

CHAPTER 260
Employees Generally

EDITOR'S NOTE: Resolution 91-83, passed June 10, 1991, authorized the Village President to execute an agreement recognizing the United Steelworkers of America, AFL-CIO-CLC, as the official bargaining unit of full-time patrolmen and clerical employees. Copies of such Resolution and of such Agreement, and of any amendments thereto, may be obtained, at cost, from the City Clerk.

Resolution 98-132, passed December 14, 1998, adopted the Village of Caseville Council Policy for Village Employees, as updated effective December 14, 1998. Copies of such resolution and of such Policy, as amended from time to time by Council, may be obtained, at cost, from the City Clerk.

Because of the frequency of change, provisions relating to regular compensation are not codified. Copies of the latest relevant legislation may be obtained, at cost, from the City Clerk.

260.01	Vacations.	260.04	Signing of payroll checks.
260.02	Compensatory time-off for overtime.	260.05	Deferred compensation.
260.03	Drug-free workplace policy.	260.06	Mileage reimbursement.
		260.07	Hospitalization.

CROSS REFERENCES

Elective officers generally - see CHTR. Sec. 4.7

Recall - see CHTR. Sec. 4.20

Deputy administrative officers - see CHTR. Sec. 3.17

Officers and employees generally - see CHTR. Ch. 5

Administrative officers and employees - see CHTR. Sec. 15.7

Municipal Employees' Retirement Act of 1989 - see M.C.L.A.
Secs. 38.1501 et seq.

Elective officers prohibited from serving as Office Administrator -
see ADM. 242.05

Obstructing officers and employees - see GEN. OFF. 602.01, 666.01(28)

260.01 VACATIONS.

All full-time employees are eligible for paid vacation benefits. There shall be no distinction between salaried and hourly employees for this particular benefit. The following shall be the schedule of eligibility: after one year of continuous service, one week or forty hours is authorized; after two years of continuous service, two weeks or

eighty hours is authorized; after five years of continuous service, three weeks or 120 hours is authorized; and after ten years of continuous service, four weeks or 160 hours is authorized. All employees are required to take their authorized vacation as time-off with pay during the eligible year. Vacation requests are to be submitted to the supervisor of the department and to the Office Administrator at least two weeks prior to the first day of vacation requested. If the City, because of war, emergency, pressures of business, and other unforeseen circumstances, deems it impossible to spare the employee from his or her work, the City will have to pass a resolution allowing the employee to receive vacation pay in lieu of time-off. It is distinctly understood and agreed that an employee shall be entitled to vacation pay in lieu of vacation only under the conditions outlined herein. (Res. 90-130. Passed 12-10-90.)

260.02 COMPENSATORY TIME-OFF FOR OVERTIME.

Overtime for the City Department of Public Works/Water Department and the City office hourly employees may be comped and used within the same pay period. If the department head is unable to schedule the employee comp time-off during the same pay period, the employee shall be paid for the comp time due. (Res. 91-113. Passed 8-12-91.)

260.03 DRUG-FREE WORKPLACE POLICY.

(a) Purpose. The following statement is provided pursuant to the Drug-Free Workplace Act of 1988:

The City of Caseville seeks to have a drug-free workplace. In accordance with the Drug-Free Workplace Act of 1988 and to promote drug-free awareness among employees, the City of Caseville, through the adoption of this policy, will inform employees that:

- (1) Drug abuse in the workplace creates a dangerous environment in the workplace for the employee engaged in the drug abuse and endangers the health, safety and welfare of all employees and other persons in the workplace.
- (2) It is the policy of the City of Caseville to maintain a drug-free workplace. The illegal manufacture, distribution, possession or use of drugs, or acting under the influence of drugs, in this workplace is strictly prohibited.
- (3) Information will be available on a confidential basis on public and private drug counseling and rehabilitation, upon the request of any employee.
- (4) Penalties may be imposed upon employees for drug abuse violations, up to and including termination of employment.

(b) Policy and Procedures.

- (1) The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited on any premises occupied or controlled by the Village of Caseville. Appropriate disciplinary actions, which may include termination, will be taken against Village of Caseville employees for violations of this prohibition.
- (2) "Controlled substance," for purposes of this section, means a controlled substance listed in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. Section 812), and as further defined by Federal regulations (21 C.F.R. Sections 1300.11 through 1300.15). This list includes, but is not limited to, marijuana, heroin, PCP, cocaine and amphetamines.
- (3) A condition of employment for work under any grant received by the Village of Caseville from the Federal government, is that each employee directly engaged in the performance of work funded by such a grant will:
 - A. Abide by the terms of this section.
 - B. Notify the Village of Caseville of his or her criminal drug statute conviction for any violation occurring in the workplace no later than five days after such conviction.
 1. "Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.
 2. "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensation, use or possession of any controlled substance. If the criminal drug statute violation occurred during the employee's working hours with the Village of Caseville, a sanction will be imposed on the employee so convicted. Within thirty days after receiving notice of the conviction, the Village of Caseville will:
 - a. Take appropriate disciplinary action against such employee, up to and including termination of employment; or
 - b. Require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or local health, law enforcement or other appropriate agency.

