changes in banking information given for billing and payment purposes.

C. Preventing and Mitigating Identity Theft.

In the event Village personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

1. Prevent and Mitigate

- i. Continue to monitor an account for evidence of Identity Theft;
- ii. Contact the customer;
- iii. Change any passwords or other security devices that permit access to accounts;
- iv. Not open a new account;
- v. Close an existing account;
- vi. Reopen an account with a new number;
- vii. Notify the Village President for determination of the appropriate step(s) to take;
- viii. Notify law enforcement; and/or
- ix. Determine that no response is warranted under the particular circumstances.

2. Protect customer identifying information

- i. In order to further prevent the likelihood of identity theft occurring with respect to Village accounts, the Village will take the following steps with respect to its internal operating procedures to protect customer identifying information;
- ii. Ensure that its website is secure or provide clear notice that the website is not secure;

- iii. Ensure complete and secure destruction of paper documents and computer files containing customer information;
 - iv. Ensure that office computers are password protected and that computer screen lock after a set period of time;
 - v. Keep offices clear of papers containing customer information,
 - vi. Request only the last four (4) digits of social security number (if applicable);
- Ensure computer virus protection is up to date; and require and keep only the kinds of customer information that are necessary for utility purposes.

D. Program Updates

This Program will be periodically reviewed and updated to reflect changes in risks to customers and the soundness of the Village from Identity Theft. The Village President will consider the Village's experiences with Identity Theft situation, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, changes in types of accounts the Village maintains, and changes in the Village's business arrangements with other entities. After considering these factors, the Village President will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Village President will present the Village Council with his/her recommended changes and the Council will make a determination of whether to accept, modify or reject those changes to the Program.

F. Program Administration

1. **Oversight.** Responsibility for developing, implementing and updating this Program lies with an Identity Theft Committee for the Village. The Committee is headed by the Village President, with the Village Treasurer and the Village Clerk comprising the remainder of the committee membership. The Village President will be responsible for the Program administration, for ensuring appropriate training of Village staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

2. **Staff Training and Reports.** Village staff responsible for implementing the program shall be trained either by or under the direction of the Village President in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected. Village staff is required to provide reports to the Program

Administrator on incidents of Identity Theft, the Village's compliance with the Program and the effectiveness of the Program.

3. **Specific Program Elements and Confidentiality.** For the effectiveness of Identity Theft prevention Programs, the Red Flag Rule envisions a degree of confidentiality regarding the Village's specific practices relating to Identity Theft detection, prevention and mitigation. Therefore, under this Program, knowledge of such specific practices are to be limited to the Identity Theft Committee and those employees who need to know them for purposes of preventing Identity Theft. Because this Program is to be adopted by a public body and thus

publicly available, it would be counterproductive to list these specific practices here. Therefore, only the Program's general red flag detection, implementation and prevention practices are listed in this document.

POLICY 802 Authorization to Release Information

I understand that my employment is at will, and neither I nor the Municipalities has entered into a contract regarding the duration of my employment. I am free to terminate my employment with the Municipality at any time, with or without reason. Likewise, the Municipality has the right to terminate my employment or take any other kind of employment action with respect to my employment at any time, with or without reason, at the discretion of the Municipality.

Upon voluntary or involuntary termination of employment, the employee will be required to complete an Authorization to Release Information Form (Attachment 10) for future references. Failure to complete said form will relinquish the Municipality of all responsibility to provide information on the former employee.