

# **BLOOMFIELD TOWNSHIP**

## **EMPLOYEE POLICY HANDBOOK**



April 1, 2019

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## **INTRODUCTION**

### **Welcome To Bloomfield Township**

To you who are joining us at Bloomfield Township, a sincere welcome. To those of you who have been with us through the years, our thanks for your loyal cooperation which has helped us deliver the best services to our citizens.

### **About Your Handbook and Your Employment at Bloomfield Township**

This is your Employee Policy Handbook. Each of you, newcomer or veteran, will find this Employee Policy Handbook helpful. It describes and discusses the policies and procedures that affect your job. This Employee Policy Handbook applies to all Township employees and supersedes the prior Handbook, any previous verbal or written policies, statements, understandings or agreements concerning the terms and conditions of your employment at Bloomfield Township, except:

#### **General Exceptions**

- Where this Handbook conflicts with the specific terms of a Labor Contract, the Labor Contract shall control.
- Where this Handbook conflicts with the specific terms of an individual written Employment Contract with the Township which has been signed by the Township Supervisor or approved by vote of the Board of Trustees.
- For any agreements or understandings set forth in the Authorization and Understanding section of the Township Employment Application form which shall continue in full force and effect.

#### **Standard Operating Procedures**

- Department Heads with the approval of the Township Supervisor may establish their own policies concerning work schedules, call-in procedures, outside employment, and vacation scheduling and may maintain their own written Standard Operating Procedures concerning the conduct of departmental business (e.g., uniforms, dress code, assignments, travel policy and operations).

#### **Public Safety Departments**

- The Public Safety Departments with the approval of the Township Supervisor may have their own Policies and Procedures and/or Standard Operating Procedures that apply to their operations and the conduct of Department employees. Such Policies and Procedures and Standard Operating Policies together with the applicable labor contract shall apply to union personnel in the Public Safety Departments in place of this Handbook.

## **Orientation**

The purpose of our orientation is to familiarize you with the Township's way of doing business. New employees should review Township policies and procedures and become more familiar with the Township, as well as the opportunities of being an employee at Bloomfield Township. Any questions concerning policies or procedures should be discussed with your Department Head.

## **Employee Status**

A "regular full-time employee" is an employee who is hired as a regular full-time employee and regularly works 40 hours or more a week.

A "regular part-time employee" is an employee who is hired as such and who works less than 32 hours per week but may be assigned additional work hours. A "casual employee" is an employee who is hired as such and who is not required to work a fixed number of hours on a regular basis throughout the year or who works on a temporary, occasional or seasonal basis. Casual employees and regular part-time employees are not eligible for any benefits set forth in the Benefits Book even though they may work 40 or more hours per week. A casual employee and a regular part-time employee can only become a regular full-time employee by written notice of same and the actual initiation of fringe benefit coverage by the Township's benefit carriers and/or administrators.

Your employment at Bloomfield Township is at-will. This means you are free to terminate your employment at any time, for any reason, with or without cause, and Bloomfield Township retains the same rights.

Bloomfield Township reserves the right at its sole discretion to amend the contents of this Handbook at any time. No amendment or exception to our at-will employment policy set forth above can be made at any time for any reason, except by vote of the Board of Trustees at a regularly scheduled Board meeting. Amendments to any other part of this Handbook must be in writing and issued by the Township Administration. No other employee, representative or agent of the Township has the authority to amend, alter or change the policies set forth in this Handbook or to enter into any agreement concerning the terms and conditions of your employment at Bloomfield Township. Amendments will be issued directly to employees or posted on Township bulletin boards. The provisions of this Handbook do not establish contractual rights between Bloomfield Township and its employees.

## **A Special Note to Department Heads and Supervisory Personnel**

The Township expects loyalty and best efforts from all of its employees, particularly Department Heads and supervisory personnel. The Township will not be satisfied, and does not expect you to be satisfied, with anything other than your best effort. Department Heads and supervisory personnel are also leaders and are expected to act as such. You are to set the example for other employees in your actions, work habits, and attitude.

As a Department Head or supervisory employee, the Township expects you to maintain confidentiality on a number of matters including, but not limited to personnel evaluations,

financial data, and other sensitive information until it becomes public information. The Township also expects you to maintain professional and ethical standards of performance. Any abuse of the Township's trust by a Department Head or a supervisory employee is not a trivial matter and may subject the employee to discharge.

Department Heads are not required to keep any exact recording of the time spent on the job. The Township applies the "total job" concept to Department Heads and some supervisory personnel. Under the total job concept, the employee's responsibility for successful job performance is not limited to specific hours or work days. Department Heads and some supervisory employees may have to work additional hours at the Township or take work projects home.

### **Open Door Policies and Procedures**

Our goal at Bloomfield Township is to provide a pleasant working environment for all employees. This is achieved by developing and maintaining a cooperative working relationship among employees based on mutual respect and understanding. We recognize the need for procedures that will allow employees to call attention to work-related matters that they feel need correction.

We also endorse an "Open Door" Policy where an employee has the right to meet with their supervisor or Department Head to discuss matters of concern. The Township's Open Door Policy is in effect during each working day. Our success has been built on the free exchange of ideas, creative management and the identification of problem areas and their quick resolution.

Because Bloomfield Township believes in your right to speak for yourself and to have your own say about your employment problems, we encourage you to make your concerns known. If you feel you have an employment problem, use one of the two procedures described below. If your problem is found to be valid, appropriate corrective action will be initiated.

If you are a non-union employee, take your employment problem first to your immediate supervisor for resolution. If you are not satisfied with the decision of your supervisor, take your employment problem to your Department Head. Your Department Head will give you a decision concerning your employment problem as promptly as possible. Non-union employees in the Police and Fire Departments should follow the chain of command in those Departments.

If you are a union employee or a member of a recognized bargaining unit you should follow the grievance procedure in your Labor Contract or agreement. If you do not want to use the grievance procedure or your concern does not relate to a matter covered by the grievance procedure, follow the procedure set forth above for non-union employees.

## **HOW YOU ARE PAID**

### **Pay Day Policy**

You will be paid on a biweekly basis, every other Wednesday. If Wednesday is a holiday, you will be paid on either Tuesday or Thursday that week. The biweekly pay period is for fourteen days beginning on Saturday and ending on a Friday.

Employees must be paid by direct deposit. Your deposit(s) will be made to your account(s) by Wednesday of the pay week. Employees will be able to view, save, or print their paystub from a secure web portal. If you feel there is an error in your pay, or if there is anything about your pay which you do not understand, please contact your supervisor or the Accounting Department.

By law, the Township is required to deduct, where applicable, Federal, and State and local withholding taxes, Social Security and Medicare taxes, and garnishments and court ordered child support from an employee's pay. The Township may also deduct the employee pension contribution, the employee health care plan contribution, union dues, and other various deductions where applicable.

Shortly after the end of the year, a W-2 will be available from a secure web portal. The Township reserves the right to increase withholding amounts from an employee's pay as necessary to catch up any payments that might be due as the result of an employee receiving reduced or no pay for any reason for one or more pay periods. The Township may also delay enrollment into any of the optional or voluntary plans offered until such time as the employee begins to again receive pay from the Township.

### **Working Hours**

A normal workweek for Township offices is four days a week, Monday through Thursday, from 7:00 a.m. to 5:30 p.m. Some employees will not work this schedule. Your work hours will be scheduled by your supervisor, manager or Department Head. Your work schedule is subject to change depending upon the Township's needs.

### **Overtime**

While it is the Township's preference to avoid overtime, there are situations that may require overtime work. When required by the Township, overtime is mandatory. In these cases, your supervisor will attempt to give you sufficient notice concerning scheduled overtime. Overtime must be approved by your Department Head prior to working the extra hours.

Overtime, at the rate of time and one-half, is paid for work hours in excess of 40 hours in a work week unless otherwise defined by contractual agreement. Exceptions to this policy can be made for non-contractual employees at the discretion of their Department Head with the written approval of the Township Supervisor. Overtime will not be paid unless authorized in advance by your supervisor.

Not all employees are eligible for overtime. Check with your Department Head to see if you are eligible for overtime.

## **GENERAL POLICIES**

### **Citizen Relations And Service**

We are here to serve the public. Several thoughts should be kept in mind at all times regarding our public.

You must always be cordial, helpful, and pleasant to the public and offer the best services to our citizens. This applies not only to the Township offices but also out in the field.

Ask yourself this question when dealing with the public, then act accordingly: "What type of service or attitude would I expect if I were a member of the public visiting or calling the Township?"

