

# CITY OF JACKSON, MICHIGAN

## PERSONNEL POLICY



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## INTRODUCTION

The Personnel Policy contained in the pages of this document in no manner should be construed as a contract or promise to any employee or prospective employee that the procedures, classifications, class grades or benefits contained will remain in effect or continue in existence. This document is merely an outline of the procedures, classifications, class grades and benefits which existed at the time of the enactment by the City Council. The procedures, classifications, class grades and benefits contained herein may be altered, decreased, changed or eliminated at any time by action of the City Council and the interpretation of the procedures and this entire document shall be in the sole discretion of the City Council.

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

At Will Employees - None of the language contained within this Personnel Policy shall be deemed to vest any employee with any "just cause" rights that prevent his or her dismissal without cause. It is the policy of the City that all employees of the City are "at will" employees, and, subject to the terms and conditions of applicable labor agreements, the City retains the right to discharge any employee without cause.

Performance Evaluations - The City Manager may establish a system of performance evaluations. If established, the system shall be incorporated into this policy.

Safety Committee - The City Manager may establish a Safety Committee. If injured, an employee shall file a claim in accordance with the Michigan Workers' Disability Compensation Act.

Residency Requirement - Residency restrictions are and continue to be a condition of employment, within twelve months of hire, for City of Jackson employees. For those employees subject to an individual employment contract on March 10, 2000, the terms of the contract relative to residency will continue for the full term of the contract. Effective July 1, 2000, employees appointed by the City Council who serve without an individual contract, employees appointed by the City Manager and all non-union employees must maintain their residence within twenty (20) miles of the geographic boundary of the City of Jackson (i.e., 20 miles from the City limits). All new individual contracts negotiated with employees will incorporate the new residency limit defined above.

These residency requirements shall require that employees: Establish and occupy a dwelling within the limits defined in the previous paragraph; and maintain this dwelling as their primary residence at which they eat their meals, receive their mail, sleep, maintain their voter registration, driver's license address, tax address and in all manners maintain as a normal residence.

All union employees are governed by the residency language in their respective labor agreement or past practice. Such past practice shall continue until a change is negotiated with the respective labor organization.

REF: Civil Service Rules and Regulations, Section 17, Residency Requirements.  
Michigan Public Act 212 of 1999

EFFECTIVE DATE:

- **Revision dated July 1, 2008**
- Revision dated July 1, 2006
- Revision dated July 1, 2005
- Revision dated July 1, 2004
- Revision dated September 1, 2003
- Revision dated April 1, 2003
- Revision dated July 1, 2002
- Revision dated March 1, 2002
- Revision dated July 1, 2000
- Revision dated September 21, 1998
- Revision dated August 15, 1997
- Revision dated January 21, 1997

## **SCOPE**

This Personnel Policy covers all employees of the City of Jackson. Those employees covered by labor agreements shall be governed by the provisions of said labor agreements. In the absence of specific provisions or where the labor agreement is silent, this policy shall apply. In the case of a conflict between this Policy and a labor agreement, the labor agreement language shall prevail over this Policy.

## **REFERENCES**

Administrative Regulations  
Americans With Disabilities Act of 1990 (Federal Mandate)  
Civil Service Rules and Regulations  
Drug Policy (Administrative Regulation No. 29)  
Fair Labor Standards Act (Federal Mandate)  
Family Medical Leave Act (1993) (Federal Mandate)  
General Retirement Plan  
Jackson City Code  
Michigan Public Act 212 of 1999 (Residency)  
Rules of Conduct  
Workers' Disability Compensation Act 317 of 1969 (State of Michigan)

**ARTICLE I - PROMULGATION OF PERSONNEL POLICY AND  
ADOPTION OF CLASSIFIED AND UNCLASSIFIED SERVICE**

Section I-1. Purpose of the Personnel Policy. This policy shall govern all City/employee relationships of a nonunion nature and all City/employee relationships for union personnel where the labor agreement is silent.

Section I-2. Adoption of Personnel Policy and Classified and Unclassified Positions. The Classified and Unclassified positions as set forth in Articles V. and VI. of this policy and the specifications for the respective classes are hereby adopted and shall constitute the basis upon which all positions shall be classified. All positions shall be subject to the provisions of Civil Service in accordance with the City Ordinances and the rules and regulations of the Civil Service Board, except those in the Unclassified Service, as specified in Article VI.

Section I-3. Preparation and Content of Class Specifications. Descriptions of the above-referenced positions shall be prepared by the Director of Personnel and Labor Relations and approved by the City Manager, giving the duties of all positions and the qualifications for successful performance of such duties. In addition to the qualifications as set forth in the class specifications, it shall be understood that all positions require: Ability to read, write, speak and understand the English language and to follow written and oral instructions; ability to get along with others, sobriety, integrity, loyalty and a record of orderly law-abiding citizenship.

## **ARTICLE II - APPLICATION AND INTERPRETATION OF PERSONNEL POLICY**

Section II-1. Allocation of Existing Positions. The positions in the Classified Service are hereby allocated to appropriate classes in accordance with the schedules attached hereto.

Section II-2. Interpretation of Class Specifications.

- A. Purpose and Effect of Class Specifications: Each class specification outlines the main characteristics and qualification requirements of position in the class and gives examples of special duties which employees holding such positions may properly be required to perform. The class specification is descriptive and explanatory, but not restrictive. The listing of particular examples of duties does not preclude the assignment of other tasks of related kind or character or of lesser skills. Likewise, the assignment of an employee to a class does not preclude the assignment of duties from another class to the employee or the assignment of the employee to another class.
- B. Application of Specifications to Positions: In determining the class to which a position should be allocated, the specification of each class shall be considered in relation to the specifications of other classes in the Personnel Policy.
- C. Statement of Qualifications: The statement of qualifications in a class specification is intended to be used as a guide in determining the eligibility of candidates for competitive examinations; as an aid in the preparation of such examinations; and, for use in determining the relative value of positions in a class in relation to positions in other classes.

Section II-3. Employer's Rights. The City, as an employer and on behalf of the electors of the City of Jackson, hereby retains and reserves unto itself all powers, authority, duties and responsibilities conferred upon and vested in it by law and by the Constitution of the State of Michigan and of the United States, the Jackson City Charter and City Code, and any modifications made thereto.

Further, all rights which ordinarily vest in and are exercised by employers are reserved to and remain vested in the City, including, but without limiting the generality of the foregoing the right to:

- A. Manage the affairs of the City efficiently and economically, including the determination of quantity and quality of services to be rendered;
- B. Introduce new equipment, methods, machinery or change and/or eliminate existing equipment and institute technological changes, decide on materials, supplies, services, equipment and tools to be purchased;
- C. Determine the size of the work force and increase or decrease its size;
- D. Hire, assign and permanently or temporarily lay off employees;
- E. Direct the work force, assign work and determine classifications and prescribe and assign job duties, content and classification;
- F. Establish, change, combine or discontinue job classifications and prescribe and assign job duties, content and classification;
- G. Discipline and discharge employees;

- H. Adopt reasonable work rules; and
- I. Select employees for promotion or transfer and determine the qualifications and competency of employees to perform available work.

## **ARTICLE III - ADMINISTRATION AND MAINTENANCE OF PERSONNEL POLICY**

Section III-1. Responsibilities of the Director of Personnel and Labor Relations. The Director of Personnel and Labor Relations shall direct necessary reviews and preparation of reports recommending appropriate action to assure that the Personnel Policy is kept current and to assure that any important changes in duties and responsibilities in any existing positions and of new positions are reflected in the Policy. The Director of Personnel and Labor Relations shall provide, subject to the approval of the City Manager, for the reallocation of any position from one class to another class, whenever a change in duties and responsibilities of such position make the class to which the position was previously allocated no longer applicable. Any actual reallocation to be made shall be made with the knowledge of the employee concerned and his/her Department Head.

The Director of Personnel and Labor Relations shall be responsible for the work of administering and maintaining the Personnel Policy. This shall include but not be limited to, the processing of salary advancements, the determination of proper salary rates within existing Policy provisions and the preparation of recommendations for revisions to the Policy on the basis of changes in prevailing rates of pay for comparable positions outside the City Service.

Section III-2. Changes Requiring Approval of the City Council. The approval of the City Council shall be required for all policy changes to this document, but not for amendments of an administrative nature. Such changes shall take the form of amendments to this Personnel Policy.

Section III-3. Changes Requiring Approval of the City Manager. The approval of the City Manager will be required for all administrative changes to this document. The City Council will receive written notice of all administrative amendments to the Personnel Policy at least fifteen (15) days before they take effect.

Section III-4. Repeal of Conflicting Resolutions. All resolutions or parts thereof in conflict with the provisions of this Policy are hereby repealed.

Section III-5. Savings Clause. If any section, sentence, clause or phrase of this Policy shall be held for any reason to be inoperative or unconstitutional, void or invalid, the validity of the remaining portions of this Policy shall not be affected thereby, it being the intention of the City Council in adopting this Policy that no portion thereof or provision herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any other portion or provision and the City Council of the City of Jackson, Michigan, does hereby declare that it would have severally passed and adopted the provisions contained herein, separately and apart one from the other.

## **ARTICLE IV - PERSONNEL FILES**

**Section IV-1. Personnel Files.** A personnel file is maintained by the Personnel and Labor Relations Department on every employee of the City (except Parks and Recreation seasonal employees, City Clerk election workers, Police Reserve Officers and School Crossing Guards). All material in these files is strictly confidential and secured under the custodianship of the Personnel and Labor Relations Department. All personnel files are subject to the provisions of the Bullard-Plawecki Right-To-Know Act and the Freedom of Information Act. Information in an employee's personnel file may include the following. Medical records are secured in a file that is separate from the personnel records.

- A. Original application and accompanying documents (i.e.; resume, transcripts, references, investigation reports, military papers).
- B. Personnel Action Requests or notices of pay changes and accompanying documents.
- C. Performance evaluation forms and related materials.
- D. Letters of commendation or complaint connected with employment.
- E. Promotional opportunity application and related materials.
- F. Forms pertaining to fringe benefit programs and related programs.
- G. Documents submitted by the employee.
- H. Certificates or notices of accomplishment of the employee in the area of training or employee development.
- I. Documentation of disciplinary action.
- J. Materials submitted as part of the record for an appeal or a decision or other action and copies of related proceedings.

**Section IV-2. Official Access.** The following personnel shall have the right of access to an inspection of an employee's personnel file.

- A. The employee who is the subject of the file.
- B. An attorney or designee of the employee when the employee has provided written authorization to his or her file.
- C. Supervisory employees who are considering the employee for promotion, transfer, reassignment, demotion, dismissal, or other personnel action.
- D. The City Attorney or other appropriate agent when needed in connection with any legal action involving the employee and the City.
- E. Authorized representatives of the Personnel and Labor Relations Department.
- F. A person or persons making a proper legal request under the Freedom of Information Act (FOIA).

Section IV-3. Limited Access. Information in an employee's personnel file shall not be made accessible to anyone except the Personnel and Labor Relations Department, the employee and those listed in Article IV, Section IV-2 above. The only information provided over the telephone is verification of any employee's job title, dates of employment and salary. No other information will be given by phone unless the employee provides a written release absolving the City, its employees, agents and officials from any responsibilities of the consequences of disclosure.

Section IV-4. Written Reprimands. Unless otherwise provided by law, whenever a reprimand is placed into an employee's file for the purpose of reflecting a negative facet of that employee's performance, the employee shall be provided a copy of the entry.

Section IV-5. Employee Access. An employee, upon written request to the Personnel and Labor Relations Department, may periodically review at reasonable intervals, generally not more than two (2) times per year, his or her personnel record. The review shall take place in the Personnel and Labor Relations Department during normal office hours, unless inconvenient to the employee due to an unusual shift or job site, at which time a mutually convenient time and place shall be arranged.

An employee may obtain a copy of information contained in his or her personnel file. If there is disagreement with information contained in the personnel file, an employee may submit a written statement explaining his or her position which shall then be made part of the personnel file, with a copy provided to the supervisor.

**ARTICLE V - CLASSIFIED SERVICE**

Section V-1. Classified Service. The Classified Service shall consist of the following classes of nonunion positions, with such changes as may be made from time to time by the City Council by amendment to this Personnel Policy. The class grade refers to the classification and corresponding salary range by which all positions of the class shall be paid as set forth from time to time by City Council action. The hours of work in the normal average work week for each Occupational Group are indicated and shall apply to all classes of the group, except those where the normal work week upon which compensation is based is otherwise indicated. For purposes of this Personnel Policy, all employees and officials of the Jackson Housing Commission are not employees of the City of Jackson. For purposes of the Civil Service ordinance, all union personnel are deemed to be unclassified employees whose personnel rights and responsibilities shall be resolved under the provisions of their applicable labor agreement.