- (4) For the well-being and safety of all concerned, the manufacturing, drinking, possessing or ingesting of alcohol or a controlled substance, or reporting to work while under the influence of alcohol or a controlled substance, without a current medical doctor's prescription, or illegal drugs, such as, but not limited to, marijuana, narcotics, stimulants, depressants, hallucinogens, etc., is strictly prohibited on the Village's time, premises, equipment or job sites, as is their use in any way and in any other time or place during working hours.
- (5) If an employee is using a drug or controlled substance, the use of which is valid and dispensed to said employee via a current valid medical prescription in the employee's name, then at the beginning of the work day on the first work day the employee is taking the prescribed drug, the employee must notify his or her supervisor that he or she is taking the drug and must provide the supervisor with correspondence from the prescribing doctor which shall list any and all known side effects which might be caused by the drug. If the known side effects make it dangerous for the employee or fellow employees, then the employee will be placed on medical leave until he or she can safely work.
- (6) If the Village has reason to believe that an employee has violated this policy, the following procedure will apply:
 - A. The employee under suspicion will be given an immediate hearing with the following persons present:
 1. The employee;
 2. An employee union representative, if applicable;
 3. The employee's supervisor;
 4. The department head, or his or her representative.
 - B. If it is decided by the Village that the suspicions are substantiated, the employee will be immediately suspended subject to discharge. Said employee shall then be required to submit to an immediate blood and/or other appropriate test to be taken to prove that he or she is not under the influence of alcohol, a controlled substance or illegal drugs. A management representative will be called to arrange for the test and to provide transportation to the test. The employee must submit to testing and release of test results to the Village, or it shall be presumed that the employee has violated this section, and he or she will be discharged.

- C. After the test has been given and the results known, the employee will be put back to work with full pay for time lost, should the test results be negative, or will be subject to discipline, including discharge, if the test results are positive.
- (7) Should an employee recognize himself or herself to be substance dependent and ask the Village for a leave of absence before being confronted by management through the above procedure, he or she shall be granted accumulated vacation, sick leave or compensatory time-off while under the care of a Village-recognized rehabilitation program. If such paid time-off is not available to the employee, he or she shall be granted a leave of absence without pay for this purpose. He or she will be reinstated after the successful completion of the program, but remain on probation for one year, during which time he or she must remain substance-free. The employee will be subject to random, unannounced testing. Should he or she not complete the one-year rehabilitation, the individual will be terminated upon his or her dismissal or withdrawal from the program or violation of the program.
- (8) This notice supplements, and does not replace, the Rules and Regulations of the Caseville Village Council.
(Res. 90-108. Passed 10-8-90.)

260.04 SIGNING OF PAYROLL CHECKS.

The Caseville Village Council recognizes that the signatures of the Office Administrator and the Village Treasurer, plus any members of the Village Council or the Village President, will be sufficient on payroll checks and other checks relating to payroll in the event that an authorized Councilperson is not available for the signing of payroll and payroll-related checks.
(Res. 91-109. Passed 7-8-91; Res. 91-109A. Passed 8-12-91.)

260.05 DEFERRED COMPENSATION.

(a) The Village hereby adopts a deferred compensation plan in the form of the ICMA Retirement Corporation Deferred Compensation Plan, referred to as Appendix A and attached to original Resolution 94-54, passed June 13, 1994.

(b) The Village hereby executes the Declaration of Trust of the ICMA Retirement Trust, referred to as Appendix B and attached to original Resolution 94-54, passed June 13, 1994, intending such execution to be operative with respect to any retirement or deferred compensation plan subsequently established by the Village, if the assets of the Plan are to be invested in the ICMA Retirement Trust.

(c) The Office Administrator shall be the coordinator for the Plan; shall receive necessary reports, notices, etc. from the ICMA Retirement Corporation or the ICMA Retirement Trust; shall cast, on behalf of the Village, any required votes under the ICMA Retirement Trust; may assign to the appropriate departments administrative duties to carry out the plan; and is authorized to execute all necessary agreements with ICMA Retirement Corporation incidental to the administration of the Plan. (Res. 94-54. Passed 6-13-94.)

260.06 MILEAGE REIMBURSEMENT.

The mileage reimbursement rate for all Municipal employees who use their personal automobiles for Municipal purposes is hereby established at twenty-nine cents (29¢) per mile.

(Res. 95-55. Passed 6-12-95.)

260.07 HOSPITALIZATION.

The Village shall offer to full-time Village employees Blue Cross/Blue Shield hospitalization insurance Plan I, which Plan shall include vision benefits.

(Res. 97-21. Passed 3-10-97.)