A careless, discourteous word or attitude can only result in one of our citizens feeling that the Township has not treated them properly. A smile and a "Hello" can do just the opposite. In fact, it may even brighten your own day.

### **Job Duties and Responsibilities**

Your job duties and responsibilities will be explained to you by your Department Head. The Township reserves the right to modify, change, add or delete job duties and responsibilities and to transfer employees to different positions.

### **Job Review**

Your Department Head or your direct supervisor will work with you on an ongoing basis to help you improve at your job. In this way they will be able to give you constructive suggestions about how to improve your work. Periodically your Department Head or supervisor may meet with you individually to evaluate your performance. If you have any questions about your job, you should feel free to talk to your Department Head or supervisor at any time.

### **Opportunities for Advancement**

In our organization there may be opportunities for advancement; many of these opportunities depend upon you. Many things are taken into consideration, some of which are the way you perform your job, your ability to cooperate and work with others, and your willingness to assume responsibility. The Township retains the right to determine if and when to fill a job vacancy. The Township retains the right to fill a job with an applicant from outside the Township.

## **Transfers**

Regular employees may request a transfer to a different department. Requests should be submitted to your Department Head. All transfers are at the discretion of the Township Supervisor.

## **Employee Absences**

It is essential that all employees report for work when scheduled. Employee absences create disruption in the workplace and hamper our ability to provide first rate services to our citizens, which they have grown to expect. Accordingly, we discourage employee absences.

In the event an employee must be absent from work, they must contact their supervisor or Department Head before their normal work day begins. The Township has the sole discretion to grant or deny an employee's absence request. In no event will an employee be paid for an unexcused absence from work. An employee who has earned vacation time may use a vacation day to cover their absence, if approved in writing by their Department Head.

We reserve the right to discipline an employee for excessive absences from work or tardiness, up to and including discharge. See Rules of Conduct contained in this Handbook.

## **Layoff and Recall**

The Township will determine when a layoff will occur and when employees can be recalled from layoff. The Township will decide in its discretion the employees to be laid off and recalled.

Employees on layoff for six (6) months will be automatically terminated.

## **Lunch Periods and Breaks**

The availability of and the length of your lunch period depends upon your position and your Department. Employees are eligible for two (2) ten (10) minute breaks, one prior to your meal break and one after your meal break. The break period may not be added to the lunch hour or accumulated in any manner. Each Department will establish its own lunch and break periods with the approval of the Township Supervisor.

Your lunch period and your breaks will be scheduled with your Department Head. Breaks will be taken ONLY when it is convenient to leave, and your Department is well covered. ALL Departments will maintain service to the public during breaks and the lunch period.

## **Dress Code**

Your personal cleanliness and appearance is of importance to both yourself and the Township. Employees in Departments requiring uniforms shall follow the dress requirements of their Department. All other employees are expected to dress neatly and appropriately for their job and avoid any apparel that may not be in keeping with good business taste and safety standards.

### **Telephone Calls, Emails and Text Messages**

Personal business and personal communications must be kept to an absolute minimum during the work day.

The use of personal cell phones is not permitted in public office areas. If you have your cell phone on it must be set to vibrate only and only answer your phone in an area out of public view. The public or other employees should not hear a cell phone ring nor see an employee texting or talking on their personal cell phone.

Unit employees in the Fire Department shall follow the Department's Standard Operating Procedure relative to personal telephone calls.

Employees shall abide by the Township's Vehicle Cell Phone Policy (part of Appendix H) regarding cell phone usage while operating a vehicle during the work day.

### **Doctor Examinations**

The Township may require employees to be examined by a doctor, selected and paid for by the Township, including tests to determine fitness for duty. The purpose of such employee examinations is to make sure that employees are and continue to be medically fit and able to perform job duties and to help reduce the risk of accidents and injuries. The Township intends to comply with all applicable laws and regulations should such an examination be required.

### **Authorization of Employment**

Employees of the Township are required by federal law to verify their authorization to work in the United States. In compliance with the law, the Township prohibits discrimination in hiring, recruiting, and discharging based on citizenship and national origin.

### **Notice of Changes**

For your protection, convenience and benefit, you are required to notify your Department Head immediately of any change in your address or phone number. Keeping this information accurate enables us to reach you in an emergency, forward your mail and applicable forms, maintain your insurance and other benefits, and compute your payroll deductions.

### **Residency Requirement**

Fire, Police and on call Road and Water Department employees shall live within Oakland County or in a contiguous county. An exception can be made by the Township Supervisor or Department Head.

### **Facilities, Equipment, Desks and Work Areas**

The general appearance of our facilities is a direct reflection on our individual pride in ourselves, our workmanship and our job. There is a place for everything and everything should be in its place. It is everyone's responsibility to keep our facilities, grounds, equipment, and work areas neat and clean.

We are often visited by citizens. If our offices appear neat, orderly and efficient, our visitors will carry away a favorable impression of the Township and its operations. They will also have confidence in our ability to fulfill any commitments we may make.

You are expected to take proper care in the handling of any and all Township equipment and property. No Township property is to be removed from the premises without prior authorization. If you lose, break or damage property, report it at once to your supervisor.

All sensitive materials should be placed in a secure area on the Township premises at the end of your workday. Employees shall not browse through documents, either hardcopy or electronic, which is not part of their job to maintain or work on.

You have no right of privacy in or to desks, containers, cabinets, facilities and other areas. The Township reserves the right to search and/or examine all such areas. Your personal papers, documents or items should not be in the workplace.

### **Confidential Information**

In your work you may be dealing with confidential information. Whether the information is about employees or residents, you are obliged to treat it as confidential. Don't discuss or divulge confidential information to unauthorized personnel or other individuals.

If you have questions, please contact your supervisor. The Township Freedom of Information Act Coordinator (Township Clerk) will make any determinations necessary under the Freedom of Information Act or other statutes.

### **Outside Employment**

While outside or supplemental employment is discouraged, employees may engage in outside or supplemental employment in accordance with the following limitations. In no case shall outside or supplemental employment conflict with or impair your responsibilities to the Township.

The following guidelines shall be applicable to all employees engaged in outside or supplemental employment.

1. Employees engaged in outside or supplemental employment shall:
  - Not use Township facilities as a source of referral for private customers or clients.
  - Not be engaged in such work during the employee's Township working hours.
  - Not use the name of the Township or any agency or Department of the Township as a reference or credential in advertising or soliciting customers or clients
  - Not use Township supplies, facilities, staff or equipment in conjunction with any outside or supplemental employment or private practice.

- Maintain a clear separation of outside or supplemental employment from activities performed for the Township.
  - Not cause any incompatibility, conflict of interest, or any possible appearance of conflict of interest, or any impairment of the independent and impartial performance of your duties with the Township.
2. The Township shall not be liable, either directly or indirectly, for any activities performed during outside or supplemental employment.

No employee may directly or indirectly maintain or engage in any outside business, financial, or employment activity which conflicts with the interests of the Township or which interferes with their ability to discharge their Township duties.

The determination if any outside or supplemental employment conflicts with this policy will be solely made by the Township Supervisor.

### **Social Security Number Privacy**

The Township is committed to properly securing and protecting employee social security number and identification information as required by law. The Township expects that all employees that use or have access to any employee's social security number information will adhere to the highest degree of confidentiality.

The Township prohibits the unauthorized accessing, viewing, use, disclosure, or intentional display of employees' social security information. Only authorized personnel may access records and documents that contain employee social security number and identification information. The unauthorized removal of documents or data files from the Township's premises that contain the social security number information is prohibited. Authorized personnel are those individuals that have a legitimate business purpose for accessing, using, or maintaining such information.

When necessary, documents containing social security information will be properly destroyed through shredding or other means used prior to disposal to ensure confidential social security information is not disclosed.

Any employee or individual that accesses social security data without authorization shall be disciplined, up to and including discharge.

## RULES OF CONDUCT

The following rules of conduct must be followed to carry out our responsibilities in an efficient and orderly manner. Your cooperation is essential and we urge you to familiarize yourself with them. Based on common sense and good judgment, these rules are designated to protect your rights and the rights of other individuals.