Section V-2. Occupational List of Class Titles

- A. CLERICAL, ADMINISTRATIVE AND FISCAL GROUP (40 HOURS/WEEK)  
(Nonunion positions - occupied)

<u>Class Grade</u>	<u>Class Title</u>
-	Administrative Aide/Housing (JAHC)
7	Administrative Benefits Technician
4	Administrative Secretary I
6	Administrative Secretary II
8	Administrative Secretary to the City Manager
7	Administrative Secretary to the Mayor & Council
<b>8</b>	<b>Appraiser</b>
6	Communications Coordinator
9	Community Center Supervisor
10	Computer Systems Manager (Police)
<b>8</b>	<b>Community Development Project Coordinator</b>
<b>7</b>	<b>Emergency Management Assistant</b>
6	Evidence Management Coordinator
10	Financial Analyst
7	Finance Assistant (Police)
-	Housing Administrator I (JAHC)
7	Labor Relations Technician
7	Legal Secretary
13	Manager of Information Technology
10	Nixon Park Facility Supervisor
5	Personnel and Communications Assistant
6	Property Management Coordinator
7	Purchasing Technician
9	Records Management Coordinator
10	Recreation Services Supervisor
<b>10</b>	<b>Senior Appraiser</b>
9	Senior Citizen & Recreation Activities Coordinator
9	Tax Supervisor

B. CLERICAL, ADMINISTRATIVE AND FISCAL GROUP (40 HOURS/WEEK)  
(Nonunion positions - vacant)

<u>Class Grade</u>	<u>Class Title</u>
7	Account Clerk Supervisor
7	Administrative Analyst (Community Development)
-	Administrative Clerk-Typist
-	Analyst Programmer
<b>11</b>	<b>Community Development Grant Coordinator</b>
10	Community Development Planner
-	Computer Programmer
-	Cost Accountant
8	Data Processing Coordinator
-	Data Processing Supervisor
-	Field Coordinator
11	Housing Financial Analyst
<b>9</b>	<b>Personal Property Examiner</b>
6	Personnel Technician
6	Program Coordinator, Office of Emergency Measures
-	Recreation Center Supervisor
-	Resource Center Coordinator
-	Senior Administrative Clerk-Stenographer
9	Water and Sewer Billing Supervisor
10	Water Services Supervisor

C. ENGINEERING, INSPECTION AND TECHNICAL GROUP (40 HOURS/WEEK)  
(Nonunion positions - occupied)

<u>Class Grade</u>	<u>Class Title</u>
10	Building Inspector
10	Civil Engineer I
11	Civil Engineer II
9	Code Enforcement Officer I
10	Code Enforcement Officer II
10	Electrical Inspector
4	Ordinance Enforcement Officer
10	Parking Manager/Engineering Assistant
10	Plumbing and Mechanical Inspector
10	Wastewater Treatment Plant Chemist/Lab Supervisor
10	Wastewater Treatment Plant Industrial Pretreatment Supervisor
12	Water Services Manager

D. ENGINEERING, INSPECTION AND TECHNICAL GROUP (40 HOURS/WEEK)  
(Nonunion positions - vacant)

<u>Class Grade</u>	<u>Class Title</u>
-	Assistant to City Forester
-	Associate Traffic Engineer
12	Civil Engineer III
-	Electrical and Electronics Supervisor
11	Engineering Technician Supervisor
10	Plumbing Inspector
10	Surveyor
6	Traffic Analyst
-	Wastewater Treatment Plant Assistant Chemist

E. LABOR AND TRADES SUPERVISION GROUP (40 HOURS/WEEK)  
(Nonunion positions - occupied)

<u>Class Grade</u>	<u>Class Title</u>
10	Assistant Water Treatment Plant Supervisor
8	Building Maintenance Supervisor
10	Chief Wastewater Treatment Plant Operator
9	Maintenance Supervisor
10	Meter Services Supervisor
9	Public Works Assistant
11	Public Works General Foreman
<b>10</b>	<b>Sharp Park Maintenance Supervisor</b>
9	Wastewater Treatment Plant Sludge Supervisor
11	Water and Sewer Maintenance Foreman

F. LABOR AND TRADES SUPERVISION GROUP (40 HOURS/WEEK)  
(Nonunion positions - vacant)

<u>Class Grade</u>	<u>Class Title</u>
9	Chief Plant Operator (Water Treatment Plant)
<b>8</b>	<b>Parks and Facilities Supervisor</b>
8	Public Works Assistant General Foreman
-	Wastewater Treatment Maintenance Supervisor

## ARTICLE VI - UNCLASSIFIED SERVICE

Section VI-1. Unclassified Service. The Unclassified Service shall consist of the following classes of nonunion positions, with such changes as may be made from time to time by the City Council by amendment to this Personnel Policy. The class grade refers to the classification and corresponding salary range by which all positions of the class shall be paid as set forth from time to time by City Council action. For purposes of this Personnel Policy, all employees and officials of the Jackson Housing Commission are not employees of the City of Jackson. For purposes of the Civil Service ordinance, all union personnel are deemed to be unclassified employees whose personnel rights and responsibilities shall be resolved under the provisions of their applicable labor agreement.

### Section VI-2. Occupational List of Class Titles.

#### A. APPOINTIVE OFFICIALS (Nonunion positions - occupied)

Class Grade	Class Title
12	Accounting Manager (DPS/Engg)
12	Assistant City Assessor
15	Assistant City Attorney
15	Assistant City Engineer
17	Assistant City Manager/Operations
13	Assistant Superintendent of Wastewater Treatment Plant and Chemist
13	Chief Building <b>Official Inspector</b>
20	City Assessor (individual salary schedule)
-	City Attorney (Contract Employee)
19	City Clerk
19	City Engineer
-	City Manager (Contract Employee)
19	Director of Community Development
16	Deputy City Attorney
11	Deputy City Clerk
10	Deputy City Treasurer
15	Deputy Fire Chief
16	Deputy Police Chief
17	Director of Parks, Recreation and Grounds
16/17	Director of Personnel and Labor Relations
19	Director of Public Services
17	Director of Sewage Treatment and Facilities
14	Economic Development Project Manager
19	Finance Director
19	Fire Chief
20	Police Chief
12	Purchasing Agent
12	Rehabilitation Coordinator
12	Staff Accountant
12	Superintendent of Ella Sharp Park and Golf Course Operation
14	Superintendent of Cemeteries, Forestry and Parks
12	Superintendent of Recreation Services

13 Water Treatment Plant Supervisor

B. ELECTIVE OFFICIALS:

- Mayor and City Councilmembers
- City Treasurer (also serves as Income Tax Administrator)

C. APPOINTIVE OFFICIALS (Nonunion positions - vacant)

<u>Class</u>	<u>Grade</u>	<u>Class Title</u>
-		Administrative Assistant
-		Administrative Assistant to City Manager
-		Administrative Assistant to the City Manager for Human Relations
20		Assistant City Manager/Economic Development Director
14		Assistant Director of Community Development
12		Assistant Director of Personnel and Labor Relations
16		City Accountant
21		City Engineer and Director of Public Works
10		Civil Defense Coordinator
11		Commercial Redevelopment Specialist
-		Data Processing Director
15		Deputy City Engineer
17		Director of Water Services and Facilities
15		Management of Information Systems Manager
-		Personnel Assistant
13		Programmer Analyst
9		Purchasing Coordinator
11		Senior Planner (Community Development)
12		Superintendent of Cemeteries
12		Superintendent of Cemeteries, Forestry & Horticulture
14		Superintendent of Parks and Facilities
13		Superintendent of Management of Information Services
16		Superintendent of Wastewater Treatment Plant
16		Superintendent of Water Department
13		Traffic Engineer

D. POLICE DEPARTMENT GROUP (Nonunion positions - occupied)

<u>Class</u>	<u>Grade</u>	<u>Class Title</u>
	16	<sup>1</sup> Deputy Police Chief

<sup>1</sup>Appointive Official

E. POLICE DEPARTMENT GROUP (Nonunion positions - vacant)

<u>Class Grade</u>	<u>Class Title</u>
-	<sup>2</sup> Police Cadet
15	Police Captain

<sup>2</sup>Compensation to be determined by ordinance of City Council.

F. PUBLIC SAFETY GROUP  
(Nonunion positions - occupied)

<u>Class Grade</u>	<u>Class Title</u>
-	<sup>3</sup> Community Service Officer
-	<sup>3</sup> Fire Cadet
-	<sup>3</sup> Police Recruit
-	<sup>4</sup> School Crossing Guard: <ul style="list-style-type: none"><li>• One appearance at a corner</li><li>• Two appearances at a corner</li><li>• Three appearances at a corner</li></ul>

<sup>3</sup>Compensation to be adjusted annually with other Unclassified Service positions.

<sup>4</sup>Compensation to be determined by ordinance of City Council. Persons classified as "School Crossing Guards," as above provided for, shall not be vested with any police powers, and their classification, in a class of the Public Safety Group, for the purpose of this Policy, shall not be deemed to be eligible to participate in any City pension plan.

G. PART-TIME APPOINTIVE OFFICIALS (Nonunion positions – occupied)

<u>Class Grade</u>	<u>Class Title</u>
-	Administrative Hearing Officers

## **ARTICLE VII - PUBLICIZING OF VACANCIES**

Section VII-1. Equal Employment Opportunity/Affirmative Action. It is the policy of the City of Jackson to implement equal opportunity on an affirmative basis to all qualified employees and applicants for employment in accordance with State and Federal Law. Positive action shall be taken to ensure the fulfillment of this policy.

Section VII-2. Full-Time Positions in the City Service. Whenever a vacancy occurs in a position in the City Service, whether classified or unclassified, such vacancy shall be advertised in the classified Section of the local newspaper and/or internally for current City employees. However, in cases of vacancies in professional or technical positions which cannot be filled from the local labor market, vacancies will be advertised on a state or national basis in professional journals, trade papers, or other suitable publications. The advertising of vacancies in positions in the City Service is done not only to secure competent applicants, but also to fulfill the obligations of the City to apprise interested qualified applicants of the vacancies and position. Notwithstanding the above, vacancies in the common labor group, and in seasonal, temporary provisional and emergency positions need not be advertised if the Personnel Director or his or her designee determines there will be a satisfactory pool of applicants without such advertising.

Section VII-3. Anti-Nepotism. As of July 1, 1997, the employment of members of a Department Head's immediate family in a full-time or part-time position is not allowed within the same department or in a supervisor/subordinate relationship where the chain of supervision crosses departmental lines. For purposes of this section, "immediate family" shall mean any of the following relatives by blood or marriage: spouse, mother, father, grandparents, sons, daughters, grandsons, granddaughters, brothers, sisters, nieces, nephews and cousins. In the event an employee becomes a member of a Department Head's immediate family by the process of adoption or marriage, reasonable effort shall be made to place the employee in another department or outside the chain of supervision, provided that a position is available where the duties and rate of pay are similar to the position from which the employee is being transferred. If a transfer is not possible, the employee may continue his or her position of employment in the department. The City's Personnel Director shall periodically review the City work force to insure compliance with this policy.

If, at the effective date of the adoption of this policy, members of a Department Head's immediate family are serving as employees of the City contrary to the provision of this policy, those persons may continue such employment so long as it remains otherwise lawful.

## **ARTICLE VIII - LENGTH AND CONTINUITY OF SERVICE**

### **Section VIII-1. Requirements as to Length and Continuity of Service.**

- A. Service requirements for advancement within Salary Schedules and for other purposes as specified in this Policy shall require employment in the City Service without break or interruption.
- B. The following absences shall not affect continuity of service and time on such absences shall count toward length of service:
  - 1. Authorized leave of absence with pay;
  - 2. Authorized leave of absence without pay of thirty (30) calendar days or less;
  - 3. Absences for purposes of serving with the Armed Forces of the United States shall not break continuous service only if the laws of the State of Michigan and/or the United States require reinstatement without a break in service at the time the person completes military service and reapplies for employment.
- C. Leaves of absences without pay of over thirty (30) calendar days shall be deducted from length of service, but shall not have the effect of interrupting continuity of service. Deduction from length of service may be accomplished by moving the employee's anniversary date forward by the appropriate number of calendar days.
- D. All absences without authorized leave of more than two (2) days shall be deducted from and shall interrupt continuous service.
- E. The Family Medical Leave Act and the Americans With Disability Act will be administered in accordance with those Acts (Ref: Article XIV, Section XIV-3).

## **ARTICLE IX - LAYOFFS/SEVERANCE**

### **Section IX-1.**

- A. **Layoffs.** Whenever the City in its discretion determines that a layoff is necessary due to a lack of funds, lack of work, or due to a reorganization, such layoff shall be made in such classifications as the City may designate.
- B. Layoffs shall be made in accordance with procedures to be developed by the Director of Personnel and Labor Relations.
- C. **Order of Layoffs.** Probationary employees shall be laid off first, provided that regular full-time employees are available and have the present qualifications and ability to perform the work of the laid-off employees. In cases where two or more employees present equal abilities as determined by the City, the employee who has been employed by the City for the shortest period of uninterrupted service shall be laid off. In all cases, departmental needs of the City shall be the final determining factor in designating layoffs.
- D. **Recall From Layoffs.** The order of recall of laid-off employees shall be in the inverse order in which the employees were laid-off and shall be subject to the same conditions as prescribed in a lay-off.
- E. **Severance.** Severance from the City service shall be in accordance with procedures to be developed by the Director of Personnel and Labor Relations.

REF: City of Jackson, Civil Service Rules and Regulations, Section 6.4 and Section 8.1a.

## **ARTICLE X - REQUESTS FOR CLASSIFICATION/COMPENSATION ADJUSTMENTS**

Section X-1. Employee Requests for Classification Adjustments. Any employee shall have the right to consideration of any request he/she may have with respect to a change in the classification of his/her position. The employee shall make his/her request initially to the head of his/her department. If the head of the department feels that the request is reasonable, he/she shall notify the Director of Personnel and Labor Relations of the request and give his/her opinion or recommendation. If the head of the department feels the request is not a reasonable one, he/she shall reject the request, but notify the employee of his/her right to appeal to the Director of Personnel and Labor Relations. The Director of Personnel and Labor Relations shall give due consideration to the requests he/she receives from Department Heads and employees, and in those cases where he/she feels a change in classification is required, he/she shall recommend to the City Manager such action on the matter as he/she may deem appropriate.

