

Category: 300

Number: 332

Policy: EMPLOYMENT PRACTICES

Purpose: The purpose of this policy is to define and serve as primary document for the employment practices of St. Clair County, including employment records, employee information changes, and supplemental employment and leaving County employment.

Authority: St. Clair County Board of Commissioners. Administrative policies shall be subject to revision or termination by the Board of Commissioners at its discretion. This policy replaces and supersedes any prior policy on this subject matter.

Application: This policy applies to all County employees. Employees who are members of Unions should consult the applicable collective bargaining agreement. Where a collective bargaining agreement is silent, this policy will apply.

Responsibility: The Human Resources Director or designee shall be responsible for the administration and enforcement of this policy.

EMPLOYEE PERSONNEL RECORD KEEPING AND ACCESS:

The Human Resources department shall maintain a personnel folder on every County employee, which shall include items such as, but not limited to, a record of the employee's pay changes, fringe benefit records and work history. The Human Resources department shall also maintain workers compensation, disciplinary, medical and grievance records in separate files that shall be made available to the employee upon request. The employee's department head and/or supervisor may also maintain records of a historical nature related to employment and issues affecting employment. An employee has a right to view the contents of all these folders, files and records up to twice a year.

To review his or her folder, files or records, an employee should contact the Human Resources department to schedule an appointment. The employee should specify the nature of all folders, files and records of his or her interest. The Human Resources department will accommodate every request within a reasonable period of time. It is the responsibility of the Human Resources department to have all employee employment related folders, files and records at one location for the employee's inspection.

An employee is entitled to a copy of any record pertaining to his or her employment. The County may charge the employee for the cost of copying material at .10 per page and the hourly rate of the County employee making the copies based on the time taken to make the copies. Copies will be provided when the employee pays for the cost of duplication.

The employee is entitled to prepare a document to offer an explanation, clarification or rebuttal to any document contained in a folder, file or record. The County shall attach the employee's prepared explanation, clarification or rebuttal document to the document at issue.

The employee has no right to alter, deface, modify, adjust, change, substitute, amend or remove any document from his or her employee personnel folder, file or record. An employee guilty of any such behavior is subject to discipline up to and including employment termination. A Human Resources department employee will be present when the employee reviews the content of the file.

Request for information from employee files received from other departments and inquiries from outside the County, including requests for references of former employees, must be directed to the Human Resources department. Only supervisory and management employees who have an employment related need-to-know for information about another employee may inspect the files of that employee. The inspection must be approved by the Human Resources Director or provided in accordance with statute Requests for employee personnel records made pursuant to the Michigan Freedom of Information Act shall be processed based on the Freedom of Information Act.

EMPLOYEE INFORMATION CHANGES:

It is vital to the administration of payroll and fringe benefits for the Human Resources department to have the latest employee information on file. It is the employee's responsibility to register the following changes with the Human Resources department.

- Name
- Address
- Telephone Number
- Marital Status
- Birth or adoption of a Child
- Name and birth dates of dependents
- Beneficiary Designation
- Emergency Contact Person

SUPPLEMENTAL EMPLOYMENT

All supplemental employment must be compliant with Policy 321 and 321.5 Conflict of Interest.

A full-time regular employee is encouraged to notify his or her department head and/or supervisor of any employment, including self-employment that is in addition to employment with St. Clair County. Supplemental employment shall not interfere, conflict with or compromise County business nor adversely affect job performance and the ability to fulfill all responsibilities.

Employees are prohibited from performing services for customers of St. Clair County that are normally performed by St. Clair County. Employees shall not provide services for vendors, customers or clients in exchange for services or goods in return. This prohibition extends to the unauthorized use of any County tools or equipment and the unauthorized use or application of any County confidential information. Employees may not solicit or conduct any outside business during work time for St. Clair County.

A part-time regular employee is encouraged to notify his or her department head and/or supervisor of any supplemental employment, including self-employment, in addition to employment with St. Clair County. The department head and/or supervisor and employee shall endeavor to coordinate the hours of work to mutually benefit from the employee's multiple employment. However, the County employment shall be considered primary and the supplemental employment secondary.