Violations of the following rules may, at the discretion of the Township, result in disciplinary action up to and including discharge:

1. Poor work performance;
2. Insubordination (disobedience to authority or failure to follow instructions);
3. Theft, unauthorized removal of property, or misappropriation of Township funds or property, including funds or property of other employees, citizens and guests;
4. Theft of funds or property of fellow employees;
5. Fighting;
6. Being on Township premises or being on duty while under the influence of alcohol or drugs, or in an unfit condition;
7. Bringing, having, possessing, or consuming unauthorized alcoholic beverages or drugs while on duty;
8. Violation of the Township's substance abuse policy(ies);
9. Walking off the job;
10. Causing hazardous or unsafe working conditions;
11. Falsification of personnel or other records or documents;
12. Absence without notification or permission;
13. Damage to, destruction of, or misuse of property and equipment belonging to the Township, its employees, or citizens;
14. Failure to cooperate in efforts to make the workplace safe;
15. Failure to operate a Township vehicle safely or properly or failure to operate a personally owned vehicle safely and properly while on Township business or Township time.
16. An efficient business operation requires that the workforce be available on the job, at work, as scheduled. Therefore, the Township will enforce the following rule:

Employees shall report for work regularly and promptly. Employees subject to penalty are those:

- (a) who are excessively absent or tardy; or
- (b) who provide inadequate reasons for absenteeism or tardiness; or
- (c) who fail to call in or fail to call in as required under “Sick Leave” “General Requirements” Section C.

In no event will an employee be paid for unexcused time they are absent from work.

- 17. Electronic media, books, magazines, or posters which contain nudity or sexually explicit material are not permitted on Township premises, vehicles, work sites, or during the work day.
- 18. Violation of the Township Policy on non-discrimination and harassment; substance abuse policies; workplace violence policy; electronic communications policies; cell phone policies; and other Township policies.

**THE ABOVE RULES ARE NOT INTENDED TO BE ALL INCLUSIVE OF THE PROPER STANDARDS OF CONDUCT OR OTHER OBLIGATIONS OF EMPLOYEES. THE TOWNSHIP RESERVES THE RIGHT TO TAKE DISCIPLINARY ACTION, INCLUDING TERMINATION, FOR OTHER CONDUCT NOT SPECIFICALLY LISTED HERE.**

**THIS HANDBOOK IS THE PROPERTY OF BLOOMFIELD TOWNSHIP AND MUST BE RETURNED TO THE TOWNSHIP UPON LEAVING EMPLOYMENT.**

## **THE DOOR IS ALWAYS OPEN**

We hope this Handbook will be helpful to you as an employee of Bloomfield Township, and will serve as a useful reference in explaining our benefits and policies, and your job responsibilities. We want you to feel free to discuss with us any problems that occur on the job, or any suggestions you might have for improvement in any area of our operations. Our door is always open to you. We wish you the best, and trust your job with us will be satisfying and rewarding.

## APPENDIX A

### WORKPLACE VIOLENCE POLICY

#### I. Purpose

The purpose of this policy against violence in the workplace is to:

- A. Prevent accidents, injuries, casualties and improper performance of duties;
- B. Protect employees, their families, visitors and Township property;
- C. Enforce rules against violence and threats of violence in the workplace;
- D. Maintain high standards of conduct, integrity and job performance.

#### II. Statement of Policy

Employees shall not commit acts of violence or make threats of violence against co-workers, managers, supervisors, members of the public or other persons in the workplace or during working hours. This is required to protect the safety of our workforce, our workplace and the public, as well as to promote high standards of conduct, integrity, efficiency and harmony in the workplace. Violence and threats of violence can cause permanent injury or death. The Township will not tolerate any form of violent act or threat of violence, whether intended as a joke, prank, in jest, or in connection with horseplay.

Any act of violence or threat to engage in violence on the Township property, on the property of Township citizens, on Township projects, in Township vehicles, or during working hours shall result in discipline up to and including discharge, even if an employee later claims that there was no intent to carry out the threat or that the threat was a joke, a prank, in jest, or nothing but horseplay.

To prevent violence in the workplace, the Township, in its discretion, may inspect any locker, desk, work area, computer terminal, package, purse, bag, container, tool box, vehicle or other personal belongings brought onto Township property (or the property of any Township citizens) in connection with an investigation of any rule violation or in the maintenance of a safe workplace. Employees have no right to privacy in regard to any of these areas, belongings, containers or items. Employees will cooperate in all investigations of suspected rule violations or in connection with workplace safety.

All employees are expected to comply with this policy as a condition of continued employment.

#### III. Definitions

- A. "Violence" means physical force exerted for the purpose of injuring, intimidating, damaging, inflicting fear, or abusing another person or property or committed in

reckless disregard of person or property. Violence shall also include the use of weapons or objects in a manner which can result in injury or death.

- B. “Threat” means any physical or verbal expression of an individual’s present or future intent to inflict pain, injury or damage on person or property or to cause intimidation, helplessness or fear in another person regardless of an individual’s ability to carry out the “threat” and includes any present or future expression of intent to engage in violence as defined above.

#### IV. Prohibited Conduct

- A. No employee shall commit an act of violence or articulate a threat of violence on Township property, on the property of a Township citizen, on Township projects, in Township vehicles, or during working hours (including meals and breaks).
- B. Threats made as a joke, prank, in jest, or in connection with horseplay are considered real threats under this policy and are strictly prohibited.
- C. Violent acts and threats of violence committed during non-working hours or away from the workplace are prohibited where:
  - 1. The Township, in its discretion, determines that the effects of the off-duty conduct may be carried into the workplace and/or may pose a threat to Township employees, visitors or property; or the property, patrons or employees of Township customers;
  - 2. The conduct results in the conviction of the employee for an assault or other crime.
  - 3. The conduct is incompatible with continued employment by the Township.
- D. The possession, use and/or distribution of guns, knives, clubs, or other weapons, including those used in the martial arts, on Township property, on vendor property, on Township projects, in the Township vehicles, or during working hours (including meals and breaks) is strictly prohibited unless the possession, use or distribution is authorized by the Township as part of your employment.
- E. Failure to cooperate in any Township investigation of a suspected rule violation and/or in the Township’s efforts to maintain a safe workplace, including any refusal to permit the Township, in its discretion, to inspect any locker, desk, computer terminal, work area, package, purse, bag, container, tool box, vehicle or other personal belonging brought onto the Township property is strictly prohibited.

- F. No employee shall assist in the commission of any act described in section IV A-E.

V. Reporting Violence and/or Threats of Violence

- A. Each employee of the Township must immediately report any violent act or threat of violence by another employee or by a citizen directed against them self, any co-worker, supervisor, visitor or other individual on Township property, on Township projects, in Township vehicles or during working hours (including meals and breaks) to a Department Head, manager, or supervisor. Violent acts or threats of violence must be reported even if it was part of a prank, joke, or horseplay. Employees are responsible for making this report regardless of the nature of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior. Any Department Head, supervisor or manager receiving such a report must inform the Township Supervisor at the earliest possible opportunity.
- B. Even without an actual threat, employees should also alert their Department Head, supervisor, or manager to any behavior they have witnessed, which they regard as threatening or violent, when that behavior is job-related or might be carried out at a Township work location, or is connected to Township employment.
- C. Employees are also required to report any violent act or threat of violence directed against them, any co-worker, supervisor, citizen, visitor or other individual even where the violent or threatening act occurs away from the workplace or during non-working hours.
- D. An employee who is protected by a restraining or protective order which encompasses Township locations as being protected areas must notify their Department Head, manager or supervisor. Upon request, the employee must provide a copy of the petition and declaration used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.
- E. Due to the potential for permanent injury or loss of life, employees who do not make the reports described above, will be subject to discipline themselves up to and including discharge.
- F. The Township will make every reasonable attempt to maintain confidentiality of any reported act or threat of violence.
- G. The Township will promptly investigate any report of violence, threats of violence and/or alleged violations of this Policy and take whatever action it deems appropriate in its sole discretion, specifically designed to protect

its employees, their families, visitors, citizens, patrons and Township property or that of its customers.

VI. Disciplinary Action

- A. Employees will be subject to termination for the first offense in any one of the following circumstances:
1. Committing an act of violence or articulating a threat of violence on Township property, on Township projects, in Township vehicles or during working hours (including meals and breaks), even if it is later claimed that there was no intent to carry out the threat or that the threat was a joke, prank, in jest, or nothing but horseplay.
  2. Committing an act of violence or articulating a threat of violence during non-working hours or away from the workplace where the effects of the off-duty conduct may be carried into the workplace and/or pose a threat to Township employees, citizens, visitors, or property; where the conduct results in the conviction of the employee for assault or other felony; or where the Township determines that the conduct or act is incompatible with continued employment at the Township.
  3. Possessing, using and/or distributing of guns, knives, clubs, or other weapons, including those used in the martial arts, on Township property, on Township projects, in Township vehicles or during working hours (including meals and breaks), unless the possession, use or distribution is authorized by the Township as part of your employment.
  4. Failing and/or refusing to cooperate in any investigation of any rule violation or the maintenance of a safe workplace.
  5. Failing to report an act of violence or threat of violence against any co-worker, supervisor, citizen, visitor or other individual, whether or not accidental or made as a joke, prank, in jest or in connection with horseplay.
  6. Assisting in the commission of any of the acts set forth in A, 1-5 above.