Section X-2. Employee Requests for Compensation Adjustments. Any employee shall have the right to the consideration of any request he/she may have with respect to changes in the application of the Personnel Policy to his/her position. The employee shall initially make his/her request to the Department Head, who shall promptly seek to arrive at a solution which is consistent with the Personnel Policy and acceptable to the employee. When the Department Head is unable to resolve such a request in a manner which is satisfactory to the employee, the matter shall be submitted to the Director of Personnel and Labor Relations for review. In the event the employee remains unsatisfied after review by the Director of Personnel and Labor Relations, he/she may appeal to the City Manager. The City Manager shall review such appeal and issue a decision on it within 45 days. The decision of the City Manager shall be final.

## ARTICLE XI - COMPENSATION

Section XI-1. Salary Schedules. The pay of City employees shall be on the basis of appropriate bi-weekly and/or hourly salary schedules as set from time to time by City Ordinance for each of the respective classes of positions in the City service as established by this policy or by labor agreement. Said schedules as contained in Appendix A and as revised from time to time by City Council action, shall be deemed as part of this Personnel Policy. (Salary Schedules for those employees belonging to a union are contained in the respective labor agreement.) All nonunion persons who are "red circled" shall not receive annual increases granted by City Council ordinances for compensation to employees. These ordinances shall in all instances reflect compensation for hours actually worked or provided for under other sections of this Policy and shall not be construed as a guaranteed weekly or bi-weekly salary for those not considered exempt employees under the Fair Labor Standards Act. Each salary schedule shall consist of a minimum entrance rate, intermediate salary rates, a maximum rate, and two or three longevity rates, except that Salary Schedules I and V, which set compensation for Administrative and Supervisory employees and employees represented by the Michigan Association of Public Employees/Jackson Unit, shall not contain longevity rates.

Section XI-2. Compensation for Hourly Paid Employees.

- A. Employees to be paid in accordance with the applicable labor agreement and ordinance.
- B. Part-time, seasonal and temporary positions shall be paid in accordance with Section XI-7.

Section XI-3. Full-Time Basis of Salary Schedules. The salaries prescribed by action of the City Council are fixed on the basis of full-time service for normal workweeks as indicated for the several groups in Articles V. and VI. of this Personnel Policy.

Section XI-4. Entrance Salary Rates.

- A. Starting Rate on Initial Employment. Original appointment to any position shall be made at the entrance rate and advancement from the entrance rate to the maximum rate within a pay range shall be as approved by the City Manager. The City Manager may approve an initial compensation rate higher than the minimum rate for the class when, in his or her opinion, the needs of the City Service make such action necessary.
- B. Starting Rate on Return to Duty. When an employee returns to duty in the same classification after a separation from the City service of not more than one (1) year, which separation was not due to discreditable circumstances, such employee shall receive the step rate received at the time of separation, except that he/she shall not be reinstated at a longevity step rate, if applicable, and shall subsequently serve at his or her reentry rate for at least such period as is normally required for advancement to the next higher rate.
- C. Starting Rate on Return From Military Service. Any employee who leaves or has left the City service to enter the active service of the Armed Forces of the United States shall, upon severance of service, be entitled to reinstatement in accordance with the applicable laws prevailing at the time the employee makes application for reinstatement.
- D. Starting Rate in New Positions (Union). Whenever an employee in a position represented by a union is assigned to duty in a position not previously held by him/her and in the same or lower class grade, he/she shall receive the entrance rate in the Salary Schedule established for such position or such other rate within the applicable

Salary Schedule as he/she may be entitled to by reason of crediting him/her with such prior service that is found by the Director of Personnel and Labor Relations to meet the following conditions:

1. The character and nature of the duties of the former position are similar to those of the new position; and
2. The service in the former position provided experience valuable to the performance of the new position.

E. Rate of Pay Upon Promotion (Union).

1. In any case where an employee in a position represented by a union not receiving or entitled to pay in one of the longevity step rates is promoted to a class in the next higher class grade, the entrance salary rate shall be at the lowest step in the higher class grade that will provide an increase over the salary received immediately prior to such promotion. If such promotion is to a position in a class two or more grades higher, the entrance salary shall be at the lowest step in the higher class grade that will provide an increase nearest to ten percent (10%) over the salary received in the former position.
2. In any case where an employee in a position represented by a union receiving pay in one of the longevity step rates is promoted to a class in the next higher class grade, the entrance salary rate upon promotion shall be the step rate in the higher class grade that will provide an increase nearest to five percent (5%) over the salary received immediately prior to promotion. If the promotion is to a position in a class grade two or more class grades higher, the entrance salary rate shall be at the lowest step rate in the higher class grade that will provide an increase of at least ten percent (10%) over the salary received in the former position.

In no case may an employee in a position represented by a union receive a step rate higher than that to which his/her service with the City would entitle him/her. The limitations imposed in this Section shall not, however, be construed as applicable to an increase in the class grade of an existing position, but shall only be applicable to promotions of an employee to a different position than that held at the time of promotion. Subsequent advancement to the maximum rates will be on the same basis as described in Section XI-5 below.

- F. Rate of Pay Upon Demotion. In case an employee is demoted, credit shall be given for continuous service in the higher paid position in determining the proper rate in the Salary Schedule for the lower paid position, provided that the salary rate after demotion shall not be higher than that prior to demotion.
- G. Starting Rate in New Positions (Nonunion). Whenever an employee not represented by a union is placed in another position not previously held by him/her, or a union employee accepts a nonunion position he/she has not previously held, the employee shall be compensated at a rate deemed appropriate by the City Manager in the salary schedule established for the position.
- H. Rate of Pay Upon Promotion (Nonunion). Whenever an employee not represented by a union, or a union employee accepting a nonunion position is promoted to a position in a higher class grade than the position he/she currently holds, the employee shall be compensated at a rate deemed appropriate by the City Manager in the salary schedule

established for the position. Future step increases, if applicable, will be based on the revised anniversary date for the most recent promotion.

- I. Rate of Pay Upon Position Reclassification (Nonunion). An employee not represented by a union and whose position is reclassified to a higher class grade, shall be compensated at a step rate deemed appropriate by the City Manager in the class grade schedule established for the position. Future step increases, if applicable, will be based on the employee's original date of hire or on the date of the most recent promotion. Step increase dates are not revised due to position reclassifications.

#### Section XI-5.

- A. Probationary Period. After initial appointment or promotion to a position in the City Service, the first one thousand forty (1040) hours actually worked in the position shall be considered the period of probation. The probationary period for any employee represented by a union shall be in accordance with provisions of their respective labor agreement for his/her employee classification.

Upon satisfactory conclusion of the first one thousand forty (1040) hours actually worked after initial appointments or after promotion, the salary of the employee, including those in the Fire Department Group and Police Department Group, shall be advanced one-half ( $\frac{1}{2}$ ) of the increment to the next higher step in the Salary Schedule for the class to which the position is allocated, provided the employee's starting rate is the first step rate. In the event that the employee does not satisfactorily complete the probationary period, he/she shall be separated from the service and shall not have recourse to appeal his/her separation before the Civil Service Commission, except that in the case of promotion from a position in which an employee had Civil Service status, he/she will revert to such position as he/she may be entitled to under Civil Service rules, provided the employee's failure to satisfactorily complete probation was not for a reason which necessitated the employee's termination.

- B. Annual Step Increase. At the completion of the first year of service the employee shall be advanced to the next higher rate in the appropriate salary schedule, provided his/her supervisor and Department Head determine the service rendered to be satisfactory. Subsequently, the employee shall be advanced to the next higher rate at the conclusion of each succeeding year of satisfactory service in his/her position until he/she has reached the maximum base rate of the salary schedule appropriate to the Class to which his/her position is allocated.

Section XI-6. Recommendations for Salary Advancements Within Grade. The Department Heads shall recommend in writing to the City Manager the advancement in salary of their employees who have met the requirements for salary advancement as enumerated above. In the case of salary advancement upon completion of the initial one thousand forty (1040) hours actually worked in a position, the recommendation shall include the certification that the period has been successfully completed.

In the case of subsequent salary advancements within each salary schedule, the recommendation shall include a certification that the employee's service has been entirely satisfactory for at least three (3) months immediately prior to the effective date of the recommended advancement in salary.

Section XI-7. Computation of Salaries of Part-Time, Seasonal and Temporary Employees. Part-time, seasonal and temporary employees may be employed on an as-needed basis and if employed shall be paid only for hours actually worked and at an hourly rate established by the City. Part-time, seasonal and temporary employees shall not be eligible for any fringe benefits during their employ.

Section XI-8. Special Salary Provisions.

- A. Plus Rates for Special Skills: In any case when an unclassified employee is qualified for and is temporarily required, in writing by his/her supervisor, to regularly serve in and accept responsibility for work in a higher class or position, such employee shall receive the entrance salary rate of that class grade or his/her present rate plus one class grade, whichever is higher, while so assigned, subject to the approval of the City Manager. A nonunion, non-exempt employee, who is required to work in a higher class or position continuously for a period of five (5) or more consecutive days, shall be deemed "temporarily required to regularly serve and accept responsibility for work in a higher class position," as is a nonunion exempt employee who is required to work in such higher class or position continuously for a period of thirty (30) or more consecutive days, unless either employee is so assigned for training purposes. In case of vacancies in the City Service where a nonunion employee is required in writing by the City Manager to fill a vacancy in a higher class or position and assume full responsibility for that position until it is permanently filled, such employee shall be compensated for the duration of such assignment as though permanently promoted to the position in accordance with Article XI, Section XI-4, H. of the Personnel Policy. Employees represented by the Michigan Association of Public Employees-Jackson Unit, the International Association of Fire Fighters, the Command Officers Association of Michigan and the Police Officers Labor Council, shall be paid such out-of-grade pay in accordance with the provisions of the respective agreements of said bargaining units.
- B. In any case when a nonunion classified employee is regularly assigned in charge of one or more persons in positions of the same class grade, such employee shall be paid at the corresponding step rate in the next higher class grade upon recommendation of the Department Head and approval of the City Manager.
- C. Special Rates of Certain Patrol Officers and Fire Fighters. When assigned to special duties justifying additional compensation and described in class specifications, Patrol Officers shall be compensated as though assigned to Class Grade 83 and Fire Fighters shall be compensated as though assigned to Class Grade 52. Such assignments shall be made by the Chief of the Departments, subject to the approval of the City Manager. Upon termination of such assignments, the salaries of those Patrol Officers and Fire Fighters shall revert back to the regular class grade assignment.
- D. Longevity Rates for Police and Fire Personnel
1. Unless an applicable labor agreement provides otherwise employees shall be advanced to the first longevity rate after the completion of at least one (1) year of satisfactory service at the maximum base rate provided for the class of position to which the employee has been appointed or promoted upon the completion of seven (7) years of continuous service to the City.
  2. Unless an applicable labor agreement provides otherwise employees shall be advanced to the second longevity rate shall be made after the completion of at least one (1) year of satisfactory service at the first longevity rate and upon the completion of twelve (12) years of continuous service with the City.
  3. Unless an applicable labor agreement provides otherwise employees shall be advanced to the third longevity rate shall be made after the completion of at least one (1) year of satisfactory service at the second longevity rate and upon the completion of eighteen (18) years of continuous service with the City.

4. Unless an applicable labor agreement provides otherwise, advancement to the longevity rates in Class Grades 55 through 58 and 85 through 87 shall be after completion of at least one (1) year of satisfactory service at the maximum base rate and upon the completion of twelve (12) years of continuous service with the City; and after at least one (1) year of satisfactory service at the first longevity rate and upon the completion of eighteen (18) years of continuous service with the City.

Section XI-9. Temporary Acting Positions. When a classified employee is required by his or her supervisor to temporarily transfer from one job classification to another, the employee shall continue to be paid at the rate applicable to his or her permanent job classification; provided, however, if the employee is transferred for a period in excess of eight (8) working hours during a pay period to a job classification for which the maximum rate of pay is higher, the employee shall automatically receive the higher salary rate for the time actually worked out of grade.

Section XI-10. Step Increases for Temporary Acting Positions. In any case where a classified or unclassified employee is placed in a temporary acting position, he/she shall continue to accrue service credit for all salary and benefit purposes. When an employee is due to receive a step increase and he/she is currently working in a temporary acting position, such step increase shall be processed via the following steps: (1) process PAR returning employee from temporary acting position to his/her regular position; (2) process PAR for step increase at his/her regular position; (3) process PAR to take employee back up to temporary acting position. The effective date may be the same on all three PAR's. When such employee returns to his/her former position, they will do so at a rate of pay that allows them to receive the step increase they would have received had they been working in their regular position at the time of the step increase date.

## ARTICLE XII - OVERTIME WORK

Section XII-1. Overtime Administration. In emergencies, a Department Head may prescribe, with the approval of the City Manager, reasonable periods of overtime work to meet operational needs. Such overtime shall be reported and justified as required by the City Manager.

Section XII-2. Compensation for Overtime. Employees of the City of Jackson shall be compensated for authorized overtime work in accordance with applicable laws or labor agreements.

Section XII-3. Leave Time in Lieu of Overtime Compensation for Certain Employees and Appointed Officials.