The supplemental employment of a County employee, whether employed full-time regular or part-time regular with the County, is an interference to the business of the County when::

- It causes an employee to miss any part of a workday or work week except when it is an approved holiday or pre-approved vacation day or compensatory time.
- The employee is performing tasks related to the supplemental employment during his or her scheduled working hours.

- The employee is using any resource of the County to perform tasks on behalf of his or her supplemental employer such as but not limited to a telephone, PC, internet/intranet, e-mail, technical equipment or office supplies.
- The employee relies on any technical resource of the County, such as but not limited to a record, report, ledger or occupational reference or resource to perform tasks of the supplemental employer.
- The supplemental employment involves disclosure of confidential County information or conflicts with the governmental functions of the County.

An employee whose supplemental employment interferes with his or her employment with the County shall be subject to discipline up to and including employment termination. Interference includes but is not limited to an employee's attendance, efficiency in successfully completing his or her assigned tasks and interruptions in his or her job performance attributable to his or her supplemental employment or involves a conflict of interest between the employee's County employment and their supplemental employment.

LEAVING COUNTY EMPLOYMENT

Employment with the County is voluntary and subject to separation by the employee or the County for lawful reasons at any time, with or without cause and with or without notice. Department heads, elected officials and Judges shall have complete authority to terminate employees within their respective areas of responsibility.

An employee may be separated from employment for any one or more of the following reasons, recognizing the following list is not all inclusive:

- Quit or voluntary resignation
- Retirement
- Discharge or involuntary termination
- Death
- The employee makes a false statement on an application of employment, provides false information on any County document, or gives a false reason to obtain a leave of absence.
- The employee is absent for two (2) consecutive work days without notifying the department head and/or supervisor.
- The employee fails to report for work upon termination of leave of absence.
- The employee fails to report for work as directed in a notice of recall from layoff.
- The employee is laid off for a period of twelve (12) consecutive months.
- The employee engages in gainful employment while on an authorized leave of absence.
- The employee is on a medical leave of absence for a period of twelve (12) months.

An employee leaving County employment for any reason is responsible to return all County property to his or her department head, supervisor or the Human Resources department.

SEVERANCE PAY

A Confidential and Non-Union Employee (CANUE) is employed-at-will which means his or her employment maybe terminated at any time for no reason or without cause. An employee separated from employment "without cause" is entitled to severance pay as reflected on the table below. If the employee participates in the County health care plan, he or she is entitled to the continuation of health care coverage during the period salary is continued. For more information, refer to Policy 382: COBRA.

-----Weeks of Compensation-----

Years of Service	Department Head	Supervisor	Professional/ Technical	Clerical
5 to 9	6	4	2	1
10 to 14	8	6	4	2
15 to 19	10	8	6	3
20+	12	10	8	4

- An employee separated from employment for misconduct is discharged for “just cause” and is not entitled to severance pay or health care continuation upon separation of employment.
- A former employee shall accrue no benefits during the severance period such as by way of example the accrual of sick time, vacation time, holiday pay and/or retirement credit. Nor shall the employee be entitled to any benefit from a fully insured or self-insured plan such as by way of example, life insurance or disability insurance.
- The employee may be required to sign a severance agreement in order to receive severance pay and health care coverage continuation.

VOLUNTARY EMPLOYMENT RESIGNATION

In order to maintain optimal efficiency, the County requests an employee voluntarily terminating employment provide his or her department head and/or supervisor with at least two (2) calendar weeks’ notice of his or her resignation. Failure to provide two (2) calendar weeks’ notice may result in the loss of one (1) day of retrievable sick time for each day short of two (2) calendar weeks’ notice.

An employee’s resignation should be in writing and submitted to the department head and/or supervisor. It is desirable, but not required, that the employee give a reason for employment termination.

Prior to voluntary employment resignation, the department head, supervisor or a designated Human Resources department employee may request the departing employee to participate in an exit interview at which time the candid and frank observations of the employee will be appreciated.

For further information, an employee may contact the Human Resources department by telephone at (810) 989-6910 or by email at humanresources@stclaircounty.org.

Review: The Administrator/Controller has reviewed and approved this policy as to substance and Corporation Counsel has reviewed and approved as to legal content. The Human Resources Director shall periodically review this policy and make recommendations for changes as needed.

Adopted: May 20, 2021