## **APPENDIX B**

### **ELECTRONIC COMMUNICATIONS POLICY**

#### **Policy Statement**

The Township's Electronic Communication System includes but is not limited to facsimiles, voice mail, desktop, laptop and tablet computers and their internal storage devices, electronic mail ("e-mail"), the Township computer network, the Internet, and Internet based storage or transfer systems and services, cellular telephones, writable digital media such as CDs and DVDs, and portable storage devices such as removable hard drives, flash drives and compact storage media. An electronic communication is information sent over the electronic communication system including but not limited to messages left on voice mail, e-mail messages, information received and sent over a cellular network, information received and sent over the internet, and data and files maintained on the computer network and individual computers.

The electronic communications system is designed to facilitate Township business and communications between employees and other business associates. To better serve our citizens and taxpayers, the Township encourages the use of its electronic communication system. Because no electronic communication system is completely secure the system should be used judiciously when transmitting sensitive decisions, including but not limited to certain personnel issues, attorney-client information, and other similar information which may be more appropriately communicated by written memorandum.

#### **No Expectation of Privacy**

The electronic communication system is the property of the Township and is intended for Township business. All data and electronic communications within the electronic communication system are also the property of the Township. The system is not to be used for personal gain or to support or advocate non-Township related business or purposes.

Persons using the electronic communication system have no expectation of privacy. The confidentiality of any electronic communications created, transmitted, received, deleted or stored in the electronic communications system should not be assumed. The electronic communications may be retrievable even if deleted from the electronic communication system. The Township may monitor the electronic communications system under the direction of the Township Supervisor or a Department Head. Employees who are terminated or laid off have no right to the contents of their electronic communications and are not allowed access to the electronic communication system. All electronic communications are subject to all federal and state law and the Township Rules including but not limited to the Open Meetings Act, MCL 15.261 – 15.275, and the Freedom of Information Act, MCL 15.231-246.

Persons using the electronic communication system are not authorized to retrieve or read any communications that are not sent to them, unless authorized to do so. Further, electronic communications shall not be used to hide the identity of the sender or represent the sender as another person. Each employee is hereby notified that any and all electronic communications may be subject to monitoring, retrieval and access by authorized Township personnel under the direction of the Township Supervisor or a Department Head.

### **Information on Passwords**

Users are responsible for securing their password(s) and it is strongly suggested that users not share their password(s) with anyone except their Department Head, the technology group and Township Administration. Employees shall not allow unauthorized access to the Township electronic communications system. An employee may be directed, by authorized individuals, to provide access to their assigned electronic communication system. If a user discloses their password or suspects that it has been compromised, they are responsible for changing their password immediately and reporting the breach to the Information Technology Department and their Department Head.

While users have a password or passwords to gain access and conduct business on electronic communication systems, the electronic communication system is not confidential and information created, transmitted, received, deleted, or stored in these systems may be retrievable by persons other than the creator.

### **Prohibited Uses**

Electronic communications may not be used for circulation of non-Township sponsored functions, activities, programs, or policies, solicitation of funds or sales, without the permission of the Township Administration or a Department Head. Electronic communications shall not be used for circulation of, or to convey messages or images that would violate federal or state law, the Township Rules, and other Township policies including but not limited to Township policy that strictly prohibits illegal discrimination and harassment. Employees are also prohibited from sending Township-wide electronic communications to a large group without the approval of their Department Head.

Employees shall not load any software, programs or disks onto the Township computers without the permission of Township technology personnel.

### **Internet**

The Internet provides the Township with significant access and dissemination of information outside of the Township. The use of the Township Internet system is intended for Township business only. Internet messages are capable of being forwarded without express permission of the original author. Therefore, users must use caution in the transmission and dissemination of messages outside of the Township, and must comply with federal and state law and Township Rules, this policy, and other applicable Township or Departmental policies.

The Township provides Internet access to employees at its discretion through the Township computer network. The Township also provides wireless Internet access that is not part of the Township network in specific locations primarily for the benefit of Resident and non-Resident visitors to the Township offices. Although an employee may access the wireless Internet service, employees shall abide by the same policies that govern their use of Internet access on the Township Network when using the Wireless Internet service.

Employees shall be aware that the Township has an official presence on the Internet via the Township website, the Township Facebook page, and other forms of social media. Employees shall not post official Township comments or notices on any Internet forum, nor make posts or

comments that appear to be the official position of the Township on an Internet forum unless instructed to do so by a Department Head.

**Applicability to Employees, Part-Time Employees, Contractors and Other Users**

This policy applies to all employees (full-time or part-time), contractors, volunteers, and other individuals who are provided access to the Township's electronic communication system. Contractors and third parties should only be provided access to the electronic communication system as necessary for their business purpose with the Township, and only if they abide by all applicable rules as set forth in this policy. Contractors and third-party users who are in violation of this policy may be removed from the electronic communication system and/or have their contract revoked. In addition, other legal remedies may be pursued.

**Enforcement of Policy**

The Township Supervisor or a Department Head may monitor the electronic communication system. Employees who observe a violation of this policy should bring it to the attention of their immediate supervisor or manager. Supervisors, managers or Department Heads who receive a complaint or observe a violation of this policy shall investigate the matter and determine the appropriate action. Questions related to this section should be referred to the Township Supervisor.

**Penalties**

Employees found to have violated this policy may be subject to disciplinary action up to and including dismissal from employment, and if applicable, may be subject to prosecution under federal or state laws.

## APPENDIX C

### GENERAL SOCIAL MEDIA POLICY

#### Scope

This General Social Media Policy (“Policy”) applies to all existing and future Social Media, including, for example, blogs, photo sharing, video sharing, podcasts, and including but not limited to Facebook, Twitter, and other such systems, as well as comments posted on sites and includes access through both personal and Township-provided computers, smart phones, and other devices (“Social Media”). Social Media is fast changing so the lack of explicit reference to a specific Social Media tool or website in this Policy does not limit the extent of the application of this Policy.

This Policy is to be read in conjunction with the Township’s general electronic communication policies, discrimination or harassment policies applicable to particular classes of employees (e.g., police or fire), and all other Township policies. If an employee has a question regarding the interpretation of a policy or a question regarding its application, the employee should contact their supervisor for advice. This Policy is intended to respect the interests of employees and the Township. Violation of this policy may result in discipline up to and including termination.<sup>1</sup>

The General Social Media Policy is intended to cover general use of Social Media by employees including use that may be personal and use which is incidentally professional or Township-related. Some employees of the Township are specifically authorized to use Social Media on behalf of the Township as part of their job duties. In addition to this General Social Media Policy, such use is subject to additional rules and requirements set forth in other policies.

#### Comply With All Township Policies

Employees are reminded that all Township policies apply to Social Media and there are other Township policies which may affect what employees post and maintain on their own sites, blogs, forums, and Social Media sites.

#### Civility

Always be fair and courteous to fellow employees and the citizens we serve. Also, keep in mind that you are more likely to be able to resolve work related complaints by speaking directly with your co-workers or by contacting your supervisor than by posting complaints to a Social Media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage citizens, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Township policy.

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<sup>1</sup> Note: Employees in the Police and Fire Departments are also subject to the Social Media Policies issued by those Departments.

### **Do Not Speak For the Township Unless Authorized To Do So**

When posting a personal point of view related to the Township do not claim or imply that you speak on behalf of the Township (unless you are specifically authorized to do so). This is one instance where trying to help the Township may actually harm the Township's interests.

### **Keep It Personal**

Online sites, content or Social Media postings maintained by employees should not imply that the site or any content is sponsored by the Township. Employees generally do not have the right to speak for the Township. Employees should be clear they are expressing their personal views in any posts made by employees. Managers in particular must take care to not post in a manner where it could appear the manager is speaking for the Township. Managers must assume their posts will be read by subordinates and superiors, and the possible effects on these groups must be considered.

### **Interference with Township Obligations**

Personal use of Social Media should not be done while at work or on duty. Please refer to the Township's general Electronic Communications Policy.

### **Think Before You Act or Speak**

Many statements or activities engaged in during and after the work day can be easily photographed or otherwise recorded and published on the internet. The online presence and characterization of an employee can adversely reflect on the employee and the Township. Avoid situations that could result in conduct and speech that would have adverse effects on you or the Township being posted on Social Media sites. If such material is posted by others referring to you, ask that it be taken down.