A. Employees who are exempted from coverage by the Federal Fair Labor Standards Act, who are not covered by a labor agreement, and who are listed in Article VI, Section VI-2, Subsection A (as it may be updated from time to time), Page 10 (and also including Police Captain, at such time as the position is filled), shall be considered salaried employees who shall be paid an annual salary, prorated on a biweekly basis, regardless of the number of hours worked in a given two-week period, except that all full day absences must be attributed to an appropriate leave bank. The following additional standards and requirements also apply to this group of salaried employees:

1. Compensatory time accrual for the defined employees was frozen as of July 1, 1998. This banked time is to be used or kept through June 30, 2001, as deemed appropriate by the employee. Any of the described salaried employees that leave employment (retirement, resignation, dismissal or death) prior to June 30, 2001 shall be allowed to use accrued compensatory time through June 30, 2001, with a maximum pay out of forty (40) hours of any balance at termination by June 30, 2001. Compensatory time balances should be used in lieu of other leaves during the 2000-01 Fiscal Year to avoid forfeiture.
2. Personal leave banks for the defined employees earned after June 30, 1998 and on or before June 30, 2000 shall be retained and used, but shall no longer be accrued, effective July 1, 2000. Personal leave time accrued on or before June 30, 2000 shall be used no later than June 30, 2001, as all personal leave banks will be eliminated on July 1, 2001. Employees shall not be paid for accrued personal leave time.
3. It is generally understood that the salaried employees described above, by the nature of their work, titles and duties are expected to work in excess of the normal work day and/or workweek when it is necessary to accomplish their assignments, and that the salaries established for their positions provide appropriate compensation for the anticipated responsibilities, and not for a specific number of hours of work per week or per year.

Effective July 1, 2000, in recognition of the flexibility these employees exercise in performing work assignments outside the regular work day, these employees may adjust their work schedules within a work day for non-work purposes, as the work load will allow and in accordance with any procedures established by the City Manager, without deducting said hours from any leave bank.

B. Employees who are exempted from coverage by the Federal Fair Labor Standards Act, who are not covered by a labor agreement, and whose titles are listed among those in Section V-2, (as it may be updated from time to time), beginning on Page 7, shall be considered salaried employees who shall be paid an annual salary, prorated on a biweekly basis, regardless of the number of hours worked in a given two-week period, subject to the standards established below.

1. It is generally understood that the salaried employees described in this section, by the nature of their work, titles and duties are expected to work in excess of the normal work day and/or workweek when it is necessary to accomplish their assignments, and that the salaries established for their positions provide appropriate compensation for the anticipated responsibilities, and not for a specific number of hours of work per day, week or year.

Effective July 1, 2000, in recognition of the flexibility these employees exercise in performing work assignments outside the regular work day, these employees may adjust their work schedules within a work day to take care of personal business, as the work load will allow and in accordance with any procedures established by the City Manager and the approval of the department head, without deducting said hours from any leave bank.

2. Any compensatory leave time accrued by these salaried employees on or before June 30, 2000 may be retained or used through June 30, 2001. Any of the described salaried employees that leave employment (retirement, resignation, dismissal or death) prior to June 30, 2001 shall be allowed to use accrued compensatory time through June 30, 2001, with a maximum pay out of forty (40) hours of any balance at termination by June 30, 2001. Compensatory time balances should be used in lieu of other leaves during the 2000-01 Fiscal Year to avoid forfeiture.

- C. Employees who are covered by the terms of the Fair Labor Standards Act (i.e., not exempt), who are not covered by a labor agreement, and whose titles are listed among those in Section V-2, (as it may be updated from time to time), beginning on Page 7, shall be considered hourly employees. All such hourly employees shall be eligible for compensation for all hours worked in excess of forty (40) per week at a rate of one and one-half times their normal hourly rates. Effective July 1, 2000, this group of hourly employees may be offered the opportunity to choose to earn compensatory leave time in lieu of overtime compensation for all hours worked in excess of forty (40) per week at a rate of one and one-half times the additional hours worked, subject to a maximum compensatory leave bank of forty (40) hours. If the employee is to be offered the opportunity to choose between overtime payment or accruing compensatory time off, the employee and the supervisor must reach that understanding prior to the performance of the additional work. Compensatory time off will be scheduled between the employee and his/her supervisor, taking into account workload, scheduling concerns and the employee's preferences. Compensatory leave banks for hourly employees shall be payable in cash at the time of an employee's termination of employment through resignation, retirement, dismissal or death, subject to the maximum accrual limit of forty (40) hours.

REF: Exempt Employees (Administrative Regulation No. 27)  
Overtime Compensation (Administrative Regulation No. 28)

## ARTICLE XIII - DISCIPLINE

Section XIII-1 - At will/unclassified employees by definition serve at the pleasure of the City Manager and may be dismissed at any time for any reason without recourse to any procedure.

Section XIII-2 - Temporary, part-time or probationary employees may be disciplined or terminated without recourse to the disciplinary procedure provided in the City of Jackson Rules of Conduct.

Section XIII-3 - All notices of discipline will be forwarded to the Personnel and Labor Relations Department by the Department Head for placement in the employee's personnel file.

Section XIII-4 - All City of Jackson employees are expected to perform their assignments with a level of care and commitment that indicates they are putting forth a reasonable effort to effectively and safely perform their public service responsibilities. Full-time employees who choose to work more than one job are expected to follow Civil Service guidelines regarding the additional employment, which includes notifying their supervisor about the additional job, and ensuring that their job with the City is treated as their primary employment. If an employee suspects a potential conflict of interest between his/her job with the City and his/her second job or outside interest, the employee is responsible to raise the question with his/her department head.

Section XIII-5 - All City of Jackson employees are expected to treat all persons with whom they have contact in the course of their assignments with dignity and respect. Employees are expected to comply with all legal standards related to illegal discrimination and harassment while in the course of their employment.

Section XIII-6 - Grounds and procedures for discipline and/or termination of regular/classified (not including at will/unclassified) employees are as outlined in the following City of Jackson Rules of Conduct:

### RULES OF CONDUCT

Applicable to all Michigan Association of Public Employees and nonunion employees except at will/unclassified employees.

Section 1. For violations of any of the following rules an employee shall be subject to severe discipline up to and including discharge:

- A. Refusal to comply with supervisor's instructions or other insubordinate conduct.
- B. Gross neglect of duty.
- C. Immoral or indecent conduct.
- D. Intentional falsification of employer's records.
- E. Knowingly making the time card of another, having one's time card marked by another or unauthorized altering of a time card.
- F. Theft or intentional destruction of employer's or another employee's property or removal of City property from employer's premises without authorization of the employer.

- G. Unauthorized use of the employer's property (including computers and other various forms of media).
- H. Sleeping on the job.
- I. Drinking or possessing any alcoholic beverage on employer's time, premises or equipment or reporting to work while under the influence of alcoholic beverages. Possession or use of a controlled substance on employer's time, premises or equipment or reporting for work or working under the influence of a controlled substance.
- J. Conviction of a felony while an employee of the City of Jackson.
- K. Deliberate or careless conduct endangering the safety of himself or others.
- L. Damage or destruction of the employer's or public's property in excess of \$500.
- M. Abusive, threatening or coercive treatment of members of the public, fellow employees or supervisor.
- N. Conviction of any moving traffic violation for which an employee receives 6 or more points during a 12-month period while driving the employer's vehicles.
- O. Absence from work for three consecutive, regularly scheduled working days without an excuse acceptable to the employer.
- P. Suspension or loss of driver's license (employees who are required to drive in the service of the employer).
- Q. Sabotage.
- R. Permitting any person who is not an employee to enter or ride in a City vehicle without authorization of the employer.
- S. Failure to be available for emergency call to duty or failure to respond to said call.
- T. Serious violation of a safety rule or safety practice.
- U. Possessing, carrying or otherwise using a firearm or other lethal weapon while on duty, except as may be required of a sworn police officer.
- V. Intentionally discriminating against another employee or member of the public while in the performance of one's duties, based upon a legally protected classification. (Examples: race, gender, color, ethnic heritage, disability, religion, age, height, weight.)
- W. Accepting or asking for special benefits or payments from a member of the public, business, etc, to either perform required duties or to influence the manner in which duties are performed.
- X. Any other offense of equal magnitude to the above.

Section 2. For the commission of the following offenses an employee shall receive a written counseling statement for the first offense. For a second violation of the same rule, a written reprimand is appropriate. If an employee receives: (1) two written counseling statements (for the same or different offenses) within a period of twelve (12) consecutive months; or (2) discipline under Section 1 of these rules and one written reprimand under this section (within a period of twelve [12] consecutive months); or (3) two written reprimands or disciplinary suspensions (for the same or different offenses) within a period of 18 consecutive months, such employee shall thereupon be subject to discharge upon commission of the third offense.

- A. Late to work without an excuse acceptable to supervisor.
- B. Carelessness which necessitates the scrapping or repairing of employer's equipment or property or unintentional damage or destruction of the employer's or public's property of less than \$500.
- C. Inattentiveness to work, failing to start work at the designated time, quitting work before proper time or leaving the job during the working hours without permission of the supervisor. Inattentiveness to work includes lack of productivity, use of work time to perform personal business, unreasonable use of phones (work or personal) during work hours for personal calls, playing computer games outside break or lunch periods, etc.
- D. Smoking in unauthorized areas.
- E. Minor violations of safety rules or safety practices.
- F. Failure to report to work without giving the employer advance notice unless it was impossible to give such advance notice.
- G. Creating or contributing to poor housekeeping in the building or equipment of the employer.
- H. Vending, soliciting or collecting contributions on the employer's time or premises without written authorization from the employer.
- I. Posting, removing or defacing any matter on the employer's bulletin board or property without authorization from the employer.
- J. Failure to perform work as instructed in an efficient and timely manner. Poor workmanship.
- K. Accepting gratuities inconsistent with the City's ethics ordinance, but not arising to the level of the violation referred to in Section 1., W., above.
- L. Any offense of equal magnitude to the above.

REF: (1) Article XI, Section XI-4, F. Rate of Pay Upon Demotion.

(2) Any absence without leave shall be handled in accordance with Article XIV-8, Absence Without Leave.

(3) Administrative Regulation No. 29, Drug Policy.

**ARTICLE XIV - VACATION AND OTHER LEAVE TIME**

Section XIV-1. Vacation Leave.

A. Crediting Employees with Vacation.

1. Effective January 1, 2006, officers or employees in the City service, not covered by a labor agreement, except temporary, part-time and seasonal employees, and except as described in Section A.2., below, shall be allowed vacation leave with pay as follows:

<u>Years of Service</u>	<u>Vacation Accrued Each Year</u>
First year through four plus years	Two (2) calendar weeks per year
Five (5) years (starting with the calendar year in which they attain such service)	Two (2) calendar weeks and two (2) days per year
Seven (7) years (starting with the calendar year in which they attain such service)	Three (3) calendar weeks per year
Ten (10) years (starting with the calendar year in which they attain such service)	Three (3) calendar weeks and three (3) days per year
Fifteen (15) years (starting with the calendar year in which they attain such service)	Four (4) calendar weeks per year
Twenty (20) years (starting with the calendar year in which they attain such service)	Four (4) calendar weeks and three (3) days per year

2. Effective July 1, 2000, employees currently employed in, and those hired or promoted thereafter to, positions listed in Section VI-2.A., (as it may be updated from time to time), the City Treasurer, and certain other salaried, professional positions as may be designated by the City Manager at the time of hire or promotion, shall be allowed vacation leave with pay as follows:

<u>Years of Service</u>	<u>Vacation Accrued Each Year</u>
First partial year of service, through December 31 of the same year	Prorated portion of four (4) calendar weeks
First full calendar year through four plus years	Four (4) calendar weeks on January 1
Five years (starting with the calendar year in which they attain such service)	Five (5) calendar weeks on January 1

3. Vacation leave shall be provided to employees represented by the International Association of Fire Fighters, the Police Officers Labor Council, Command Officers Association of Michigan and the Michigan Association of Public Employees/Jackson Unit in accordance with their respective labor agreements.
4. Vacation credit for employees described in Sections A.1. and A.3. shall accrue at the rate of one-half (1/2) of the employee's current annual vacation leave for each six (6) months of continuous service. In January of the employee's fifth year of service, vacation begins to be credited on an annual basis. Employees are then treated as five-year employees regardless of whether they have actually reached their five-year anniversary. The 500 hour rule (see E.2.) applies.

- B. Vacation Carryover. An employee covered by Sections A.1. and A.3. with less than seven (7) years of service shall be entitled to accumulate not more than one (1) calendar week in addition to his/her current annual vacation allowance. An employee covered by Section A.2. without regard to years of service, and employees covered by Sections A.1. and A.3. with seven (7) or more years of service, shall be entitled to accumulate not more than two (2) calendar weeks in addition to his/her current annual vacation allowance. **All employees are limited to a maximum carryover of 80 hours from one year to the next.** Carry-over of vacation accrual in excess of these amounts will only be upon written authorization of the City Manager.

In the event that an employee has been unable to use his/her accrued vacation during the calendar year and has more than the allowable carryover, the employee may submit a written request to be compensated for the excess vacation bank hours, subject to the following conditions: (1) the request for compensation in lieu of vacation will indicate the employee was not able to schedule the vacation consistent with work demands or scheduling problems; (2) the department head will approve the payment; (3) no vacation leave hours will be compensated within the allowable carryover amount; (4) the maximum vacation hours that will be converted to a wage payment will be forty (40) per year; and (5) any hours in excess of the allowable carryover and allowable compensation for hours in excess of carryover will be forfeited by the employee.

- C. Vacation Use and Scheduling. Vacation leave may normally be granted in periods of not less than one (1) week and not more than the maximum accumulation allowed. Vacation use of less than a full week will be considered by department heads on a case by case basis, and will not be unreasonably denied. Vacation leave will not be granted in excess of vacation credit earned by service prior to the starting date of leave.