### **Retaliation is Prohibited**

The Township prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Comply With All Laws**

Respect all copyrights, and laws, and give credit where credit is due by referencing sources.

### **Confidential Information**

Employees are reminded that all policies related to non-disclosure of confidential information apply to Social Media. Maintain the confidentiality of confidential information of the Township and of citizens who use Township services. Employees need to be mindful of the possibility of unintentional disclosure of confidential information through Social Media.

### **Use Care When Posting to Township Accounts**

Some employees may be authorized to use Social Media as part of their job duties and may post to Township accounts. Misposting of personal material to Township accounts can be highly

detrimental to the Township, even if the matter posted is not otherwise offensive. When using Social Media it is the employee's responsibility to ensure they are posting on the proper account. Employees are responsible for taking whatever steps necessary to segregate personal Social Media accounts from Township accounts. Any posting of personal matter on Township accounts, even if unintentional, is regarded as a serious matter and can result in discipline up to and including termination.

### **Professional Sites**

Employees who wish to use professional development sites such as LinkedIn are reminded that this policy applies to all Social Networks, including LinkedIn, but the Township does permit references to the Township as the employee's employer provided the network is used only for professional purposes.

### **Use Your Best Judgment**

Remember that there are always consequences to what you publish. If you are about to publish something that makes you uncomfortable, review the provisions above and think about why that is. If you are still unsure, and it is related to Township business, feel free to discuss it with your supervisor. Ultimately, however, you have sole responsibility for what you post to your blog or publish in any form of online Social Media.

## APPENDIX D

### CAMPUS WIRELESS INTERNET POLICY

To better serve the residents and visitors of the Bloomfield Township Campus Offices, the Township has installed and offers free wireless Internet access within certain areas of the campus.

*By choosing to use this free wireless service, you agree to abide by the Bloomfield Township Campus Wireless Internet Policy that prohibits abusive or illegal activity while using the wireless service. You also agree to abide by and be subject to the terms and conditions of use as follows<sup>2</sup>:*

1. The Township does not monitor, control, or filter the content of the material accessed through the wireless Internet connection, and therefore, cannot be held responsible for its contents.
2. Since the wireless Internet connection is not filtered and the Township campus is a facility open to the public, the Township requires that you use sound, moral judgment in which web sites and/or content that you choose to download or view. The Township reserves the right to ask you to discontinue any further use of the service if you are considered to be in violation of the terms and conditions of this policy or if the content is considered to be inappropriate for display within public purview.
3. Use of the Township service for the transmission, dissemination, and/or duplication of information is regulated by various state and federal laws. The Township expects all users to comply with such laws.
4. Illegal activities, as well as any other activities that are intended to interfere with or disrupt network users, services, or equipment are prohibited and may result in suspension of access to the service at the Township campus.

#### General Rules

1. Patrons are responsible for saving their own work while using the service. The Township cannot and does not provide any means for storing any work or research. There is no ability provided for patrons to print any material that they may access while using the service.
2. Patrons are responsible to abide by all laws pertaining to copyright and any illegal activities while accessing the internet through the service.

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<sup>2</sup> Note: Bloomfield Township Employees are also subject to the Internet Usage Policy as found in the Bloomfield Township Employee Handbook regardless of whether they are accessing the Internet over the Bloomfield Township computer network or the free wireless Internet service.

3. The Township assumes no responsibility, nor any liability for any direct, indirect, or consequential damages, claims arising from use, or any communications received from or sent through the wireless Internet connection.

### **Limitations and Disclaimers**

Wireless access is provided as a public service free of charge on an as-is basis with no guarantee and no warranty. The Township's access is subject to periodic maintenance and unforeseen downtime.

Information passing through the service is not secured and could be monitored, captured, or altered by others. There are risks involved with connecting to a public wireless connection, such as possible viruses, malware, loss of data, possible hacking/snooping/spoofing by others connected, possible hardware/software failure. It is your sole responsibility to protect your information from all risks associated with using the Internet service, including any damage, loss, or theft that may occur as a result of your use of the Township's wireless service.

All wireless users are advised to have an up-to-date antivirus software program or other security program installed on their equipment.

The equipment owner is responsible for setting up their access to the wireless service. Township staff is not permitted to handle any equipment, nor install, configure, or otherwise setup the equipment for use with the wireless service.

The Township assumes no responsibility for the safety of equipment; users must keep their equipment with them at all times.

In using this free Internet access, you agree and hereby release, indemnify, and hold harmless, the Charter Township of Bloomfield, its officials and employees, and any affiliate, from damage that may result from your use of this wireless access.

While using the wireless access service, you acknowledge that you are subject to, and agree to abide by all laws, rules, and regulations of the Charter Township of Bloomfield, the State of Michigan, and the federal government that is applicable to Internet use.

At its sole discretion, Bloomfield Township may terminate this public service at any time without prior notice.

Due to limited bandwidth, the Township staff may limit access to the service.

Any attempt to circumvent Township rules and procedures, or any unauthorized attempt to access or manipulate Township equipment will result in permanent disconnection from the Township's wireless service.

Your use of the wireless network constitutes your agreement to the terms and conditions set forth above. Further, if you do not agree to the above terms and conditions, then please disable your wireless connection or turn off your equipment.

## APPENDIX E

### FAMILY AND MEDICAL LEAVE

#### General Policy

Notwithstanding any other policy, any eligible employee is entitled to 12 weeks of unpaid leave to attend to a variety of medical and parental responsibilities allowed under the Federal Family and Medical Leave Act.

Eligible Employee: In order to be eligible for family or medical leave, an employee must meet three requirements:

1. Has been employed by the Township for at least 12 months;
2. Has been employed for at least 1,250 hours during the previous 12-month period immediately preceding the commencement of the leave;
3. Is employed at a location where there are at least 50 employees within 75 miles.

#### Available Leaves

Each eligible employee is entitled to a total of 12 weeks of unpaid leave<sup>3</sup> calculated using a “rolling” 12 month period measured backward from the date an employee uses any FMLA leave for one or more of the following reasons:

- A. For birth of a child and/or for the purpose of caring for the newborn child. The right to leave on this basis expires at the end of the 12-month period after such birth and must be concluded within this one-year period;
- B. For placement of a child with an employee for adoption or foster care. The right to leave on this basis expires at the end of the 12-month period after such placement and must be concluded within this one-year period;
- C. To care for the employee’s spouse, child or parent if such person has a serious health condition, illness, injury, impairment or physical or mental condition that involves in-patient care in a hospital, hospice or residential medical care facility or which requires continuing treatment by a health care provider. Intermittent leave or a reduced leave schedule will be permitted in place of 12 straight weeks where medically necessary; or
- D. Because of the employee’s own serious health condition, illness, injury, impairment or physical or mental condition that involves in-patient care in a hospital, hospice or residential medical care facility or which requires continuing treatment by a health care provider that renders the employee unable to perform the functions of their position. Intermittent leave or a reduced leave schedule will be permitted when

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<sup>3</sup> See section entitled “Use of Paid Leave” on page E-3 concerning required use of sick leave, vacation time and personal time while on FMLA leave.

medically necessary. If the treatment is foreseeable, the employee is required to make a reasonable effort to schedule treatment so as not to disrupt Township operations any more than necessary.

- E. For qualifying exigency arising out of the fact that the employee's spouse; son; daughter or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation. An eligible spouse, child or parent of a service member is entitled to a maximum of twelve (12) week leave. This qualifying exigency leave does not apply to family members of the Regular Armed Forces.
- F. If you are the spouse, son, daughter, parent or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness the employee is entitled to a combined maximum of 26 weeks military caregiver leave during a 12-month period. A covered service member is a member of the Armed Forces including members of the National Guard or Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, on the temporary disability retired list for a serious injury or illness, or a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

For the purposes of this Policy, a parent means a biological parent of an employee or an individual who stands or stood in the place of a parent to an employee when the employee was a child. A child means a biological, adopted or foster child, a step-child, a legal ward, or a child of a person standing in *loco parentis*, who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability.

If a situation should occur where a husband and a wife, who are both employed by the Township, are entitled to leave under this policy, each are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for foster care or adoption, or to care for a parent who has a serious health condition to a combined total of twelve workweeks arising under subsection A, B and C (or a combined total of 26 workweeks if leave to care for a covered service member with a serious injury or illness is also used in subsection F). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

**Intermittent Leave:** An intermittent or reduced leave schedule may be taken under certain circumstances. Where the leave is taken because of a birth or placement of a child for adoption or foster care, an employee may take an intermittent or reduced leave schedule only if agreed to by the Township. Where the leave is taken for an employee's own serious health condition or to take care of a sick family member, leave may be taken intermittently or on a reduced leave schedule when medically necessary.

### **Use of Paid Leave**

Family and Medical Leave is unpaid except that any employee using leave pursuant to this policy must apply all available vacation leave, sick days or other available paid leave toward this 12-week period prior to using unpaid leave, except that the employee may retain forty (40) hours of accrued vacation time and forty (40) hours of accrued sick time. Some employees may be eligible for short term disability insurance or workers' compensation benefits. Contact the Accounting Department in this regard.

### **Notice of Leave and Verification of Medical Reason**

All employees must give the Township notice of upcoming leave requirements 30 days prior to the date leave is to begin, if possible, and if it is not possible to give such notice, as soon as practicable.

An application for leave based on the serious health condition of the employee or the employee's spouse, child or parent must also be accompanied by a "Medical Certification Statement" completed by a health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition.

If the employee is needed to care for a spouse, child or parent, the certification must so state, along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of their job.

The Township retains the right to request, at its expense, a second opinion by a physician to be designated by the Township. If the first and second opinions conflict then the Township and the employee shall designate a third physician whose opinion shall be binding. If the employee refuses to take part in the selection process of the third independent physician, the Township selection shall be deemed controlling.

During the leave, employees may be required to provide the Township with subsequent certification every 30 days. The Township shall have the right to request such certification in its sole discretion.

Failure of an employee to provide certification as to the reasons for the leave will result in a denial of the leave. If the employee has already begun the leave, they will be expected to return to work immediately upon the Township informing the employee of their failure to provide acceptable certification. Failure to return to work will result in the termination of the employee's employment. Further, any time away from work which is not authorized by a proper medical certification will be treated as unexcused absences and will subject the employee to all discipline authorized by the Township's attendance policy and/or work rules.

### **Return from Leave**

Upon return from any leave covered by this policy, the employee will be restored to the position held by them prior to the leave or to a position equivalent in benefits, pay and other conditions and terms of employment. An employee making use of this policy will not lose any employment

benefits which have accrued prior to the leave. However, no seniority, sick time, benefit time, vacation time, holidays, personal time or bonus days will accrue during the period of time covered by the leave, except when the employee is using sick leave, leave for work connected injury or illness, or vacation time and in these instances the accrued provisions of those policies shall control.

The Township requires that a Fitness for Duty Statement be provided by the employee's doctor before the employee may return to work. This statement should specify if there are restrictions.

### **Health Care Benefits**

An employee's health care benefits will be continued by the Township for the entire period of the leave. If the employee fails to return from a leave, the employee will be required to reimburse the Township for the monies expended incident to the purchase of those health care benefits unless the employee does not return because of a continuation, recurrence, or onset of a serious health condition which would entitle the employee to a leave or other circumstances beyond the control of the employee. A medical certification may be required for this exemption to apply and the certificate must be returned in 30 days.

### **Exemption for Highly Paid Key Employees**

The Township may deny restoration to a former position to highly compensated employees where the denial is necessary to prevent substantial and grievous economic injury to the Township's operations. Highly compensated employees are those employees who are among the highest paid 10 percent of the Township's employees. The Township will notify such employee of its intent to deny reinstatement on this basis as soon as the Township determines that such injury would occur. If the leave has already begun when such notice is given, and the employee elects not to return to work immediately, the employee gives up all rights to restoration.

### **Relationship to the Family and Medical Leave Act of 1993:**

This policy has been developed to comply with the requirements of the Family and Medical Leave Act of 1993. Should this policy conflict with the Act, the Act shall be deemed controlling. The Township also retains all rights under the Act and regulations even though they may not be incorporated into this policy.

**APPENDIX F**  
**SMOKING POLICY**

**Purpose**

Public Act 188 of 2009 was established to protect employees in the work place from secondhand smoke. In doing so, all areas within the facilities/buildings where people work are to be free of smoke/vapor tobacco products.

A tobacco/vapor-free environment helps create a safe and healthy workplace. Smoking and secondhand smoke are known to cause serious lung diseases, heart disease and cancer. Bloomfield Township recognizes the hazards caused by smoke/vapors from tobacco use and exposure to secondhand tobacco smoke or vapor. Our policy to provide a tobacco/vapor-free environment for all employees and visitors was established to keep a safe and healthy workplace environment. This policy covers the smoking of any tobacco product and the use of e-cigarettes, and it applies to both employees and non-employee visitors of Bloomfield Township.

**Policy**

No use of tobacco products that produce smoke or vapor including cigarettes, cigars, pipes, e-cigarettes and any other item designated as a smoke/vapor producing tobacco product, will be allowed within the facilities/buildings of Bloomfield Township at any time. Smoking or vaping shall be permitted only in designated areas outside and away from the public entrance of any building, operable windows, and ventilation systems of enclosed areas to prevent tobacco smoke or vapor from entering those areas. All materials used for smoking in designated smoking areas, including cigarette butts and matches, will be extinguished and disposed of in appropriate containers.

Each facility/building manager will designate an outside smoking area.

**Enforcement**

Employees in violation of this policy will be disciplined by their immediate supervisor, manager, foreman or Department Head up to and including discharge.

Patrons and visitors to Township facilities/buildings in violation of this policy will be asked to stop the violation and be directed to the appropriate designated tobacco use area. If they continue to violate the policy then necessary action is to have an official of authority deal with the issue.

## APPENDIX G

### SUBSTANCE ABUSE POLICY

#### Purpose

It is essential that all employees be able to work safely and effectively. Substance abuse testing is necessary to protect the safety of other employees, our work place, and the public. Being under the influence of drugs or alcohol can cause permanent injury or death. The purpose of this Substance Abuse Policy is twofold: (1) to prevent accidents and casualties in the Township operations that result from employees being under the influence of drugs, controlled substances, or alcohol, and to maintain high standards of conduct and efficiency, and (2) to meet the requirements of applicable laws and regulations to ensure that the workplace is free from illegal drugs and alcohol.

#### Prohibitions and Policy

No employee may report to work or be on duty (including break and meal periods):

1. Under the influence of or impaired by alcohol.
2. Having .02% or more alcohol in the blood.
3. Under the influence of or impaired by any controlled substance.
4. Who tests positive for a controlled substance.

For purposes of this policy, “controlled substance” means: marijuana (regardless of whether the employee has a lawfully obtained medical marijuana card or is using recreational marijuana), cocaine, opiates, amphetamines, phencyclidine, or any prescription medication being taken by someone other than the person to whom it has been prescribed or in a manner inconsistent with a lawfully obtained prescription. The term “alcohol” means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol.

Moreover, no employee may use, possess, sell or distribute alcohol or controlled substances while on Township property, in Township vehicles, on Township time (including meal and break periods), or on Township business. Furthermore, the use, possession, and/or distribution of drugs or controlled substances off-duty are prohibited where:

1. The employee’s conduct in the judgment of the Township adversely affects the Township’s reputation or the employee’s ability to perform their job duties.
2. The employee is in possession of controlled substances, had quantities for sale, or used controlled substances.
3. The employee has a Commercial Driver’s License (CDL) as a condition of employment.
4. The employee is in the Police or Fire Department or is involved in law enforcement activities.

Any employee taking lawfully obtained prescription medication that might interfere with the employee's ability to safely and/or effectively perform their job must notify their manager immediately.

Township officials who engage in the appropriate and lawful social use of alcoholic beverages in the course of their recognized duties are exempt from this policy only to the extent of this appropriate and lawful use. Township officials and employees, who have been provided a Township vehicle for business and personal use, are also exempt from this policy for appropriate and lawful use of alcohol.

The Township reserves the right to search any desks, lockers, coats, containers and all other areas in or items on Township property as part of an investigation of a suspected violation of this Policy.

### **Drug Testing**

Drug testing will be administered as part of the regular pre-employment physical examination for new hires where permitted by law. Generally, employees will not be asked to submit to random alcohol or drug tests (except employees subject to Department of Transportation drug and alcohol regulations). Employees who maintain a CDL as a condition of employment shall be required to submit to random alcohol or drug tests. Employees may be required to submit to drug testing if the Township has reasonable suspicion that the employee is or was under the influence of a controlled substance or alcohol while on duty, on Township property, in a Township vehicle, on Township time (including breaks or meal periods), or on Township business. "Reasonable suspicion" means any actions, appearance or conduct of an employee which are indicative of the use of alcohol or a controlled substance which renders the employee incapable of safely or effectively performing their duties.