Department heads shall schedule vacation leave with particular regard to seniority of employees and in accordance with operating requirements and, insofar as possible, with the written request of the employees. Department heads shall prepare such reports of leave taken as may be required by the City Manager.

- D. Any legal or declared holiday falling within a vacation period shall not be counted as a day of vacation leave. Absence on account of sickness, injury or disability in excess of that

hereinafter authorized for such purposes may, at the request of the employee and within the discretion of the department head, be charged against vacation leave allowance.

- E. Vacation Pay Out Upon Termination of Employment.

1. If an employee covered by Sections A.1. and A.3., with less than five (5) years of service, who is otherwise eligible for vacation with pay, quits or is discharged and is not

reinstated on or after the anniversary date upon which the employee qualified for such vacation with pay without having received the same, such employee will receive, along with his/her final paycheck, the vacation pay for which the employee qualified as of such anniversary date. If such employee quits or is discharged prior to the anniversary date upon which he would have qualified for vacation with pay, the employee will not be entitled to any portion of the vacation pay for which he would have qualified on such anniversary date.

2. Employees covered by Sections A.1. and A.3. with five (5) or more years of service are eligible to use vacation and/or receive a lump sum pay out for vacation in the employee's final year of service (whether terminating or retiring), subject to the employee being physically present and working at least five hundred (500) hours during said year. If said employee takes vacation during the final year and leaves employment of the City without working the required five hundred (500) hours, any vacation paid to the employee shall be deducted from the employee's final wages or other payoffs. (Employees who retire under a disability retirement are exempted from the five hundred [500] hour rule.)
3. Employees covered by Section A.2. are eligible to use vacation and/or receive a lump sum pay out for vacation in the employee's final year of service (whether terminating or retiring), subject to the employee being physically present and working at least four (4) hours for each hour of vacation used or paid during the final year. (For example, the employee that has actually worked 160 hours during the calendar year may use or be paid for 40 hours of vacation that year.) If said employee takes vacation during the final year in excess of the formula, any vacation paid to the employee shall be deducted from the employee's final wages or other payoffs.

Section XIV-2. Sick Leave. Effective with the initial date of employment, every officer and employee, not covered by a labor agreement, in the City Service, except temporary, part-time and seasonal employees, shall be granted one (1) work day sick leave allowance for each completed calendar month of service, during which the employee has actually worked or been on approved leave with pay (excluding sick leave) one hundred twenty (120) hours, from which shall be subtracted any paid sick leave actually used since that date. Sick leave shall be provided to employees represented by the International Association of Fire Fighters, the Police Officers Labor Council, Command Officers Association of Michigan and the Michigan Association of Public Employees/Jackson Unit in accordance with their respective labor agreements. Such sick leave allowance may only be used by an employee when incapacitated to perform his/her duties due to sickness or injury, when quarantined, or in the event of serious illness or death in the employee's immediate family. All foreseeable leave for such purposes shall require specific prior approval of the Department Head. In the event of sick leave for any purpose, the Department Head may require a certificate of a medical doctor or other competent professional individual giving information as to the circumstances involved. The immediate family for these purposes shall be regarded to include the parents, spouse, children, brothers, sisters, grandparents, grandchildren and immediate in-laws. For employees represented by the Michigan Association of Public Employees/Jackson Unit, the International Association of Fire Fighters, Police Officers Labor Council and Command Officers Association of Michigan, "immediate family" shall have the same meaning as ascribed to it in their respective labor agreements. A nonunion employee shall receive the amount of pay he/she would have received on a regular eight (8) hour straight time basis for time necessarily lost during his/her normal scheduled work week, not to exceed three (3) days, to make arrangements for and to attend the funeral of a member of his/her immediate family. Additional days may be allowed upon approval of the Director of Personnel and Labor Relations and said additional days shall be deducted from sick leave. Funeral leave for employees represented by the Michigan Association of Public Employees/Jackson Unit, the International Association of Fire Fighters, Police Officers Labor Council or Command Officers Association of Michigan shall be in accordance with their respective labor agreements.

Nonunion employees shall be paid, upon retirement, an amount equal to fifty percent (50%) of salary for unused sick leave, with a maximum of up to and including 180 days of accumulation; provided, however, unless otherwise provided by contract, this provision shall only apply to persons who retire and are eligible for immediate pension benefits and meet the voluntary retirement requirements of Section 1.319 of the Jackson City Code. Such payoff at retirement of accumulated sick leave for the Police Chief, Deputy Police Chief, Fire Chief and Deputy Fire Chief, shall be in accordance with their respective Command Officers of Michigan and International Association of Fire Fighters Labor Agreements. Employees represented by the Michigan Association of Public Employees/Jackson Unit, International Association of Fire Fighters, the Police Officers Labor Council and Command Officers Association of Michigan shall be paid for such accumulated sick leave in accordance with their respective labor agreements.

Employees not covered by a labor agreement shall be paid, in cases of duty-related death, an amount equal to fifty percent (50%) of salary for unused sick leave with a maximum of up to one hundred eighty (180) days' accumulation. Such benefits shall be payable to the employee's designated beneficiary or, where such beneficiary has not been designated, to the personal representative of the employee's estate.

Effective July 31, 2000, employees not covered by a labor agreement, who are eligible to accrue sick leave and who have a sick leave balance, may use up to 16 hours of accrued sick leave per fiscal year to attend to personal business and/or civic functions. (Such time shall not be used for vacation, recreation or similar purposes.) Requests to schedule sick leave for personal business will generally be made in advance and are subject to department head approval. There shall be no carryover of unused personal business use of sick leave from one fiscal year to another fiscal year.

#### Section XIV-3. Family Leave Policy.

A. Purpose. To define the policy and procedure of the City with regard to family leave required by the Family and Medical Leave Act of 1993.

B. Definitions.

*"Serious health condition"* means an illness, injury, impairment, or physical or mental condition that involves continuing inpatient or outpatient care at a hospital, hospice, or residential care medical facility under the supervision of a licensed physician.

*"Son or daughter"* means a biological, adopted, or foster child or stepchild, or legal ward.

*"Spouse"* means a husband or wife; it does not mean an unmarried domestic partner.

C. Policy. Employees who have worked for the City for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months may take up to twelve (12) weeks of unpaid leave for the following reasons:

1. Birth of a child of the employee;
2. Placement of a son or daughter into the employee's family by adoption, foster care, or other legal arrangement;
3. To care for the employee's spouse, son or daughter, or biological parent who has a serious health condition; and

4. The presence of a serious health condition which renders the employee unable to perform the functions of the employee's position.

In the case of unpaid leave for the birth or placement of a child, intermittent leave or working a reduced number of hours is not permitted unless the employee and the City agree in advance to such an arrangement. If both spouses are employed by the City, the combined leave for the family unit shall not exceed twelve (12) weeks.

In the case of unpaid leave for serious health conditions, the leave may be taken intermittently or on a reduced hours basis only if such leave is medically necessary. If intermittent or reduced hours type of leave is required, the City may in its sole discretion temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates that type of leave.

During a family leave, the City will continue to pay its portion of the health insurance premiums covering the employee and his/her family. The employee must continue to pay his/her share of this premium, if applicable. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage. If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse the City for payment of health insurance premiums during the family leave, unless the employee does not return because of the presence of a serious health condition which prevents the employee from performing his/her job or the failure to return is due to circumstances beyond the control of the employee. While on family leave under this policy, the employee shall not accrue vacation pay, sick pay, pension, service credit, or seniority. Employment benefits accrued by the employee up to the day on which the family leave begins will not be lost.

Use of leave banks:

- (1) Health Related Leaves: Unless the employee is eligible for benefits pursuant to the Worker's Compensation Statute, in all cases involving the employee's absence from work due to the employee's own, or a family member's, serious health condition, as defined by the Act and its regulations, the employee shall be required to use his/her unused sick leave credits. If the employee uses all his/her accrued sick leave while absent or does not have any unused sick leave credits, the employee must then use his/her accrued unused vacation time off until all but forty (40) hours are expended (or until the vacation bank is exhausted, at the employee's option) or the employee returns to work.
- (2) Parental Leaves: In all cases involving the employee's absence from work to care for an infant or newly adopted child (i.e., not medically necessary), the employee will first use up to five (5) days of unused sick leave credits. If the absence continues beyond five (5) days, the employee shall use his/her accumulated vacation days until all but forty (40) hours are expended (or until the vacation bank is exhausted, at the employee's option) or the employee returns to work.

NOTE: The Family Leave Policy does not override any less restrictive labor agreement provisions regarding the use of vacation/sick time.

Employees who return to work from family leave within or on the business day following the expiration of the twelve (12) weeks are entitled to return to their job or an equivalent position without loss of benefits or pay.

Applications for family leave must be submitted in writing. Applications shall be submitted at least thirty (30) days before the leave is to commence, or as soon as possible if thirty (30) days notice is not possible. Appropriate forms supported by adequate medical or other necessary documentation must be submitted to the Personnel Department to initiate a family leave or to return the employee to active status.

Section XIV-4. Disability Leave. Any appointed official, officer or employee of the City who suffers an injury or illness as a result of a service-connected accident or condition may be granted, upon proper authorization by the City Manager, leave with full pay for a period not to exceed three (3) calendar months for each incident; provided, however, that such period of time may be extended up to an additional nine (9) calendar months at the discretion of the City Manager. The City Manager's discretion will be predicated upon satisfactory medical evidence secured by the City.

Provided, further, that a deduction in the pay granted under this section may be made to the extent of any sums the appointed official, officer or employee may receive from any workers' compensation fund to which the State, County or City contribute. In the event of service-connected illness or injury resulting in extended absence, the employee may elect to supplement any Workers' Compensation benefits to which he is entitled by use of ordinary sick leave credit and vacation leave credit to the maximum extent of such credit.

Section XIV-5. Military Leave. Any employee who presents official orders requiring his/her attendance for a period of training or other active duty as a member of the United States Armed Forces, including the Michigan National Guard, shall be entitled to military leave for a period or periods not exceeding a total of fifteen (15) calendar days in any one (1) calendar year. During such leave, the City shall pay the difference, if any, between regular City pay and military pay. This computation will not include military weekend pay. Military leave shall be in addition to and may not be concurrent with authorized vacation leave. (REF: Article XI, Section XI-4, C.)

Section XIV-6. Special Military Leave. In cases of involuntary call to active military duty (other than training) exceeding a total of fifteen (15) calendar days in any one calendar year as a member of the United States Armed Forces, including the Michigan National Guard, the City will pay the employee the difference, if any, between regular City pay (including step increases) and military pay for up to six months (180 calendar days). Dependent health care benefits will also continue to be paid by the City during this period for up to six (6) months. The City Council may extend the period of City-paid dependent health care benefits in 60-day increments, should the employee's call to active duty exceed six months. Military orders documenting this service commitment by the employee must be provided prior to any payment by the City. (REF: Article XI, Section XI-4, C.)

Section XIV-7. Special Leave.

- A. In addition to leaves authorized above, a Department Head may authorize an employee, not covered by a labor agreement, to be absent without pay for personal reasons for a period or periods not to exceed thirty (30) working days in any calendar year. The City Manager may authorize special leaves of absence with or without pay for any period or periods not to exceed three (3) calendar months in any one (1) calendar year for purposes that are deemed beneficial to the City Service.

The City Council, upon the recommendation of the City Manager, may grant leaves of absence with or without pay in excess of the limitations above for the purpose of attending extended courses of training at a recognized university or college and for other purposes that are deemed beneficial to the City Service.

- B. Employees covered by labor agreements may be granted special leaves in accordance with their respective agreements, or if not specifically covered in the agreement, special leave may be granted in accordance with Section XIV-7, A. above.
- C. Jury Duty. An employee, upon completing his probationary period, who is summoned and reports for jury duty as prescribed by applicable law, for each day on which he reports for or performs jury duty and on which he otherwise would have been scheduled to work for the Employer, shall be paid the difference between what he receives from the Court as daily jury duty fees and what he would have earned from the Employer on that day on the basis of eight (8) hours of work at this regular hourly rate of pay, provided that if such employee is excused from jury duty during regular working hours he promptly returns to work. The Employer's obligation to pay an employee for jury duty as above provided is limited to a maximum of ninety (90) days in any calendar year.

In order to receive the payment above referred to, an employee must give the Employer prior notice that he has been summoned for jury duty and must furnish satisfactory evidence that he reported for or performed jury duty on the days and to the extent for which he claims such payments, and produce satisfactory evidence as to the amount he was paid by the Court for such jury duty. The provisions of this section are not applicable to an employee who, without being summoned, volunteers for jury duty.

D. Court Witness.

1. When a nonunion non-exempt employee, as a result of performing his/her duties as a City of Jackson employee, is subpoenaed to make a court appearance or appearance before an administrative agency during off-duty hours, the employee shall be paid for the actual time necessarily spent at the court or before the administrative agency at time and one-half (½) his/her hourly rate of pay. As a condition of receiving such payment, the employee shall assign the court or administrative agency appearance fee to the City of Jackson.
2. When a nonunion exempt employee, as a result of performing his/her duties as a City of Jackson employee, is subpoenaed to make a court appearance or appearance before an administrative agency, the employee shall be paid actual straight time. The exempt employee may retain the court or administrative agency appearance fee.
3. When a union employee, as a result of performing his/her duties as a City of Jackson employee, is subpoenaed to make a court appearance or appearance before an administrative agency during off-duty hours, the employee shall be paid according to the appropriate union labor agreement.

Section XIV-8. Absence Without Leave. An officer or employee, who is absent from duty, shall report the reason therefore to his/her supervisor prior to the date of absence when possible and in no case later than noon of the first day of absence. All unauthorized and unreported absences shall be considered absence without leave and deduction of pay shall be made for the period of absence. Such absence may be made the grounds for disciplinary action up to and including discharge. If an employee is absent without leave for three (3) or more regularly scheduled working days, said employee shall be terminated from employment unless said employee presents a justifiable reason acceptable to the City Manager. Any exceptions may be made in the discretion of the City Manager if extenuating circumstances or an emergency made said notification impossible.

REF: (1) Article VIII, Length and Continuity of Service.

- (2) Sick Leave Policy, Administrative and Supervisory Personnel (Administrative Regulation No. 30).

## ARTICLE XV - HOLIDAYS

### Section XV-1.

- A. All regular, full-time employees not covered by a labor agreement shall receive their regular compensation for the following legal holidays or parts thereof:

<u>Day</u>	<u>Month</u>	<u>Holiday</u>
1st	January	New Year's Day
3rd Monday	January	Martin Luther King Day
3rd Monday	February	President's Day
Friday (immediately preceding Easter)		Good Friday
Last Monday	May	Memorial Day
4th	July	Independence Day
1st Monday	September	Labor Day
11th	November	Veteran's Day
4th Thursday	November	Thanksgiving Day
Friday (immediately after Thanksgiving)	November	
24th	December	Christmas Eve Day
25th	December	Christmas Day

If a holiday falls on an employee's regularly scheduled day off, the employee shall celebrate such holiday on his/her closest regularly scheduled working day. If a salaried employee other than a Department Head or Assistant Department Head is required to work on such holiday, such work shall be treated as overtime work, to be compensated for at two (2) times regular rate of pay in addition to holiday pay.

Employees represented by Local 1306, International Association of Fire Fighters, the Police Officers Labor Council, the Command Officers Association of Michigan and the Michigan Association of Public Employees/Jackson Unit shall be entitled to holidays as provided in their respective labor agreements. In addition to the above, any day may be designated as a holiday by proclamation of the Mayor, upon the approval of the City Council.

- B. An employee shall forfeit his/her right to payment for any such holiday if he/she has an unexcused absence on his/her last regularly scheduled work day preceding such holiday or on his/her first regularly scheduled work day following such holiday.
- C. All personnel in the Fire Department working on the platoon system and thereby required to work on ordinarily observed holidays shall be entitled to and are hereby granted a leave of absence in the amount of eleven (11) consecutive calendar days in lieu of receiving holidays and this additional time off in lieu of holidays shall be taken at such times as agreed upon by the Chief of the Fire Department and the Union. The time so granted shall be in addition to annual leave and sick leave provided for in Article XIV, Sections XIV-1 and XIV-2.

This leave in lieu of holidays shall not be extended past the aforementioned eleven (11) day period because of any ordinary time off which might accrue to the individual employee during the eleven (11) days chosen for the time off in lieu of holidays. The City Manager and the Chief of the Fire Department shall provide suitable regulations for leave in lieu of holidays which are consistent with the intent of this Section for such personnel in the Fire Department as may be assigned part-time to the platoon system and part-time to other duties.

## ARTICLE XVI - FLEX PLAN/INSURANCE

Section XVI-1. "Your Choice" Benefit Program. "Your Choice" is an innovative approach to benefits where the employee decides what level of benefits his/her family needs. Employees of the participating groups receive, on an annual basis, "Benefit Credits" to spend on a menu of benefit options. These credits are used to choose benefits to fit the employee's needs based on personal circumstances. The plan year runs from July 1 to June 30. Prior to each plan year employees are given information regarding the "Your Choice" program in order to make their choices for the upcoming plan year.

Section XVI-2. Life Insurance. Life insurance shall be provided to employees represented by the International Association of Fire Fighters, the Police Officers Labor Council, Command Officers Association of Michigan and the Michigan Association of Public Employees/Jackson Unit in accordance with their respective labor agreements. Administrative and Supervisory Employees in the City Service, not covered by a labor agreement, except temporary, part-time and seasonal employees and the Police Chief, Deputy Police Chief, Fire Chief and Deputy Fire Chief (Ref: Article XVI, Section XVI-6), shall be provided a Thirty Thousand Dollar (\$30,000.00) term life insurance policy with provisions for payment of double face value for accidental death benefits and benefits for dismemberment. If the eligible employee's base annual salary is more than \$30,000, the life insurance policy amount will match the employee's base annual salary.

Section XVI-3. Medical, Surgical and Hospitalization Insurance. Medical, surgical and hospitalization insurance shall be provided to employees represented by the International Association of Fire Fighters, the Police Officers Labor Council, Command Officers of Michigan and the Michigan Association of Public Employees/Jackson Unit in accordance with their respective labor agreements.

- A. Current Officers and Employees. Effective July 1, 2003, the City shall provide and pay the cost of medical, surgical and hospitalization insurance plan for other current regular, full-time officers or employees in the City Service, not covered by a labor agreement, except temporary, part-time and seasonal employees, the Police Chief, Deputy Police Chief, Fire Chief and Deputy Fire Chief (Ref: Article XVI, Section XVI-6). These employees will also be provided a City-paid prescription drug plan. Effective July 1, 2005, coverage will include spouses and dependent children under nineteen (19) years of age in all cases where full family coverage is not provided and paid for by the spouse's employer. In the event of non-duty disability of an employee with resulting incapacity to work, the Employer will continue to pay premiums of said insurance and on the insurance provided for in Article XVI, Section XVI-3, above, hereof only for the period of time equal to such employee's accrued sick leave or for a period of six (6) months during disability, whichever is the greater.

Effective July 1, 2005, employees may add their adult, dependent children, who are not yet twenty-three (23) years of age and who are full-time students, to their health insurance policy (subject to restrictions imposed by the insurance company). Effective July 1, 2005, the employee who adds an adult dependent child to the coverage will reimburse the City through payroll deduction fifty dollars (\$50.00) per month for each month the child is carried on the insurance policy (with a maximum reimbursement amount of \$100 per month/per family).

- B. Duty Disability Retirees. The City shall provide and pay the cost of a medical, surgical and hospitalization insurance plan, for all employees defined in Article XVI,

Section XVI-3, A. above, who retire on a duty disability pension or after July 1, 1979, and who are totally physically disabled to work, or who subsequently becomes totally physically disabled to work as a result of an illness or injury sustained in the course of their duties while employed by the City of Jackson and are eligible for immediate pension benefits pursuant to a City of Jackson Retirement Plan. Such insurance shall also cover the spouse to whom the retiree is married to at the time of retirement and the dependent children under nineteen (19) years of age and shall be comparable to that being carried for other such retirees of the City Service. When such retired employee reaches an age or otherwise becomes eligible for Medicare coverage, he/she shall apply for said coverage and the City shall pay the premium for Medicare supplemental insurance. The above-specified insurance coverage and the City's liability for the premium thereon shall cease if the retired employee accepts employment with another employer who provides health insurance coverage reasonably comparable to that specified above or if the retired employee's spouse is employed and that employer provided health insurance coverage reasonably comparable to that specified above. An employee who retires on a duty disability pension on or after July 1, 1979 and subsequently ceases to be covered by the City's insurance because of his/her employment or his/her spouse's employment and resulting insurance may upon termination of such coverage elsewhere, reenter the insurance coverage as specified in this section. During the 2006-07 fiscal year, the City will fund a prescription drug benefit for all eligible employees who retire on a duty disability pension on or after July 1, 1987, as well as the retiree's spouse and dependent children. If a retiree whose insurance premium is being paid for by the City, should subsequently expire, the insurance coverage as provided for his/her spouse and dependent children may be continued on a payroll deduction basis, if the spouse and/or dependent children are eligible to continue receiving pension benefits.

C. Non-Duty Disability and Service Retirees.

1. General: The City will provide access to and/or pay for retiree health insurance for employees defined in Article XVI, Section XVI-3.A., above, when they become non-duty disability and service retirees [including their spouses at the time of retirement and their dependent children under nineteen (19) years of age], and as otherwise provided in this section. Retirees may be eligible to have the City pay for all or part of their retiree health insurance, if they were eligible for an immediate non-duty disability or service retirement pension and retired on or after July 1, 1979. Employees who terminate service before they are eligible to receive a City of Jackson service retirement pension, for a reason other than disability, (i.e., "deferred retirees") are not eligible to participate in any health insurance plan provided by the City to its retirees. To be eligible for health insurance benefits as a service retiree, the employee must acquire at least ten (10) years of service credit in a City of Jackson retirement system, excluding service credit earned pursuant to the application of the Reciprocal Retirement Act (MCL 38.1101, et seq.) and excluding service time purchased pursuant to the Employee Retirement System ordinance (Jackson City Code, 2-501, et seq.). When an eligible retired employee or spouse reaches the age when he/she becomes eligible for Medicare coverage, he/she shall apply for said coverage and the City will provide access to Medicare supplemental insurance. The City will pay for all or part of the Medicare supplemental coverage for those eligible non-duty disability and service retirees who retired on or after July 1, 1979, as provided below.

The applicable insurance coverage and the City's liability to pay for the premium shall cease if the retired employee accepts employment with another employer who provides reasonably comparable health insurance coverage or if the retired employee's spouse is/was employed and the spouse's employer provides health insurance coverage reasonably comparable to that provided by the City. An eligible retiree may reenter the City-provided insurance program if he/she discontinues City-provided insurance because he/she was eligible for comparable insurance coverage through his/her employment or his/her spouse's employment, and such other insurance coverage is subsequently terminated.

Employee Retirement System non-duty disability and service retirees who left City employment on or after July 1, 1987 and who are eligible to participate in City-paid health insurance, will be provided any prescription drug benefit made available for such retirees by the Employee Retirement System. The terms of that prescription drug benefit may be changed from time to time. Effective July 1, 2006, the Employees Retirement System will discontinue funding the prescription drug benefit. For the 2006-2007 fiscal year, the City will fund a prescription drug benefit for this group of retirees.

If a retiree whose insurance premium is being paid by the City should expire, the retiree's surviving spouse and/or dependent children may continue coverage while they remain eligible and while they continue to receive pension benefit. The cost of such continuation will be the responsibility of the survivor(s) and will be paid from the pension benefit on a payroll deduction basis.

The City retains the right to change insurance providers and make minor adjustments in coverage and/or offer more than one insurance option.

Additional terms and conditions for retiree health insurance coverage are dependent upon employment and/or retirement dates, as provided below.

2. Benefits for retirees employed prior to July 1, 2004 who retired on or after July 1, 1979: Eligible retirees who commenced non-duty disability or service retirement on or after July 1, 1979 shall be provided a City-paid medical, surgical and hospitalization plan until they become eligible for Medicare coverage, designated Blue Cross/Blue Shield PSG-1 (not including master medical option) or comparable coverage with another carrier. When such retiree/spouse becomes eligible for Medicare coverage, he/she shall apply for said coverage and the City shall pay the premium for Medicare supplemental insurance.
3. Benefits for retirees employed on or after July 1, 2004: Eligible employees hired on or after July 1, 2004 in full-time, non-union positions, who retire as service or non-duty disability retirees with 30 or more years of full-time City service shall be provided a 100% City-paid medical, surgical and hospitalization plan, until they are eligible for Medicare.

Eligible employees hired on or after July 1, 2004 in full-time, non-union positions, who retire as service or non-duty disability retirees with at least 10 but less than 30 years of full-time City service will be responsible to contribute to the cost of the retiree health insurance coverage as a deduction

from his/her monthly retirement pension benefit, as described in the following table:

<u>Years of Service</u>	<u>City's Share</u>	<u>Retiree's Share</u>
10-14	60%	40%
15-19	70%	30%
20-24	80%	20%
25-29	90%	10%
30 or more	100%	0%

Upon becoming Medicare eligible, the eligible retiree/spouse will be required to enroll for Medicare benefits. The City will pay for, or assist the retiree to pay for, Medicare complementary coverage so long as the retiree remains eligible for such assistance from the City, based upon the table above.

- D. Medical, Surgical and Hospitalization Insurance Coverage for Police Chief, Deputy Police Chief, Fire Chief and Deputy Fire Chief. Insurance coverage shall be provided for the Police Chief, Deputy Police Chief, Fire Chief and Deputy Fire Chief, in accordance with resolutions as adopted from time to time by the City Council.

(REF: Article XVI, Section XVI-6.)

Section XVI-4. Dental/Optical Coverage. Reimbursement for dental and/or optical expenses shall be provided to employees represented by the International Association of Fire Fighters, the Police Officers Labor Council, Command Officers Association of Michigan and the Michigan Association of Public Employees/Jackson Unit in accordance with their respective labor agreements.

Effective July 1, 2005 officers or employees in the City Service, not covered by a labor agreement, except temporary, seasonal and part-time employees, shall be reimbursed for proven dental and/or optical expenses, not to exceed six hundred fifty dollars (\$650) combined in any given fiscal year, for the employee, his/her spouse and dependent children. There shall be no carry over of unused benefits from any fiscal year to another. If the dental and/or optical expenses are eligible for payment from another source; i.e., spouse's dental and/or optical plan, insurance due to vehicle accident or similar type of coverage, that source shall be primary with the payment by the City reimbursing only that portion not eligible for payment from the primary source. Reimbursement Request Forms for dental and/or optical expenses shall require the employee's certification that the coverage is not available from any other source.

Section XVI-5. Long Term Disability. The City agrees to furnish and pay for the cost of a Long Term Disability Policy for all employees effective July 1, 1997, or as soon thereafter as processing will allow. The benefit level shall be sixty percent (60%) of each employee's salary, with a benefit duration to age 65, and shall include a ninety (90) day elimination period. Such policy shall be "guaranteed issue," subject to the 3/12 preexisting condition clause, with the exact terms and conditions of the policy subject to availability within the market place.