An employee involved in an accident while on duty or on Township time may be required to take a drug/alcohol test, especially if the accident resulted in damage to Township or other property or physical injury.

Refusal to take a required alcohol or drug test is considered insubordination and is also considered a positive test result and will result in termination from employment. Any attempt to tamper with, contaminate, or switch a sample, or failure to provide sufficient urine for a sample will also constitute a positive test result and will result in termination from employment.

Test results will be kept confidential, as required by law, and are available to the employee tested upon written request.

### **Penalties for Policy Violations**

Any employee found to be in violation of this policy will be subject to discipline, up to and including termination of employment.

### **Department of Public Works and DOT Employees**

Department of Public Works employees and other employees subject to the Department of Transportation regulations concerning drug and alcohol testing are bound by this policy, the DOT regulation, and the Department of Public Works zero tolerance policy. In the event of any conflict between the Township Policy and DOT regulations, DOT regulations shall control concerning testing methods and standards of testing. Township policy will control for all other purposes provided that it is stricter than the DOT regulations. Furthermore, Department of Public Works employees who are required to have and maintain a commercial driver's license to perform their job duties, and who lose their commercial driver's license as a result of an on-duty or off-duty drug or alcohol violation, will be terminated from employment.

Department of Public Works employees and other employees subject to the Department of Transportation regulations concerning drug and alcohol testing may obtain additional information concerning drug and alcohol testing from their supervisor or Department Head.

## **APPENDIX H**

### **SAFETY, INJURY, AND SAFE DRIVING POLICY**

Safety and accident prevention are vital. It is our goal to prevent personal injury to our employees, citizens and guests.

It is our goal that: (1) safety hazards be eliminated from all jobs; (2) unsafe acts or conditions be detected, reported and corrected; and (3) employees be safety conscious.

Some important guidelines follow, but you must remember that no mere set of rules can ever assure safe operations. That can only come from observing the following safety procedures and practices every minute of every working day.

1. Protective gear which is necessary to properly protect you from injury must be used.
2. Protective guards for mechanical equipment **MUST BE USED AT ALL TIMES**.
3. Employees are required to put equipment away when not using it. Orderly conditions in your work place are important to safety. You should at all times keep your individual work area clean and free from objects which could in any way cause accidents or injury to you or to others.
4. Repairs of any electrical device will **ONLY** be done by qualified personnel.
5. Report all equipment or vehicles in need of repair to your supervisor.
6. Observe all instructive signs posted in the work area.
7. Keep all aisles and emergency exits clear at all times.
8. Be constantly alert for hazardous conditions. Report any unsafe condition to your supervisor immediately.
9. Only authorized personnel are permitted to operate Township equipment.
10. Never attempt to push or lift an object that could cause a back injury. Ask for assistance.

#### **On-The-Job Injuries**

We all want the Township to be a safe and healthy place to work. Accidents can be serious, cause pain and result in loss of work, time and income. If you see unsafe conditions, report them immediately to your supervisor so they can be corrected.

You must report all job-related injuries and illnesses to your Department Head or supervisor immediately.

If the accident or injury happened at work and requires medical treatment after going home, proceed to the Township clinic or, if it is an emergency, go to the emergency room at the hospital. Inform your supervisor of the name of the doctor or hospital where treatment was received.

Follow this procedure if you are involved in or observe an accident on the Township property:

1. Notify dispatch at 911.
2. Report the accident to your supervisor immediately. If your supervisor is not available, report it to the next responsible person.
3. Assist injured people, but do not risk aggravating an injury through ill-advised attempts at treatment or help.

### **Safe Driving and Vehicle Accidents**

As an employee of the Township, you may spend time operating your vehicle or a Township vehicle while on Township business. Your safety and that of others depends on your ability to carefully and defensively operate your vehicle. You are expected to drive and act like a professional driver and to operate your vehicle in accordance with a professional driver standard.

The right attitude is most important in your driving and can make a difference between a safe trip and one involving an accident. Willingness to yield the right of way in emergencies and to permit others to pass are examples of a courteous road attitude.

Make courtesy an everyday part of your job. The National Safety Council has defined a preventable accident as "an accident involving a vehicle which results in property damage and/or personal injury (regardless of who was injured, what personal property was damaged, what extent or where it occurred) in which a driver in question failed to exercise every possible precaution to prevent the accident."

The central point of this definition is "could the accident have been avoided?" Did you, as a driver, do everything that could have been done to prevent the accident, or did you fail to do something that should have been done which would have prevented the accident? If the answer to either of these two questions is yes, the accident was preventable.

The National Safety Council points out that in most cases, the accident could have been prevented. At least one driver was not driving defensively. The defensive driver is defined as one who is careful to commit no driving errors them self, makes allowances for the lack of skill or improper behavior on the part of the other person, and does not allow hazards of weather, road conditions, or the actions of pedestrians and other drivers to involve them self in an accident. They keep continually on the alert, recognize an accident-producing situation far enough in advance to apply the necessary preventative action, and yields the right of way when necessary to prevent an accident.

The Department of Transportation requires that a truck which has a seat belt assembly installed at the driver's seat shall not be driven unless the driver has properly restrained them self with the seat belt assembly. This rule applies to driving any vehicle on Township time or Township business. WEAR YOUR SEAT BELT.

What to do in case of an accident:

1. Regardless of the amount of damage, all accidents must be reported to the local police department and your supervisor immediately.
2. When there is property damage or any potential injury to a person, call the police.
3. Report or obtain the following information
  - Date
  - Time
  - Place (be specific!)
  - Name of other driver
  - Their driver's license number
  - The vehicle license plate number
  - Draw picture of details of accident
  - Names and addresses of witnesses, if any
  - Precinct number and accident report number
4. Was the other driver parked? Was the engine running?
5. Do not discuss the details of the accident with anyone other than a police officer.
6. Make no admission of guilt to anyone.
7. Make no offer of payment for damages.

Employees must report to the Township the next day with any and all information. A Township vehicle must be inspected by the maintenance department.

Employees are required to notify their Department Head of all tickets (both moving and parking violations) when received while driving a Township vehicle on Township business or during the work day.

Any employee who drives a Township vehicle must be insurable at normal rates through our insurance carrier. Individuals operating their own vehicles for Township business must carry adequate insurance coverage in the judgment of the Township. If in the judgment of the Township you have a poor driving record, you have been at fault in vehicle accidents, or you have driven improperly or unsafely, the Township may, in its discretion: relieve you of all driving duties, which may result in layoff; require you to pay any additional insurance premium

caused by your poor driving record; and/or issue disciplinary action up to and including discharge.

### **Vehicle Cell Phone Policy**

#### **Purpose:**

The purpose of this policy is to ensure the safety of Bloomfield Township employees by establishing guidelines for the use of hand-held mobile telephones while operating a motor vehicle.

#### **Texting:**

Texting while driving is strictly prohibited for any person operating a motor vehicle. Michigan Vehicle Code (Act 300 of 1949, Sec. 257.602b) prohibits reading, typing, or sending a text message/e-mail on a wireless 2-way communication device, such as a cell phone, that is located in a person's hand or in a person's lap, while operating a motor vehicle that is moving on a highway or street.

#### **Phone Calls:**

Studies conducted by the U.S. Department of Transportation (DOT) indicate that both reaching for and dialing a mobile telephone increases the odds of a commercial vehicle driver's involvement in a safety-critical event, such as a crash, near crash, or unintended lane departure. For the safety of both employees and other drivers on the road, the Township prohibits the use of any hand-held mobile devices while operating a motor vehicle.

- a) A driver may receive a phone call if using a hands-free device such as an earpiece or dash mounted speaker phone.
- b) If a driver does not have a hands-free option, they must first pull off the road when safe to do so and place the vehicle in park before either taking or returning a call.
- c) Employees are permitted to use vehicle mounted two-way radios and push to talk mobile devices so long as the device is located in such manner that does not require the driver to reach for the device or to press more than one button to initiate the call.
- d) It is understood that due to these restrictions, when an employee is driving, they might not be immediately available to answer a call from either a supervisor or fellow employees. In such cases, a message should be left for the employee with instructions of who to call back. Employees are not to feel pressured to answer any calls until they are able to safely pull off the road and place their vehicle in park.