Section XVI-6. Police Chief, Deputy Police Chief, Fire Chief and Deputy Fire Chief. Fringe benefits for the Police Chief, Deputy Police Chief, Fire Chief and Deputy Fire Chief, shall be in accordance with their respective Command Officers of Michigan and International Association of Fire Fighters Labor Agreements.

## **ARTICLE XVII – WORKERS' COMPENSATION ADMINISTRATIVE PROCEDURES**

All workers' compensation claims as submitted by City employees shall be processed under the guidelines of the Michigan Workers' Compensation Act.

Section XVII-1 - Reporting of Incidents. When an employee is injured, the employee's supervisor or department representative shall contact the Personnel and Labor Relations Department via telephone. The Personnel and Labor Relations Department will contact the medical clinic to give authorization for treatment and let them know that the injured employee will be coming in. If an employee is injured after hours when the clinic is not open, the employee may be taken to the hospital for treatment. The department will then notify the Personnel and Labor Relations Department of the injury via telephone on the first working day following the incident.

Section XVII-2 - Life-Threatening Injuries. When an employee is involved in a serious or life-threatening injury, he/she will be transported immediately to the hospital. The employee's department will notify Personnel and Labor Relations as soon as possible following the incident.

Section XVII-3 - Written Employee Incident/Injury Report. A written "Incident/Injury Report" shall be completed by the employee's department and forwarded to the Personnel and Labor Relations Department within five (5) working days of the incident. This report is needed in order to assure a timely filing of the workers' compensation claim with the insurance company.

Section XVII-4 – Employee's Time Off Due to Injury/Illness. The employee and/or department shall keep the Personnel and Labor Relations Department up-to-date on the following: Time off work due to workers' compensation injury/illness; return to work date; and days worked on light duty.

Section XVII-5 - Prescriptions for Work-Related Injuries. Not all pharmacies will accept workers' compensation claims. Employees should contact the Personnel and Labor Relations Department for a referral to an appropriate pharmacy.

Section XVII-6 -Medical Reports/Bills - The original of all medical reports and bills for services shall be forwarded to the Personnel and Labor Relations Department which will in turn forward same to the workers' compensation insurance carrier. Employees are responsible for informing any medical provider that an incident is work related. Work related incidents shall not be charged to an employee's health care insurance (i.e., BC/BS or HMO).

REF: ARTICLE XIV, Section XIV-4 - Disability Leave.

## **ARTICLE XVIII - PERSONALLY OWNED AUTOMOBILE AND UNIFORM ALLOWANCE**

Section XVIII-1. Automobile Allowance. An officer or employee of the City who is required and specifically authorized by the City Manager to use his/her personally-owned automobile in the conduct of City business shall be paid, therefore, in accordance with Administrative Regulations as established by the City Manager. The City Manager may, at his/her discretion, increase the mileage allowance to equal, but not exceed, any mileage allowance determined by the Internal Revenue Service as an appropriate amount for tax purposes.

Section XVIII-2. Uniform Allowance. Employees represented by the Michigan Association of Public Employees/Jackson Unit, International Association of Fire Fighters, Police Officers Labor Council and the Command Officers Association of Michigan who are required to wear and continuously maintain prescribed items of uniform clothing and personal equipment shall have such clothing and equipment provided in accordance with their respective labor agreements and/or department general orders.

## ARTICLE XIX – HARASSMENT

Section XIX – 1. Policy Against Harassment. All City employees and potential employees are entitled to be treated with dignity and respect in the workplace. More specifically, City employees and potential employees are entitled to work in an environment that is free of intimidation, humiliation, insult and offensive acts or speech based on race, color, national origin, religion, age, gender, disability, pregnancy, height, weight, sexual orientation, marital and other legally protected status.

Every City employee is responsible to avoid personal conduct that violates this policy, to participate in periodic training regarding prohibited harassment and discrimination, and to act to eliminate all forms of prohibited harassment and discrimination in the course of employment. In most circumstances, a City employee who believes he or she is being harassed in violation of this policy will be expected to advise the harasser that his or her conduct is offensive and/or ask that the conduct be stopped.

Every supervisor is responsible to be vigilant in identifying conduct that may reasonably be identified as prohibited harassment or discrimination within his or her area of responsibility, to coach subordinates to avoid behaviors that may reasonably be perceived as harassment or discrimination, to investigate alleged harassment or discrimination within their area of responsibility, and to take appropriate corrective action when improper harassment or discrimination has taken place.

The City administration will schedule periodic training for all employees regarding respectful workplace expectations and illegal discrimination and harassment. Allegations of illegal discrimination and harassment by and toward City employees will be investigated in a fair, impartial and expeditious manner. Supervisors and department heads who are investigating allegations of prohibited harassment or discrimination will be provided support by the Personnel Director and/or the City Manager/designee. In those instances in which a violation is substantiated, immediate action will be taken to remedy the situation and prevent its recurrence. Additionally, the City administration will act to prevent retaliation toward any individual who files a complaint of, or participates in an investigation related to, discrimination or harassment as defined in this policy.

Employees who violate this policy will be subject to discipline, up to and including discharge.

### Section XIX – 2. Definitions.

Discriminate: to base employment decisions related to opportunities, benefits, privileges, working conditions, or evaluation standards in whole or in part on the person's race, color, national origin, religion, age, gender, disability, pregnancy, height, weight, sexual orientation, marital or other legally protected status. Prohibited discrimination does *not* include some employment actions based on a protected status, such as: efforts to recruit a diverse pool of qualified applicants, accommodations made for temporary or permanent disabilities, job assignment restrictions for minors, or preferences in some positions for multi-lingual candidates.

Harass: verbal or physical conduct designed to threaten, intimidate or coerce based on a protected status. Harassment includes verbal taunting which impairs an employee's ability to

perform his or her job. Examples of inappropriate verbal conduct include racial or ethnic slurs, verbal abuse or kidding of a sexual nature, including comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes," or any other tasteless, sexual comment, innuendo or action. Examples of inappropriate non-verbal and physical conduct include distribution (including by e-mail), display or discussion of any written or graphic material that ridicules, denigrates, insults or otherwise shows hostility or aversion toward an individual or group because of a protected status. Inappropriate physical conduct could include pushing, blocking or otherwise physically intimidating an employee based upon a legally protected status.

Hostile Work Environment: Conduct may produce a hostile work environment if the conduct has the purpose or effect of unreasonably interfering with an employee's work performance (e.g., reduces personal productivity or time available to work at assigned tasks) or creating an intimidating or offensive work environment.

Sexual Harassment: includes unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or (3) the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment (i.e., "hostile work environment"). Examples of unwelcome sexual advances include patting, pinching, pushing against, hugging, cornering, kissing, fondling, or any other similar physical contact. Examples of requests for sexual favors include subtle or blatant expectations, pressures or requests of a sexual nature.

### Section XIX-3. Complaint Process.

#### A. Reporting an Incident – Victim

When an employee believes she or he is the victim of prohibited harassment or discrimination, the employee is strongly encouraged to tell the offending party/parties that the conduct is offensive and unwelcome. In some situations, the employee will achieve his or her desired result based on this action alone. The affected employee is also strongly encouraged to document all incidents of harassment or discrimination as soon as practical after they occur, including identifying other possible witnesses, in order to facilitate investigation of the employee's complaint. It is helpful if the employee drafts a written complaint before speaking with a supervisor or administrator; otherwise, the employee will be required to sign a written complaint shortly after orally reporting the allegations.

The complaint may be filed with any of the following:

1. Employee's immediate supervisor
2. Another supervisor in the employee's "chain of command"
3. Employee's department head
4. Director of Personnel & Labor Relations
5. City Manager or Assistant City Manager/Operations
6. Michigan Department of Civil Rights
7. U.S. Equal Opportunity Commission

B. Reporting an Incident – Observer

When an employee observes prohibited harassment or discrimination toward another City employee, the witnessing employee is strongly encouraged to document all related information as soon as practical, including the identities of the victim(s) and other possible witnesses, in order to facilitate investigation of the complaint. The observer should then relay all relevant information to any of the following:

1. Employee's immediate supervisor
2. Another supervisor in the employee's "chain of command"
3. Employee's department head
4. Director of Personnel & Labor Relations
5. City Manager or Assistant City Manager/Operations

NOTE: Supervisors and department heads are encouraged to consult with the Director of Personnel & Labor Relations or the Assistant City Manager/Operations for assistance in conducting a fair and comprehensive investigation.

C. Investigation

The investigator will assist the complainant to provide a written complaint, if one has not been provided. The investigator will speak with the injured persons, identified witnesses, and the alleged wrongdoer. If available, documentary evidence will be reviewed and preserved (such as emails, video or audio tapes, cell phone records, etc.). If appropriate, the investigator will observe the area in which the alleged misconduct occurred. The investigator will summarize the findings and share them with the appropriate administrator for final action.

D. Confidentiality

Employees may request confidentiality when making an inquiry about potentially filing a complaint (so long as specific details about the alleged misconduct are not provided), when asking general questions about this policy, or related nonspecific matters, and those requests will be honored to the fullest extent possible. Employees may also confidentially seek advice on handling uncomfortable work situations or relationships through the Employee Assistance Program.

Confidentiality and anonymity cannot be guaranteed if the complainant provides specific details about alleged misconduct or wants the administration to take some corrective or disciplinary action. The employer will attempt to ensure individuals who are part of the investigation and decision-making processes exercise appropriate discretion within the context of the employer's legal obligation to act upon the charge of prohibited discrimination or harassment. While meeting that obligation, the employer will take into consideration the nature of the information provided, the privacy of the individuals involved, and the wishes of the complainant.

E. Retaliation

Retaliation against any employee for filing a harassment or discrimination complaint is prohibited. Retaliation against any employee or other person assisting, testifying or participating in the investigation of a harassment or discrimination complaint is prohibited. Employees who have engaged in retaliation prohibited by this policy will be subject to discipline, up to and including discharge.

**ARTICLE XX - GENERAL RETIREMENT PLAN - PENSION IMPROVEMENTS**

Section XX-1. The deduction for pension purposes shall be changed as follows for both the City and nonunion employees:

Effective July 1, 2006 – Increase from 4.5% to 5.5%.

The above deduction level is subject to increase by the yearly valuation of the Actuary.

Section XX-2. Effective July 1, 1998 the calculation of the Final Average Compensation shall be based upon the best three (3) consecutive years out of the last ten (10) years of service.

## ARTICLE XXI – INFORMATION TECHNOLOGY POLICIES

Section XXI-1. Software Licenses. All users of City-owned information technology equipment will abide by licensing agreements that the City has entered into with software manufacturers. No software will be installed on a City computer without written permission of the designated Manager in the MIS Department.

Section XXI-2. Software Standardization. Software standards will be established by the MIS Department to maximize the compatibility of data exchange between City computers and to ensure cost effective interdepartmental communications and other exchanges.

Section XXI-3. E-Mail Use. The City of Jackson e-mail system was established for City of Jackson business, and there is no right to privacy for users of the City's e-mail system, except as a particular message may be exempt from disclosure pursuant to the Freedom of Information Act. The City Manager will establish and enforce standards for users of the City's e-mail system. If an official, employee or volunteer uses the e-mail system for personal matters, the use must be *de minimas* and meet the same standards established for professional use.

Section XXI-4. Internet Use. The City of Jackson internet system was established to support performance of City business, and there is no right to privacy for users of the City's internet system. The City Manager will establish and enforce standards for users of the City's internet system. If an official, employee or volunteer uses the internet system for personal matters, the use must be *de minimas* and meet the same standards established for professional use.

Section XXI-5. Misuse of Information Technology. The use of City-owned information technology is a privilege that may be revoked. Misuse and/or abuse of City-owned technology may result in disciplinary action and/or referral to law enforcement authorities for legal intervention.