## **APPENDIX I**

### **NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY**

The Township strives to create and maintain a work environment in which people are treated with dignity, decency, and respect. The environment of the Township should be characterized by mutual trust and the absence of intimidation, hostility, and demeaning conduct. For that reason, the Township will not tolerate unlawful discrimination or harassment. Through enforcement of this policy and by its on-going education of its employees, the Township will seek to prevent, correct, and discipline workplace conduct that contravenes this policy.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events. The Township's policy against sexual or other harassment applies equally to e-mails, text messages, instant messaging, voice mails, and all other electronic communication.

The Township, in compliance with all applicable federal, state, and local laws and regulations prohibiting discrimination and harassment in the workplace, enforces this policy in accordance with the following definitions and guidelines:

#### **Discrimination**

It is a violation of the Township's policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, based on the employee's race, color, religion, gender, age, national origin, ethnicity, disability, height, weight, veteran status, military service, citizenship status, genetic information, marital status, familial status, gender identity or expression, sexual orientation or any other protected characteristic as established by law (each constitutes a "Protected Class").

Employment discrimination is also prohibited by numerous federal, state, and local laws, including Title VII of the Civil Rights Act 1964, as amended (Title VII), the Age Discrimination in Employment Act of 1967, as amended (ADEA), the Americans with Disabilities Act of 1990 (ADA), as amended by the ADA Amendments Act of 2008 (ADAAA), Michigan's Elliot-Larsen Civil Rights Act (ELCRA), and Michigan's Persons With Disabilities Civil Rights Act (PWDCRA). This policy is intended to comply with the prohibitions set forth in these anti-discrimination laws.

Discrimination by any employee or independent contractor of the Township in violation of this policy will subject that individual to disciplinary measures up to and including termination from employment or cancellation of its contract.

#### **Harassment on the Basis of any Protected Class**

The Township prohibits harassment, including sexual harassment, and will take appropriate and timely action in response to complaints of violations of this policy.

For purposes of this policy, harassment is defined as any verbal, non-verbal, or physical conduct that denigrates, demonstrates, or causes hostility toward an individual on account of his or her membership in a Protected Class that: (i) has the purpose or effect of threatening, intimidating, coercing, or creating a hostile work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

The following examples of harassment are intended to be illustrative, and are not exclusive, when determining whether there has been a violation of this policy:

- Verbal harassment includes comments, taunting, epithets, slurs, and negative stereotyping that are offensive or unwelcome that ridicule, denigrate, insult, demean, or are demonstrative of hostility or disrespect toward an individual or group on account of race, color, religion, gender, age, national origin, ethnicity, disability, height, weight, veteran status, military service, citizenship status, genetic information, marital status, familial status, gender identity or expression, sexual orientation or any other protected characteristic as established by law.
- Non-verbal harassment includes distribution or display of any written or graphic material that ridicules, denigrates, insults, demeans, or shows hostility, aversion, or disrespect toward an individual or group on account of race, color, religion, gender, age, national origin, ethnicity, disability, height, weight, veteran status, military service, citizenship status, genetic information, marital status, familial status, gender identity or expression, sexual orientation or any other protected characteristic as established by law.

### **Sexual Harassment**

Sexual harassment is a form of unlawful employment discrimination under Title VII and Michigan law. The Equal Employment Opportunity Commission (EEOC) has defined it as consisting of “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when . . . submission to or rejection of such conduct is used as the basis for employment decisions . . . or such conduct has the purpose or effect of . . . creating an intimidating, hostile or offensive working environment.”

There are two types of sexual harassment:

- **“Quid Pro Quo”** harassment occurs when employee benefits such as raises, promotions, and better working conditions are directly linked to compliance with sexual advances, or capitulation to sexual demands, by someone in a supervisory capacity or who otherwise has the authority to grant such benefits. This form of harassment pertains exclusively to sexual harassment. It is akin to sexual coercion.
- **“Hostile Work Environment”** is defined as severe or pervasive conduct which unreasonably interferes with an employee's ability to work or creates an intimidating, hostile, or otherwise offensive environment. A hostile work environment can be created by anyone in the work environment, including supervisors, other employees, or third parties (such as vendors, commission/board members, or elected officials). Hostile work environment harassment may consist of sexually charged language, unwelcome sexual

materials, or unwelcome physical contact or physical proximity as a regular part of the work environment. Texts, e-mails, cartoons or posters of a sexual nature, vulgar or lewd comments or jokes, or unwanted touching may all constitute a hostile work environment. The use of sexual stereotypes may also create a hostile work environment.

The following examples of sexual harassment are intended as illustrative, and are not exclusive, when determining whether there has been a violation of this policy:

- **“Verbal sexual harassment”** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or “joking,” including that which is sexual in nature and unwelcome.
- **“Nonverbal sexual harassment”** includes the distribution or display of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex, suggestive or insulting sounds, leering, staring, tickling, whistling, obscene gestures, content in letters and notes, facsimiles, e-mail, photos, text messages, tweets and Internet postings, or other forms of communication that are sexual in nature and offensive.
- **“Physical sexual harassment”** includes unwelcome, unwanted, or unconsented to physical contact, including touching, pinching, patting, brushing up against, hugging, cornering, kissing and fondling, and/or assault and battery.

### **Gender-based harassment**

Harassment not involving sexual activity or language (*e.g.*, a male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees on account of their gender.

### **Retaliation is Strictly Prohibited**

An employee who reports a complaint or violation internally to the Township is protected from retaliation, both by law and this policy. Additionally, any Township employee who reports a violation or suspected violation of applicable state or federal law to the Michigan Department of Civil Rights, Equal Employment Opportunity Commission, or any authority, whether inside or outside of the Township, or appears as a witness in the investigation of a complaint, shall not be subjected to retaliation or other adverse employment consequence. If an employee believes that he or she has been subject to retaliation, he or she is encouraged to report the occurrence(s) to the HR & Benefits Administrator.

### **Reporting Acts of Discrimination/Harassment: Complaint Procedure**

A discrimination-free environment is the responsibility of every Township employee. The Township can take corrective action only when it is aware of problems or violations. Therefore, the Township strongly encourages the reporting of all incidents of discrimination, harassment, or retaliation as soon as possible, either verbally or in writing. Individuals who believe they have experienced such conduct should report their complaints to the HR & Benefits Administrator.

The Township strongly discourages the reporting of anonymous complaints. An employee who makes an anonymous report should understand that the Township's investigation may be compromised by its inability to identify the person who has made the report; *e.g.*, the complainant is not able to be interviewed.

The availability of this complaint procedure does not preclude employees who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting or demanding that it cease immediately.

While the Township does not have a mandatory reporting policy for employees, any supervisor or manager who observes, knows, or has reason to suspect discrimination or harassment of any kind is required, without exception, to report it to the HR & Benefits Administrator. This is true irrespective of whether the offending employee(s) reports directly to that supervisor or manager and/or requests confidentiality. A supervisor or manager who fails to discharge this mandate will be subject to discipline, up to and including termination from employment.

### **Intentionally False Complaints**

Harassment and discrimination have devastating effects on the lives and careers of individuals. Similarly, intentionally false accusations can have a life-altering impact. Therefore, an employee who knowingly and intentionally fabricates a complaint will be subject to discipline, up to and including termination from employment.

### **Investigation**

The Township will review all complaints or charges of harassment, discrimination, and retaliation, whether made formally or informally, and will conduct an appropriate investigation. Investigations will be conducted promptly, thoroughly, and fairly, allowing both the complainant and the accused an opportunity to be interviewed and respond. At no time will the complainant be required to meet with or otherwise be compelled to confront an alleged harasser.

It is the obligation of every employee to cooperate and participate in workplace investigations. Possible remedial outcomes of an investigation may include:

1. Making a determination that the complaint cannot be substantiated (in which case, the Township will affirm the importance of the policy and its future application);
2. Making a determination that the complaint is substantiated, and if so;
3. Taking whatever corrective disciplinary action is necessary, up to and including immediate termination from employment.

### **Confidentiality**

Inquiries and complaints of sexual or other harassment or discrimination shall be treated with the maximum degree of confidentiality consistent with the Township's need to conduct an investigation. Complete confidentiality can never be promised as the need to investigate and engage in fact-finding, by necessity, involves the disclosure of certain allegations as well as the identity of the complainant. However, confidential information will only be disclosed to others on a "need to know" basis.

### **Consensual Relationships**

In the event that a Township department head or manager enters into a consensual romantic relationship with an employee he or she supervises (an employee who reports directly or indirectly to that person), such a relationship must be reported, by both parties, to the HR & Benefits Administrator. Because of potential issues regarding quid pro quo harassment, the Township has made such reporting mandatory.

### **Inquiries**

Individuals who have questions or concerns about this policy are encouraged to speak with the HR & Benefits Administrator.