**SCHEDULE I  
ADMINISTRATIVE AND SUPERVISORY EMPLOYEES  
PAY RATES**

**EFFECTIVE JULY 1, 2008 - 3.0%**

Class Grade	Pay Basis	Minimum										Maximum Step 10
		Step 1	Step 1-1/2	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	
4	Annual	30,433	30,951	31,467	32,533	33,639	34,780	35,961	37,180	38,443	39,745	41,096
	Bi-Wkly	1,170.51	1,190.41	1,210.26	1,251.26	1,293.79	1,337.71	1,383.10	1,429.98	1,478.57	1,528.64	1,580.61
	Hourly	14.6314	14.8801	15.1283	15.6408	16.1724	16.7213	17.2888	17.8748	18.4821	19.1080	19.7576
5	Annual	32,177	32,724	33,270	34,394	35,556	36,763	38,005	39,295	40,624	41,998	43,422
	Bi-Wkly	1,237.56	1,258.62	1,279.63	1,322.85	1,367.55	1,413.97	1,461.73	1,511.33	1,562.47	1,615.32	1,670.06
	Hourly	15.4696	15.7328	15.9954	16.5356	17.0944	17.6746	18.2716	18.8917	19.5309	20.1915	20.8758
6	Annual	33,922	34,495	35,069	36,254	37,479	38,745	40,056	41,407	42,807	44,252	45,747
	Bi-Wkly	1,304.71	1,326.74	1,348.81	1,394.39	1,441.50	1,490.19	1,540.63	1,592.60	1,646.41	1,701.99	1,759.51
	Hourly	16.3089	16.5842	16.8602	17.4299	18.0188	18.6273	19.2578	19.9074	20.5802	21.2749	21.9939
7	Annual	35,861	36,471	37,081	38,344	39,648	40,998	42,390	43,836	45,323	46,866	48,463
	Bi-Wkly	1,379.26	1,402.72	1,426.19	1,474.78	1,524.94	1,576.86	1,630.40	1,685.98	1,743.18	1,802.55	1,863.96
	Hourly	17.2408	17.5341	17.8273	18.4347	19.0617	19.7108	20.3800	21.0748	21.7897	22.5319	23.2995
8	Annual	37,992	38,640	39,287	40,627	42,014	43,444	44,923	46,456	48,038	49,675	51,372
	Bi-Wkly	1,461.22	1,486.16	1,511.06	1,562.56	1,615.92	1,670.94	1,727.81	1,786.77	1,847.62	1,910.56	1,975.86
	Hourly	18.2652	18.5770	18.8882	19.5320	20.1990	20.8868	21.5977	22.3346	23.0953	23.8820	24.6982
9	Annual	39,352	40,100	40,848	42,401	44,011	45,684	47,419	49,227	51,093	53,035	55,053
	Bi-Wkly	1,513.56	1,542.29	1,571.08	1,630.82	1,692.74	1,757.06	1,823.79	1,893.34	1,965.12	2,039.81	2,117.41
	Hourly	18.9194	19.2787	19.6385	20.3852	21.1592	21.9633	22.7974	23.6668	24.5640	25.4976	26.4677
10	Annual	42,066	42,867	43,668	45,336	47,070	48,862	50,731	52,667	54,676	56,764	58,929
	Bi-Wkly	1,617.91	1,648.73	1,679.55	1,743.69	1,810.37	1,879.32	1,951.19	2,025.65	2,102.93	2,183.22	2,266.52
	Hourly	20.2239	20.6091	20.9944	21.7961	22.6296	23.4915	24.3899	25.3206	26.2866	27.2902	28.3314
11	Annual	44,779	45,628	46,478	48,244	50,072	51,973	53,946	55,991	58,116	60,324	62,612
	Bi-Wkly	1,722.26	1,754.93	1,787.60	1,855.54	1,925.83	1,998.95	2,074.84	2,153.51	2,235.23	2,320.15	2,408.17
	Hourly	21.5283	21.9367	22.3450	23.1942	24.0729	24.9868	25.9355	26.9189	27.9404	29.0019	30.1021
12	Annual	47,688	48,592	49,495	51,376	53,326	55,348	57,451	59,631	61,896	64,246	66,686
	Bi-Wkly	1,834.16	1,868.91	1,903.66	1,975.99	2,051.01	2,128.75	2,209.64	2,293.49	2,380.63	2,471.01	2,564.86
	Hourly	22.9270	23.3614	23.7958	24.6999	25.6376	26.6094	27.6205	28.6687	29.7579	30.8876	32.0607
13	Annual	50,785	51,756	52,726	54,739	56,824	58,996	61,244	63,582	66,008	68,528	71,141
	Bi-Wkly	1,953.27	1,990.62	2,027.92	2,105.34	2,185.53	2,269.06	2,355.55	2,445.47	2,538.76	2,635.71	2,736.17
	Hourly	24.4159	24.8827	25.3489	26.3167	27.3192	28.3633	29.4444	30.5683	31.7345	32.9463	34.2022
14	Annual	53,890	54,914	55,938	58,068	60,276	62,569	64,943	67,419	69,983	72,643	75,406
	Bi-Wkly	2,072.71	2,112.09	2,151.47	2,233.38	2,318.30	2,406.50	2,497.80	2,593.04	2,691.66	2,793.97	2,900.22
	Hourly	25.9089	26.4012	26.8934	27.9173	28.9787	30.0813	31.2226	32.4130	33.6457	34.9247	36.2528
15	Annual	56,799	57,877	58,955	61,200	63,527	65,945	68,453	71,057	73,761	76,566	79,480
	Bi-Wkly	2,184.56	2,226.02	2,267.49	2,353.84	2,443.34	2,536.35	2,632.79	2,732.98	2,836.96	2,944.83	3,056.91
	Hourly	27.3070	27.8253	28.3436	29.4230	30.5417	31.7044	32.9099	34.1623	35.4620	36.8104	38.2114

**SCHEDULE I (CONTD)**  
**ADMINISTRATIVE AND SUPERVISORY EMPLOYEES**  
**PAY RATES**

**EFFECTIVE JULY 1, 2008 - 3.0% (Contd)**

Class Grade	Pay Basis	Minimum										Maximum Step 10
		Step 1	Step 1-1/2	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	
16	Annual	59,705	60,841	61,977	64,335	66,783	69,324	71,956	74,693	77,538	80,487	83,548
	Bi-Wkly	2,296.36	2,340.05	2,383.73	2,474.43	2,568.56	2,666.30	2,767.55	2,872.83	2,982.22	3,095.65	3,213.37
	Hourly	28.7046	29.2506	29.7967	30.9304	32.1070	33.3287	34.5944	35.9103	37.2778	38.6956	40.1672
17	Annual	62,612	63,804	64,993	67,467	70,029	72,699	75,461	78,336	81,316	84,408	87,617
	Bi-Wkly	2,408.17	2,453.98	2,499.75	2,594.89	2,693.41	2,796.10	2,902.35	3,012.90	3,127.53	3,246.46	3,369.88
	Hourly	30.1021	30.6748	31.2468	32.4361	33.6677	34.9513	36.2794	37.6613	39.0941	40.5808	42.1235
18	Annual	65,715	66,969	68,223	70,829	73,532	76,341	79,257	82,284	85,429	88,691	92,078
	Bi-Wkly	2,527.51	2,575.73	2,623.95	2,724.19	2,828.17	2,936.18	3,048.35	3,164.78	3,285.75	3,411.20	3,541.47
	Hourly	31.5939	32.1967	32.7994	34.0523	35.3521	36.7022	38.1044	39.5598	41.0719	42.6401	44.2684
19	Annual	69,398	70,717	72,036	74,777	77,624	80,577	83,643	86,826	90,129	93,556	97,116
	Bi-Wkly	2,669.17	2,719.88	2,770.60	2,876.02	2,985.56	3,099.12	3,217.03	3,339.48	3,466.50	3,598.30	3,735.23
	Hourly	33.3646	33.9985	34.6325	35.9502	37.3194	38.7390	40.2129	41.7434	43.3313	44.9787	46.6904
20	Annual	73,081	74,476	75,870	78,761	81,763	84,882	88,120	91,480	94,970	98,589	102,351
	Bi-Wkly	2,810.82	2,864.45	2,918.08	3,029.29	3,144.75	3,264.69	3,389.22	3,518.47	3,652.67	3,791.87	3,936.58
	Hourly	35.1352	35.8056	36.4761	37.8661	39.3093	40.8087	42.3653	43.9809	45.6584	47.3984	49.2072
21	Annual	76,763	78,220	79,678	82,711	85,852	89,117	92,503	96,021	99,673	103,462	107,394
	Bi-Wkly	2,952.42	3,008.46	3,064.55	3,181.21	3,301.99	3,427.59	3,557.81	3,693.12	3,833.57	3,979.29	4,130.52
	Hourly	36.9053	37.6058	38.3069	39.7651	41.2749	42.8448	44.4726	46.1640	47.9196	49.7411	51.6315

A. The City Manager and City Attorney shall be compensated under separate contracts with the City Council.

**Adopted: May 27, 2008**

**SCHEDULE II  
ADMINISTRATIVE AND SUPERVISORY EMPLOYEES  
CITY ASSESSOR  
PAY RATES**

**EFFECTIVE JULY 1, 2008 - 3.0%**

Class	Pay	Minimum										Maximum
Grade	Basis	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 10
City	Annual	62,410	64,792	67,261	69,826	72,488	75,253	78,122	81,104	84,195	87,408	
Assessor	Bi-Wkly	2,400.38	2,492.01	2,586.96	2,685.61	2,788.01	2,894.34	3,004.71	3,119.39	3,238.28	3,361.84	
	Hourly	30.00469	31.1500721	32.33705	33.57008	34.85015	36.17925	37.55885	38.99243	40.4785	42.02301	

**Adopted: May 27, 2008**

**SCHEDULE I-C  
COMMUNITY SERVICE OFFICERS  
PAY RATES**

EFFECTIVE JULY 1, 2008 - 3.0%

	<b>First Year</b>	<b>Second Year</b>	<b>Third Year</b>
Annual (80 hr schedule)	20,257	21,382	22,508
Bi-Weekly	779.11	822.40	865.69
Hourly	9.74	10.28	10.82

**Adopted: May 27, 2008**

ORDINANCE No. \_\_\_\_\_

AN ORDINANCE TO PROVIDE COMPENSTAION FOR SCHOOL CROSSING GUARDS OF THE CITY OF JACKSON

THE CITY OF JACKSON ORDAINS:

Section 1: School Crossing Guard Salary.

As of July 1, 2008, each School Crossing Guard employed by the Jackson Police Department shall be compensated for time worked in accordance with the following schedule:

(a) Each appearance at a corner - \$10.93

Section 2: Repeal: Ordinance No. 474 is hereby repealed.

Section 3: This ordinance shall take effect thirty (30) days from the date of final adoption.

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**Adopted: May 27, 2008**

**DEFINITION OF TERMS**

- **Anniversary Date** - The annual anniversary date of continuing employment with the City as a regular full-time employee.
- **Job Classification** - A group of positions sufficiently alike in duties, authority, and responsibility to justify the same title, qualifications, and pay scale.
- **Classification Plan** - A listing of the positions in the City government group by job classifications.
- **Compensation** - Monetary exchange for services rendered to the City by an employee and including longevity pay (if applicable).
- **Compensatory Time** - Time off the job in lieu of overtime for exempt employees for time worked beyond forty (40) hours per week.
- **Demotion** - A change in employment status from a position in one job classification to a position in another job classification having a lower maximum salary limit than the original job classification.
- **Department Head** - Those employees of the City in charge of an established City department.
- **Discipline** - Corrective action taken by supervisory personnel to change or control the behavior of subordinate employees.
- **Dismissal** - Permanent separation from City service for inefficiency, misconduct, repeated infractions of the rules or other just cause.
- **Employee** - Those persons in the employ of the City of Jackson who are covered by these rules in whole or in part.
- **Employee Organization** - Any formally recognized employee group engaged in collective bargaining with the City which results in a written contract.
- **Exempt Employees** - As defined by the Fair Labor Standards Act.
- **Grievance** - Any employee complaint including, but not limited to an allegation that a provision of this Personnel Policy has been violated. Note: Union employee grievance procedures are outlined in their respective labor agreement.
- **Handicapped Person** - Anyone who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment

## **DEFINITION OF TERMS (Contd)**

- **Immediate Family** - Parents, spouse, children, brothers, sisters, grandparents, grandchildren and immediate in-laws.
- **Layoff** - The temporary or permanent separation of an employee as the result of the abolishment of the position or the reduction of work.
- **Narcotics** - Substances defined as narcotic by state and/or federal regulations and not prescribed by a qualified physician.
- **Non-Exempt Employees** - As defined by the Fair Labor Standards Act.
- **Non-Union Employees** - Employees who are not represented by an Employee Organization.
- **Overtime** - Time worked beyond eight (8) hours per day or forty (40) hours per week for hourly employees and for which they can expect time-and-one-half their hourly rate of pay.
- **Overtime Exempt** - Employees who are not granted overtime pay for hours worked in excess of forty (40) hours per week.
- **Part-Time Employee** - Employees who work, on an average, 32 hours per week.
- **Performance Appraisal** - A report form filled out by the immediate supervisor of an employee rating the employee's quantity and quality of work and work attitudes.
- **Position** - A group of duties and responsibilities assigned or delegated by the City Manager requiring a full-time or part-time employee.
- **Probation** - A working test of the abilities of an employee to carry out the responsibilities of a position.
- **Probationary Employee** - An employee who has not yet completed the required probationary period.
- **Qualified Handicapped Person** - A person who, with reasonable accommodation, can perform the essential function of the job in question.

### **DEFINITION OF TERMS (Contd)**

- **Red-Circled** -Employees whose rate of compensation has been frozen due to demotion or reassignment. These employees shall not receive annual step increases until his/her rate of pay is consistent with the current salary schedule.
- **Regular Full-Time Employee** - An employee who is scheduled to work the standard work week of a department, holds title to a Full-Time position, and whose employment is expected to continue in duration.
- **Seasonal Employee** - An employee appointed for a limited period of time - especially one hired for a specific season of the year.
- **Step Increase Date** - Date of an individual employee's latest promotion and upon which date an employee receives his/her step increase.
- **Supervisor** - An individual with the authority to assign, direct and review the work of subordinates.
- **Suspension** - Temporary separation from City service with or without pay for disciplinary reasons.
- **Temporary Employee** - One who is appointed for a twelve (12) month or less period and not holding title to a position.
- **Vacancy** - A position duly created by the City Council, established in the budget, and not currently occupied by an incumbent.
- **Verbal Reprimand** - A verbal rebuke given to an employee by a supervisor for infractions of the rules.
- **Workers' Compensation** - Compensation for a disability or death as a result of personal injury suffered in the course and scope of employment; or disability or death due to an occupational disease contracted in the course and scope of employment.
- **Written Reprimand** - A written statement prepared by an employee's supervisor stating an infraction of the rules by the employee and providing pertinent information about the infraction.

### **WORD USAGE**

- The words "shall" or "will" are to be construed as mandatory and the word "may" as permissive.
- The masculine gender shall be construed to include the feminine gender.

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